

ORANGE COUNTY BOARD OF SUPERVISORS
MINUTE ORDER
October 11, 2016

Submitting Agency/Department: Chairwoman Bartlett

Adopt resolution establishing Coto de Caza Planning Advisory Committee and adopt bylaws; appoint Samuel Kallenbaugh, Laer Pearce, Lucy Dunn and Gilad Ganish for terms ending 1/31/19 and appoint Laura Eisenberg, Diane Ontko and Richard Roy, for terms ending 1/31/18, all from Coto de Caza

The following is action taken by the Board of Supervisors:

APPROVED AS RECOMMENDED ☒ OTHER ☐

Unanimous ☒ (1) DO: Y (2) STEEL: Y (3) SPITZER: Y (4) NELSON: Y (5) BARTLETT: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused; B.O.=Board Order

Documents accompanying this matter:

- ☒ Resolution(s) 16-098
- ☐ Ordinances(s)
- ☐ Contract(s)

Item No. 21

Special Notes:

Copies sent to:

OCPW/OC Development Services - Colby Cataldi - w/ Reso.

Appointees - w/ Reso.

11/9/16



I certify that the foregoing is a true and correct copy of the Minute Order adopted by the Board of Supervisors, Orange County, State of California.
Robin Stieler, Clerk of the Board

By:  _____
Deputy



AGENDA STAFF REPORT

Agenda Item

ASR Control 16-001176

MEETING DATE:

10/11/16

TO:

Orange County Clerk of the Board

LEGAL ENTITY TAKING ACTION:

Board of Supervisors

SUBMITTING AGENCY/DEPARTMENT:

Supervisor Bartlett

DEPARTMENT CONTACT PERSON(S):

Victor Cao, (714) 834-3550

Paul Walters, (714) 834-3550

CATEGORY: Discussion

SUBJECT: Establishment of Coto de Caza Planning Advisory Committee

RECOMMENDED ACTION:

1. Adopt resolution establishing the Coto de Caza Planning Advisory Committee and adopting the bylaws applicable thereto.
2. Appoint the following nominees to the Coto de Caza Planning Advisory Committee:
 - a. Samuel Kallenbaugh for term beginning on October 11, 2016 and ending on January 31, 2019;
 - b. Laer Pearce for term beginning on October 11, 2016 and ending on January 31, 2019;
 - c. Lucy Dunn for term beginning on October 11, 2016 and ending on January 31, 2019;
 - d. Gilad Ganish for term beginning on October 11, 2016 and ending on January 31, 2019;
 - e. Laura Eisenberg for term beginning on October 11, 2016 and ending on January 31, 2018;
 - f. Diane Ontko for term beginning on October 11, 2016 and ending on January 31, 2018; and
 - g. Richard Roy for term beginning on October 11, 2016 and ending on January 31, 2018.

SUMMARY/BACKGROUND:

Adopt resolution for the formation of the Coto de Caza Planning Advisory Committee (CPAC) and governing bylaws. CPAC will provide non-binding recommendations on land use planning within the Coto de Caza Specific Plan area to the Deputy Director of OC Public Works/OC Development Services, Zoning Administrator, Subdivision Committee, Planning Commission, and Board of Supervisors.

Coto de Caza is an unincorporated master-planned community in South Orange County directly adjacent to the City of Rancho Santa Margarita. There are currently 5,002 homes within the Coto de Caza Specific

Plan area, including both the area within the gated portion of the community as well as the area along Oso Parkway at Coto de Caza Drive (known as Wagon Wheel).

Adoption of Resolution 88-1039 on July 12, 1988, established the Coto de Caza Specific Plan Board of Review (CDCRB), and subsequently, Resolution 88-1289, adopted on September 20, 1988, approved formation of the CDCRB and its governing bylaws.

CDCRB was established to advise the OC Public Works/OC Development Services (previously EMA), Orange County Zoning Administrator, Subdivision Committee, Planning Commission, Board of Supervisors on all land use discretionary actions in the implementation of the Coto de Caza Specific Plan. OC Development Services (formerly the Environmental Management Agency), forwarded all discretionary permit applications within the Coto de Caza Specific Plan area to CDCRB for their review. Public meetings were conducted by CDCRB consistent with the Brown Act, and the recommended actions (meeting minutes) were forwarded to county staff for inclusion in the staff report. This review process is consistent with Zoning Code section 7-9-150.3b in which the citizens' body shall have at least 21 calendar days prior to final action by reviewing authority to review discretionary permit applications.

CDCRB was terminated on December 5, 2006 due to several factors including the changing market conditions and the community's development activity approaching its development capacity, although still below the Specific Plan cap of 6,268 units. Specific plan advisory committees have been similarly established and maintained in the Third Supervisorial District; the North Tustin Advisory Committee (NTAC) and Orange Park Acres Advisory Committee (OPAAC).

Since 2010, improving market conditions have fostered considerable interest in developing the remaining capacity of the Specific Plan and redeveloping existing properties. Establishment of the Coto De Caza Planning Advisory Committee with associated bylaws (Attachment A) will ensure community input on projects and evaluation of the Coto de Caza Specific Plan at the local level. According to the Bylaws, CPAC members will be appointed for two years terms, will serve as volunteers, and will not be compensated for time, services or supplies. The recommendations of CPAC will be advisory only and not binding on any County Agency.

The nominees for the Coto de Caza Planning Advisory committee are:

<u>Nominee</u>	<u>Proposed Term</u>
Samuel Kallenbaugh	10/11/2016 – 01/31/2019
Laer Pearce	10/11/2016 – 01/31/2019
Lucy Dunn	10/11/2016 – 01/31/2019
Gilad Ganish	10/11/2016 – 01/31/2019
Laura Eisenberg	10/11/2016 – 01/31/2018
Diane Ontko	10/11/2016 – 01/31/2018
Richard Roy	10/11/2016 – 01/31/2018

The Orange County Registrar of Voters has confirmed that all nominees are registered to vote in the Coto de Caza Specific Plan area.

ATTACHMENT(S):

Attachment A – Resolution for Coto de Caza Planning Advisory Committee and Bylaws, Attachment B – Coto de Caza Specific Plan Boundary Map, Attachment C – Nomination Forms, Attachment D – Correspondence from CZ Master Association, Attachment E - BCC Create

COUNTY COUNSEL REVIEW:

RESOLUTION OF THE BOARD OF SUPERVISORS OF
ORANGE COUNTY, CALIFORNIA

October 11, 2016

WHEREAS, The Coto de Caza Specific Plan was adopted on March 26, 1986 and has been subsequently amended.; and

WHEREAS, on April 6, 1988, the Board of Supervisors approved Resolution 88-448 which established additional directives desirable to ensure the implementation of the Coto de Caza Development Agreement and Specific Plan in a manner that addressed the concerns of the residents of the community; and

WHEREAS, among those directives was a requirement that alternative methods of ensuring community input be explored and community advisory panel be developed following identification of advisory panel formats; and

WHEREAS, on July 12, 1988, the Board of Supervisors adopted Resolution 88-1039, which provided for creation of the Coto de Caza Specific Plan Board of Review; and

WHEREAS, on September 20, 1988, the Board of Supervisors adopted Resolution 88-1289, which approved formation of the Coto de Caza Specific Plan Board of Review; and

WHEREAS, on December 5, 2006, the Board of Supervisors adopted Resolution 06-222 which terminated the Coto de Caza Specific Plan Board of Review; and

WHEREAS, the Board of Supervisors finds that the current population and stage of development in Coto de Caza, new economic conditions and renewed development pressures, warrants the re-establishment of an advisory board to receive input from the community and make recommendations to Orange County Development Services.

NOW, THEREFORE, BE IT RESOLVED THAT THIS BOARD DOES HEREBY:

1. Approve the establishment and formation of the Coto De Caza Planning Advisory Committee.
2. Adopt the Coto De Caza Planning Advisory Committee Bylaws attached to this Resolution as Exhibit A.
3. Appoint the following candidates to the Coto De Caza Planning Advisory Committee: Laura Eisenberg, Diane Ontko and Richard Roy for a term beginning October 11, 2016 and ending on January 31, 2018.
4. Appoint the following candidates to the Coto de Caza Planning Advisory Committee: Lucy Dunn, Gilad Ganish, Samuel (Bob) Kallenbaugh, Laer Pearce for a term beginning October 11, 2016 and ending on January 31, 2019.

EXHIBIT A

BYLAWS OF THE COTO DE CAZA ADVISORY COMMITTEE

I. Purpose

The Coto de Caza Planning Advisory Committee (CPAC) is established to advise the Deputy Director of OC Public Works/OC Development Services, Orange County Zoning Administrator, Planning Commission, and Board of Supervisors, on all land use discretionary actions of the County of Orange in the unincorporated area located within the boundaries of the Coto de Caza Specific Plan.

II. Responsibilities

- A. The CPAC is responsible for conducting public meetings for the purpose of reviewing proposed discretionary permits associated with land development projects submitted by the County including, but not limited to, General Plan amendments, Specific Plan amendments, area plans, subdivision maps, zone changes, zone code amendments, site development permits, use permits, and variance permits.
- B. The CPAC shall report any recommendations on such projects to the Deputy Director of OC Public Works/OC Development Services or to his or her designee. The recommendations of the CPAC shall be advisory only and not binding on any County agency.
- C. CPAC is not authorized to undertake, independently as a group, any other activity including, but not limited to, lobbying, political or legal actions unless specifically authorized by the Board of Supervisors.

III. Membership

- A. **Number:** The CPAC shall comprise seven (7) members.
- B. **Qualifications:** Members shall be residents registered to vote at a residence located in the Coto de Caza Specific Plan area.
- C. **Terms of Office:** Beginning after the initial appointment of members made concurrent with the adoption of these bylaws, the terms of office for new appointees shall begin in February and end two years hence on January 31. Terms of office for appointments made concurrent with the adoption of these bylaws shall be set forth in a resolution making the appointment.
- D. **Appointment and termination of members:**
 - 1. Members shall be nominated by the Supervisor from the Fifth District and approved by the Board of Supervisors.

2. Any member who fails to attend three consecutive regular meetings shall automatically vacate their position.
3. Members serve at the discretion of the Board of Supervisors and may have their membership terminated by a majority vote by the Board of Supervisors.
4. The seat of any member who is no longer registered to vote at a residence located in the Coto de Caza Specific Plan boundaries is automatically vacated without action of the Board of Supervisors.
5. Upon a vacation of a position under sections D.2., D.3, and D.4, above,, the Chair of the CPAC shall notify the Supervisor from the Fifth District, and the Supervisor will determine whether the position shall be left vacant until it the regular new term is scheduled to begin or a new member shall be appointed by the Board of Supervisors to fulfill the remainder of the term left vacant.

E. Officers:

1. The officers of the CPAC shall be a Chair, Vice Chair, and Secretary.
2. Officers are elected by the membership of the CPAC at each annual organizational meeting and shall serve until the next organizational meeting.

F. Vacancies:

Vacancies in membership occurring prior to the expiration of a term of office shall be addressed in the same manner as identified in Section III D.5 above.

IV. Procedures

- A. Four members shall constitute a quorum of the CPAC. No business shall be transacted in the absence of a quorum.
- B. Recommendations regarding a development project may be made by a majority (3) of a quorum (4) of the members. Abstention shall count toward a quorum.
- C. Either the Chair, Vice Chair, or Secretary shall sign all communications representing the recommendations of the CPAC.
- D. Minutes of each meeting shall be taken by the Secretary, or if absent, by another CPAC member. The Minutes shall record (1) the attendance of each member present, (2) all motions made and seconded, and (3) how each member voted. For proposed development projects, the motion shall state whether the Advisory Committee recommends approval or denial, and any project modifications or conditions. No other information is required.
- E. All meetings shall be open and public in accordance with the provisions of the Government Code Section 54950 et seq., also known as the Ralph M. Brown Act.
- F. The CPAC shall schedule regular monthly meetings at a location, date, and time. Special meetings may be held in accordance with the Ralph M. Brown Act.

- G. Prior to any meeting, the CPAC or County of Orange staff shall post an agenda for that meeting at three public locations determined by the CPAC in accordance with the Ralph M. Brown Act. Per existing County policies, they will mail an agenda to landowners in the vicinity of agendized projects with pre-addressed and stamped envelopes provided by the project applicant.

V. Referral Procedures and Deadlines

- A. Deputy Director of OC Public Works/OC Development Services or his or her designee, shall mail, fax or email all relevant project applications and supporting material to the address provided by the CPAC members at least 21 calendar days prior to action. CPAC shall have the authority to waive the 21 calendar-day requirement.
- B. The CPAC Chair shall place the referred project on the agenda for action by the CPAC at its next regularly scheduled meeting.
- C. Failure of CPAC to act on any matter does not limit the ability of the County of Orange to act on that matter.
- D. CPAC members shall allocate sufficient time to thoroughly review each project application referral and shall be prepared to provide comments and take action at the next meeting.

VI. Compensation

Members serve as volunteers and there is no County compensation for time, services, or supplies for CPAC.

VII. Amendments

These bylaws may be amended by the Board of Supervisors.

The foregoing was passed and adopted by the following vote of the Orange County Board of Supervisors, on October 11, 2016, to wit:

AYES: Supervisors: LISA A. BARTLETT, SHAWN NELSON, ANDREW DO
MICHELLE STEEL, TODD SPITZER
NOES: Supervisor(s):
EXCUSED: Supervisor(s):
ABSTAINED: Supervisor(s):

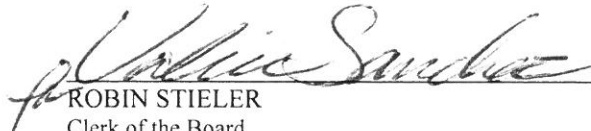


CHAIRWOMAN

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

I, ROBIN STIELER, Clerk of the Board of Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Resolution was duly and regularly adopted by the Orange County Board of Supervisors.

IN WITNESS WHEREOF, I have hereto set my hand and seal.



ROBIN STIELER
Clerk of the Board
County of Orange, State of California



Resolution No: 16-098
Agenda Date: 10/11/2016
Item No: 21



I certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of Supervisors, Orange County, State of California

Robin Stieler, Clerk of the Board of Supervisors

By: _____
Deputy