

# CITY OF LA HABRA HEIGHTS

## MINUTES OF A SPECIAL MEETING OF THE LA HABRA HEIGHTS

### CITY COUNCIL

October 21, 2003

#### OPENING CEREMONIES

##### 1. CALL MEETING TO ORDER

Mayor Stan Carroll called the Special Meeting of the La Habra Heights City Council to order at 8:05 p.m. at the Community Center, 1245 N. Hacienda Road, La Habra Heights, California.

##### 2. ROLL CALL

Those present: Mayor Stan Carroll, Mayor Pro Tem Ed Borrowe, Councilmember Bruce Douglas, Councilmember Fred Klein, and Councilmember Tela Millsap. Also present City Manager John Hendrickson, Interim Community Development Director Sandra Massa-Lavitt, Planning Technician Barbara Doppieri, City Attorney Michael Colantuono and General Plan Consultant Marc Blodgett.

##### 3. FLAG SALUTE

Katie Martin led the flag salute.

#### PUBLIC COMMENTS ON MATTERS ON THE AGENDA AND NOT ON AGENDA

**Katie Martin, Reposado** – spoke regarding the Environmental Impact Report and presented a letter to the City Council; asked for 2 issues to be addressed; if state law differs from City law which prevails; stated it is wrong to put something in the General Plan that is against the law.

**John Beau, Casalero** – spoke regarding GPAC Policy 40; Planning Commission eliminated this policy; suggested the following wording “property sharing a common boarder with existing preserves may be developed providing that reasonable safeguards are taken with respect to the protection of the preserves habitat”; GPAC Policy 49 regarding the Water Company Unification should be eliminated; strongly urged the City Council to keep out of the Water Company; GPAC Policies 54, 55 and 56, Planning Commission version suggested adding Ed’s verbiage; GPAC Policy 57 take it out.

**John Smith, Shawnan Lane** – spoke regarding Land Use Policy 6; cubic content should be eliminated; ridgelines should be eliminated.

**Katie Martin, Reposado** – spoke regarding cubic content should be removed; Land Use 57 opposes this policy.

Mayor Carroll seeing no one else come forward closed the public comment.

Mr. Colantuono spoke regarding health and safety justification; no Brown Act bases to challenge the General Plan.

## **PUBLIC HEARINGS**

### **4. GENERAL PLAN ENVIRONMENTAL IMPACT REPORT**

Mayor Carroll continued this item to the special meeting of October 29, 2003.

### **5. CONTINUE COUNCIL DISCUSSION REGARDING THE GENERAL PLAN BEGINNING WITH LAND USE POLICY NO. 32.**

Mayor Carroll stated the City Council was scheduled to begin the discussion with Land Use Policy 32, however staff were bringing back Policy 14 and 18.

#### **Land Use Element**

##### Policy 14

Ms. Massa-Lavitt explained Policy 14 and the two revisions.

Mr. Colantuono stated he tried to take the existing policy and unwind it.

It was the consensus of the City Council to continue this item to October 29, 2003 to give the Council time to study the two proposed changes.

##### Policy 18

Ms. Massa-Lavitt suggested putting this policy under Land Use Policy #1 and making it Land Use Policy #1a.

**Councilmember Douglas moved** to move the Policy to Policy #1a. **Mayor Pro Tem Borrowe seconded the motion.** Vote 5-0.

Mr. Hendrickson announced that Saturday October 25, 2003 will be the City Wide Trash Collection from 8-1 pm at the Park.

##### Policy 32

**Mayor Carroll moved** to add the Equestrian Center at Powder Canyon. **Councilmember Douglas seconded the motion.**

**Mayor Carroll amended his motion** to include all of Powder Canyon. **Councilmember Douglas accepted the amendment.** Vote 5-0.

##### Policy 33

Mr. Blodgett suggested defining passive and active in ERME; Mr. Blodgett volunteered to draft new language for the next meeting.

#### Policy 39 & 41

The City Council asked staff to rewrite these policies and bring them back to the Council. There should be a definition statement; staff to include Mayor Carroll's language.

#### Policy 44

Mr. Colantuono suggested revising the policy to read as follows: "The City of La Habra Heights shall work with property owners and operators of public facilities in designing, landscaping, and locating facilities, and shall regulate these facilities to the extent provided by law."

**Councilmember Douglas moved** to accept Mr. Colantuono's revised wording. **Seconded by Mayor Pro Tem Borrowe.** Vote 5-0.

#### Policy 48

**Mayor Carroll moved to amend** the policy to read, "All non residential structures must be visually compatible with the community and must meet all performance standards". **Seconded by Councilmember Millsap.**

Mr. Colantuono suggested saying "All non residential development must be visually compatible with the community and comply with performance standards defined by ordinance."

**Mayor Carroll amended his motion** to include Mr. Colantuono's language. Vote 4-1 Klein

#### Policy 50

**Mayor Pro Tem Borrowe moved** to add signal lights and streetlights at the end of the policy. Motion died for lack of a second.

**Councilmember Klein moved** to accept the policy as it was written. **Mayor Carroll seconded the motion.** Vote 4-1 Borrowe

#### Policy 52

Mayor Pro Tem Borrowe stated he objected to the words significant and primary. **Mayor Pro Tem Borrowe moved** to remove the words "significant and primary" from the policy. Motion died for lack of a second.

**Councilmember Klein moved** to accept the policy as it was written. **Mayor Carroll seconded the motion.** Vote 4-1. Borrowe.

## Policy 53

Mayor Pro Tem Borrowe stated he also was objecting to this policy until the words significant and primary are defined. **Mayor Pro Tem Borrowe moved** to remove significant and primary from this policy. Motion died for lack of a second.

**Councilmember Klein moved to approve** the policy as it was written. **Councilmember Klein modified his motion** to read "...significant and primary view obstruction...". **Mayor Carroll seconded the motion.**

Ms. Massa-Lavitt stated she felt this policy was redundant.

Vote 3-2 Borrowe and Douglas.

**Mayor Carroll moved** to delete Policy 53. Motion died for lack of a second.

## Policy 54

The City Council instructed staff to look at this policy and see where it would best fit. The City Council wanted to let this policy gel and bring it back October 29, 2003.

## Policy 55

Mayor Pro Tem Borrowe felt this policy was not strong enough; it was a good start; suggested changing the word remanded to referred.

Mr. Colantuono suggested deleting this policy and putting it in implementation measures; it is not a policy in and of itself.

Mr. Blodgett suggested keeping the first sentence and then moving the rest of the policy to the implementation measures.

**Councilmember Douglas moved** to keep the first sentence and move the rest of the policy to implementation measures. **Seconded by Councilmember Millsap.** Vote 2-3 Borrowe, Carroll, Klein.

**Mayor Pro Tem Borrowe moved** to keep the policy as it was written. **Seconded by Councilmember Douglas.** Vote 2-3 Carroll, Klein, Millsap

**Councilmember Klein moved** to move the entire policy to implementation measures. **Seconded by Mayor Carroll.** Vote 2-3 Borrowe, Douglas, Millsap.

The City Council continued this policy to the meeting of October 29, 2003.

Mr. Hendrickson announced that Saturday October 25, 2003 will be the City Wide Trash Collection from 8-1 pm at the Park.

**CONTINUED PUBLIC COMMENTS ON MATTERS ON THE AGENDA AND NOT ON THE AGENDA**

**John Beau, Casalero** – spoke regarding the District Attorney’s latest letter; concurred with the District Attorney Letter.

**Linda Smith, Hacienda** – presented a statement for her mother Ann Eaton regarding traffic calming on Hacienda; spoke regarding her opinion of the District Attorney’s letter.

**Rick Martin, Reposado** – spoke regarding his opinion of the District Attorneys latest letter.

Mayor Carroll recessed the meeting at 10:35 p.m. Meeting was called back to order at 10:37 p.m.

**Katie Martin, Reposado** – stated she had complained for two years to no avail; spoke regarding Land Use Policy 55 is a huge disservice; doesn’t work in Rancho Palos Verdes; opening a can of worms; survey is being misused; look at demographics; Policy 55 is in conflict with Goal 5.

**Tom Higgs, El Cajonita** – stated he was choosing not to speak at this time.

**Alan Boege, Cypress** – suggested the City Council consider a procedural change for these meetings and eliminating items not on the agenda.

Mayor Carroll then continued the public comments and asked for a motion to adjourn.

Councilmember Klein asked to have ½ hour set aside at the next meeting to discuss the District Attorney’s latest letter; Mayor Pro Tem Borrowe agreed it should be agendized.

**ADJOURNMENT**

**Councilmember Klein moved** to adjourn the meeting at 10:53 p.m. to the Special City Council Meeting of October 29, 2003 at 8:00 p.m. **Seconded by Mayor Carroll** and approved as follows:

**AYES: Borrowe, Carroll, Douglas, Klein and Millsap**  
**NOES: None**  
**ABSENT: None**  
**ABSTAIN: None**

ATTEST:

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City Clerk