

**Lopez, Maria [COB]**

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**From:** fourusfields@cox.net  
**Sent:** Saturday, April 06, 2024 7:14 PM  
**To:** COB\_Response  
**Cc:** Wagner, Donald  
**Subject:** Public Comment for PA23-0070\_Hearing Date April 9\_2024  
**Attachments:** New Objection Letter PA23-0070.pdf

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Clerk of the Board Supervisors,

Please see the attached letter for the subject Hearing. Please include this letter in the Record on this issue.

Sincerely,  
Heidi Rosenfield

April 6, 2024

[response@ocgov.com](mailto:response@ocgov.com)

Clerk of the Board  
400 W. Civic Center Drive, Sixth Floor  
P.O. Box 687  
Santa Ana, CA 92702-0687

SUBJECT      OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF  
WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA,  
CA (Hearing Date April 9, 2024 – Agenda Item #27)

Honorable Board of Supervisors,

I am submitting this public comment due to new information, in objection to the subject cancellation of Williamson Act Contract, PA23-0070. A few of the reasons for this objection are stated below. Accordingly, I request that this matter be denied or continued to a future date to satisfactorily address the below issues.

1. Government Code Section 51282 (e) requires “The landowners petition shall be accompanied by a proposal for a specified alternative use of the land.” The newly revised Staff Report added Attachment H, the April 23, 2023, letter from the representative of the subject property, the Applicant. In that letter, the Applicant states, in paragraph number 3, “Upon cancellation, the Miller Family will, in all likelihood, sell the Property to be developed similar to the surrounding properties...”. For almost exactly one-year, the County has been aware of the Applicant’s intent to sell the property for development. Unfortunately, the revisions to the Staff Report now state, contrary to the evidence in this hearing (Attachment H), the following, “If the cancelation [of the Williamson Act Contract] is approved, the property owners intend to continue the existing single family residential uses onsite without change. The property owners do not propose any construction or change to the existing use of the property as part of the requested cancelation.” **Both of these statements cannot be true.** The Board should not take any action on this proposal without more specific Project information for what should be obvious reasons, including, but not limited to, an Environmental Assessment under CEQA. The Board of Supervisors should not act on this Planning Application until further information is provided.
2. The Applicant clearly states their intention, to sell the property for development. Regardless of the type of development, the cancellation of the Williamson Act Contract will be development inducing, thereby a Project. It is well established law that Projects cannot be approved in a piecemeal fashion in order to avoid the Environmental Assessment requirements of the California Environmental Quality Act (CEQA). It is incorrect to utilize a categorical exemption to bypass CEQA for this action. The Board does not have rely upon said recommendation. The Board should be more interested in protecting the community from adverse impacts. Here, the property is unquestionably environmentally significant and there has been no determination by staff that it is not. This fact is confirmed simply by reviewing the staff’s own description of the property and its location in the area, the wildlife that resides on the property and trees on the property. The Board of Supervisors should not act on this Planning Application until a thorough CEQA Environmental Assessment is provided.

3. The Applicant letter of April 23, 2023, (Attachment H) in Paragraph 5, makes the assertion that the Property is an island of undeveloped land that is best developed like surrounding properties and should not be considered for a Park. This assertion belies the fact that the Property is directly across the street from Arroyo Elementary School, a site accessed with fully developed streets but which is significantly adversely impacted by daily school traffic and lack of emergency vehicle access for the community; new housing could only exacerbate these conditions. The further development of this site will worsen these traffic conditions, amongst many others environmental conditions. Additionally, the Property is the perfect location for a Park, a use that is explicitly allowed in this Zone, per Zoning Code Section 7-9-67.2 Principal Uses Permitted, (a) Parks, Playgrounds and Athletic Fields. A Park is sorely needed in this neighborhood that has limited park access. The community and the school would benefit from a Park across the street from the school. It is also the community's understanding that the original owner, Mr. Miller, had expressed intentions to convey this property to the County for a Park. This should be further researched before any action is taken on this Application. The Board of Supervisors should not act on this Planning Application until discussion is held on the acquisition of the Property for a County Park.
4. The proposed Findings in the staff report in support of cancellation of the Williamson Act Contract fails to address provisions of GC 51282c. The California Department of Conservation, in the publication "Williamson Act Cancellation Process - Guide for Local Governments", states, The Board may approve a cancellation request **only if it is in the public interest.** (emphasis added) To make this finding, the board or council must make all the following findings (GC 51282c): a) That other public concerns substantially outweigh the objectives of this chapter; and b) That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land." There are no facts in the staff report that the proposed cancellation of the Williamson Act Contract is, in fact, in the public interest. It is apparent that the approval of the cancellation request is **contrary to the public interest.** Said cancellation will lead to development of the site, one of the last open spaces in the area which will result in the displacement of multiple species of flora and fauna, including nesting hawks, that will be harmed if the cancellation is approved. The benefits to the public interest as a result of the Williamson Act Contract should be evaluated in an Environmental Assessment. The Board of Supervisors should not act on this Planning Application until a thorough CEQA environmental assessment is provided and the public interest is fully vetted.
5. The staff report, in the Financial Impact, fails to state that there is a financial impact. The property owner, if the cancellation request is made, is required to pay 12.5% of the fair market value to the County. This is buried in the Resolution but not clearly stated for public information as required. The fact is that there is a positive financial impact for the County. Furthermore, GC 51283 (a) states, "Prior to any action by the board or council giving tentative approval to the cancellation of any contract, **the county assessor of the county in which the land is located shall determine the current fair market value of**

***the land as though it were free of the contractual restriction*** (emphasis added). The revised Staff Report has now provided Attachment I, the Office of Assessor November 13, 2023 letter stating the “valuation” of the parcels of land as \$5.7 million “as of 8/1/2022”. The Assessor’s valuation fails to comport with Code. The valuation is to represent the fair market value of the land as though it were free of the contractual restriction (GC 51283(a), 51283.1(a)) and is considered current for one year (GC 51283.4(a)). **The Assessors Valuation expired as of August 1, 2023 and is no longer valid.** The Board of Supervisors should not act on this Planning Application until the County Assessor provides an update and it is presented for public evaluation and to assure the County is properly compensated.

6. Section 4. of the Resolution (Attachment A to the staff report) states that a payment of \$712,500 is to be paid for this cancellation based upon the Assessor’s certification of Property valuation of \$5.7 million. Using the E4 Zoning, it can be estimated that up to 40 lots could be created at 10,000 square feet each or about 30 lots could be created at 15,000 square feet each. A search of for sale vacant lots of these sizes are selling for more than \$500,000 each, the exact definition of fair market value. Using even the 30 lots figure, the fair market valuation of the Property would easily exceed \$15 million. The Board of Supervisors should not act on this Planning Application until the County Assessor provides a new and current property valuation resulting in an appropriate cancellation fee.
7. The Board of Supervisors should provide assurances to the community that they would never support a change in Zoning on this Property.
8. This letter of objection is based solely on the limited information found online. Further objections may be made as further investigation and information become available. All rights are reserved to raise further objections and any failure to raise issues and objections prior to or at the hearing is a result of the lack of information and the short time provided to comment and object to the cancellation of the contract.

Sincerely,

Heidi Rosenfield  
10921 Cherry Hill Drive  
Santa Ana, CA 92705

## Lopez, Maria [COB]

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**From:** glongwel@gmail.com  
**Sent:** Saturday, April 06, 2024 4:30 PM  
**To:** COB\_Response  
**Subject:** Objection to PA23-0070 (Project across from Arroyo Elementary in Santa Ana)

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

> Dear Clerk of Board of Supervisors, Orange County.

>

> We are writing to object to PA23-0070, the cancellation of the Williamson Act Contract, as set forth in the Board of Supervisors agenda for March 26, 2024, agenda item # 37. We are joining the objections submitted by Phillip Allan Trajan Perez and Heidi Rosenfield to this agenda item and incorporate those objections as if fully set forth herein.

> In addition, we join any other objections made in writing or at the hearing on this agenda item.

>

> Thank you,

> John and Ginger Longwell

Sent from my iPad

## Lopez, Maria [COB]

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**From:** SCOTT MICHAELS <smichael1@cox.net>  
**Sent:** Saturday, April 06, 2024 11:49 PM  
**To:** COB\_Response  
**Cc:** Wagner, Donald  
**Subject:** OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Honorable Board of Supervisors,

I am submitting this public comment due to new information, in objection to the cancellation of Williamson Act Contract, PA23-0070.

From what I understand the petition for cancellation shall be accompanied by a proposal for a specific alternative use of the land. After reading the updated background information document (which explicitly now strikes out the sentence I was hanging my hopes on: that it would be developed as E4 zoning. Instead, the strike out text is replaced with a reference to attachment H, which is only more vague about potential usage and makes new arguments that open space is not in keeping with the community. I find this attachment concerning and threatening to my interests as a homeowner in this community.

It is also befuddling that the Notice of Public Hearing states that the project is "Categorically Exempt" from CEQA mainly because no "new parcels will be created, and no changes in land use, density or development are proposed", but attachment H states "Upon cancellation, the Miller Family will, in all likelihood, sell the Property to be developed similar to the surrounding properties (i.e. single family residential use). First, I am confused how it can be stated that no changes in land use or development are proposed and also stated that it will be developed for single family residence use.

Further, if the petition were accompanied by a solid guarantee of adherence to E4 zoning, I would be less concerned, but the change in wording from the previous version of the background information document eliminates mention of E4 zoning and is replaced by a reference to attachment H. Attachment H reads like a hardening of the petitioners position that they can do anything they want compared to the previous background information document, which does not exclude high density "single family residential use" – which I believe must be interpreted in its most harmful form, for otherwise this point could be made less vague.

**I would feel less concerned about the future of my neighborhood if the Board of Supervisors provided assurances to our community that they would never support a change in Zoning on this Property.**

I also don't believe the case being made for exemption from CEQA environmental assessment, basically saying that the land use not going to change. No reasonably intelligent party to this hearing believes that is the intention of the petitioners. The wildlife (hawks) that have been a consistent source of wonder and excitement, not to mention control of rodents on Arroyo properties – where I have observed over 28 years that no cats can survive for long outdoors. Diminishing the control of rodents is a problem of particular concern for me, including damage to my truck and to my vineyard. Or perhaps with the loss of local avian wildlife, more coyotes will move in to fill the gap with all the problems that brings to the community. Maybe my concerns appear tiny and unimportant, but I am only one resident and I am sure many other impacts will be brought up by others. Whether my specific conclusions are valid or not, we as a community at least deserve a scientific assessment of the environmental impact. Therefore, the Board of Supervisors should not act on this Planning Application until a thorough CEQA environmental assessment is provided and the public interest is fully vetted.

I calculated how many units would fit in 11.02 acres (almost exactly 48 at 10,000 sq ft), but at least one and perhaps two cul-de sacs need to be accounted for, so the actual number of lots would be approximately 40. Even at only 30 lots and a search of for sale vacant lots of this size demonstrates a value of 500k each, so the fair market valuation would exceed \$15 million. Therefore, the Board of Supervisors should not act on this Planning Application until the County Assessor provides a new and current property valuation resulting in an appropriate cancellation fee.

Accordingly, I request that this matter be denied or continued to a future date to satisfactorily address the below issues.

Sincerely,

Scott Michaels

11312 Arroyo Ave

North Tustin

## Lopez, Maria [COB]

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**From:** Cheryl Frank <cherylfrank12@gmail.com>  
**Sent:** Sunday, April 07, 2024 6:49 AM  
**To:** COB\_Response  
**Subject:** OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Clerk of the Board  
400 W. Civic Center Drive, Sixth Floor  
P.O. Box 687  
Santa Ana, CA 92702-0687

Honorable Board of Supervisors,

I am submitting this public comment due to new information, in objection to the subject cancellation of Williamson Act Contract, PA23-0070. A few of the reasons for this objection are stated below. Accordingly, I request that this matter be denied or continued to a future date to satisfactorily address the below issues.

1. Government Code Section 51282 (e) requires “Thelandowners petition shall be accompanied by a proposal for a specified alternative use of the land.” The newly revised Staff Report added Attachment H, the April 23, 2023, letter from the representative of the subject property, the Applicant. In that letter, the Applicant states, in paragraph number 3, “Upon cancellation, the Miller Family will, in all likelihood, sell the Property to be developed similar to the surrounding properties...”. For almost exactly one-year, the County has been aware of the Applicant’s intent to sell the property for development. Unfortunately, the revisions to the Staff Report now state, contrary to the evidence in this hearing (Attachment H), the following, “If the cancelation [of the Williamson Act Contract] is approved, the property owners intend to continue the existing single family residential uses onsite without change. The property owners do not propose any construction or change to the existing use of the property as part of the requested cancelation.” **Both of these statements cannot be true.** The Board should not take any action on this proposal without more specific Project information for what should be obvious reasons, including, but not limited to, an Environmental Assessment under CEQA. The Board of Supervisors should not act on this Planning Application until further information is provided.



2. The Applicant clearly states their intention, to sell the property for development. Regardless of the type of development, the cancellation of the Williamson Act Contract will be development inducing, thereby a Project. It is well established law that Projects cannot be approved in a piecemeal fashion in order to avoid the Environmental Assessment requirements of the California Environmental Quality Act (CEQA). It is incorrect to utilize a categorical exemption to bypass CEQA for this action. The Board does not have rely upon said recommendation. The Board should be more interested in protecting the community from adverse impacts. Here, the property is unquestionably environmentally significant and there has been no determination by staff that it is not. This fact is confirmed simply by reviewing the staff's own description of the property and its location in the area, the wildlife that resides on the property and trees on the property. The Board of Supervisors should not act on this Planning Application until a thorough CEQA Environmental Assessment is provided.
3. The Applicant letter of April 23, 2023, (Attachment H) in Paragraph 5, makes the assertion that the Property is an island of undeveloped land that is best developed like surrounding properties and should not be considered for a Park. This assertion belies the fact that the Property is directly across the street from Arroyo Elementary School, a site accessed with fully developed streets but which is significantly adversely impacted by daily school traffic and lack of emergency vehicle access for the community; new housing could only exacerbate these conditions. The further development of this site will worsen these traffic conditions, amongst many others environmental conditions. Additionally, the Property is the perfect location for a Park, a use that is explicitly allowed in this Zone, per Zoning Code Section 7-9-67.2 Principal Uses Permitted, (a) Parks, Playgrounds and Athletic Fields. A Park is sorely needed in this neighborhood that has limited park access. The community and the school would benefit from a Park across the street from the school. It is also the community's understanding that the original owner, Mr. Miller, had expressed intentions to convey this property to the County for a Park. This should be further researched before any action is taken on this Application. The Board of Supervisors should not act on this Planning Application until discussion is held on the acquisition of the Property for a County Park.
4. The proposed Findings in the staff report in support of cancellation of the Williamson Act Contract fails to address provisions of GC 51282c. The California Department of Conservation, in the publication "Williamson Act Cancellation Process - Guide for Local Governments", states, The Board may approve a cancellation request ***only if it is in the public interest.*** (emphasis added) To make this finding, the board or council must make all the following findings (GC 51282c): a) That other public concerns substantially outweigh the objectives of this chapter; and b) That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land." There are no facts in the staff report

that the proposed cancellation of the Williamson Act Contract is, in fact, in the public interest. It is apparent that the approval of the cancellation request is **contrary to the public interest**. Said cancellation will lead to development of the site, one of the last open spaces in the area which will result in the displacement of multiple species of flora and fauna, including nesting hawks, that will be harmed if the cancellation is approved. The benefits to the public interest as a result of the Williamson Act Contract should be evaluated in an Environmental Assessment. The Board of Supervisors should not act on this Planning Application until a thorough CEQA environmental assessment is provided and the public interest is fully vetted.

5. The staff report, in the Financial Impact, fails to state that there is a financial impact. The property owner, if the cancellation request is made, is required to pay 12.5% of the fair market value to the County. This is buried in the Resolution but not clearly stated for public information as required. The fact is that there is a positive financial impact for the County. Furthermore, GC 51283 (a) states, "Prior to any action by the board or council giving tentative approval to the cancellation of any contract, **the county assessor of the county in which the land is located shall determine the current fair market value of the land as though it were free of the contractual restriction** (emphasis added). The revised Staff Report has now provided Attachment I, the Office of Assessor November 13, 2023 letter stating the "valuation" of the parcels of land as \$5.7 million "as of 8/1/2022". The Assessor's valuation fails to comport with Code. The valuation is to represent the fair market value of the land as though it were free of the contractual restriction (GC 51283(a), 51283.1(a)) and is considered current for one year (GC 51283.4(a)). **The Assessors Valuation expired as of August 1, 2023 and is no longer valid.** The Board of Supervisors should not act on this Planning Application until the County Assessor provides an update and it is presented for public evaluation and to assure the County is properly compensated.
6. Section 4. of the Resolution (Attachment A to the staff report) states that a payment of \$712,500 is to be paid for this cancellation based upon the Assessor's certification of Property valuation of \$5.7 million. Using the E4 Zoning, it can be estimated that up to 40 lots could be created at 10,000 square feet each or about 30 lots could be created at 15,000 square feet each. A search of for sale vacant lots of these sizes are selling for more than \$500,000 each, the exact definition of fair market value. Using even the 30 lots figure, the fair market valuation of the Property would easily exceed \$15 million. The Board of Supervisors should not act on this Planning Application until the County Assessor provides a new and current property valuation resulting in an appropriate cancellation fee.
7. The Board of Supervisors should provide assurances to the community that they would never support a change in Zoning on this Property.
8. This letter of objection is based solely on the limited information found online. Further objections may be made as further investigation and information become available. All rights are reserved to raise further objections and any failure to raise

issues and objections prior to or at the hearing is a result of the lack of information and the short time provided to comment and object to the cancellation of the contract.

Sincerely,

Cheryl Frank, CPA

North Tustin Resident  
1131 La Limonar Road  
Arroyo Elementary Parent  
Arroyo PTA Board Member

## Lopez, Maria [COB]

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**From:** Michelle Ronan <maronan26@gmail.com>  
**Sent:** Sunday, April 07, 2024 7:43 AM  
**To:** Wagner, Donald; Randle, Yuritz; COB\_Response  
**Subject:** Objection to Planning Application PA23-0070. Cancellation of Williamson Act Contract for 11091 Coronel Road, Santa Ana.

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Clerk of Board of Supervisors, Orange County:

I am writing to state my objection and to join the objections on file, incorporated herein as if fully set forth here, to the agenda item, Cancellation of Williamson Act Contract for 11091 Coronel Road, Santa Ana, CA. In addition, I join any other objections concerning this agenda item made in writing or to be presented at the hearing by the Orange County Board of Supervisors, scheduled for April 9, 2024 at 9:30am.

Government Code Section 51282e requires “The landowners petition shall be accompanied by proposal for a specified alternative use of the land.” There is nothing in the staff report that purports to confirm that the landowners petition fulfilled this obligation.

The proposed Findings in the staff report in support of the cancellation of the Williamson Act Contract fails to address provisions of GC 51282c. The Board may approve a cancellation request only if it is in the public interest. There are no facts in the staff report that the proposed cancellation of the Williamson Act Contract is, in fact, in the public interest. The mere statement that the removal of the Williamson Act Contract will lead to residential development is not an evaluation of the public interest. It is apparent that the approval of the cancellation request is contrary to the public interest. Said cancellation will lead to development of the site, one of the last open spaces in the area which will result in the displacement of multiple species of flora and fauna, including nesting hawks, that will be harmed if the cancellation is approved.

Cancellation of the Williamson Act Contract will be development inducing, thereby a Project. It is well established law that Projects cannot be approved in a piecemeal fashion in order to avoid the environmental assessment requirements of the California Environmental Quality Act (CEQA). A thorough and detailed Environmental Assessment must be performed before this Application is considered.

Further objections may be made as further investigation and information become available. All rights are reserved to raise further objections and any failure to raise issues and objections prior to or at the hearing is a result of the lack of information and the short time provided to comment and object to the cancellation of the contract.

Thank you.  
Michelle and Kevin Ronan  
1211 Hyde Park Drive

## Lopez, Maria [COB]

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**From:** Becky McClure <beckymcclure@hotmail.com>  
**Sent:** Sunday, April 07, 2024 7:52 AM  
**To:** COB\_Response  
**Subject:** OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Date 4/7/24 [response@ocgov.com](mailto:response@ocgov.com)

Clerk of the Board  
400 W. Civic Center Drive, Sixth Floor  
P.O. Box 687  
Santa Ana, CA 92702-0687

SUBJECT OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

Honorable Board of Supervisors,

I am submitting this public comment due to new information, in objection to the subject cancellation of Williamson Act Contract, PA23-0070. A few of the reasons for this objection are stated below. Accordingly, I request that this matter be denied or continued to a future date to satisfactorily address the below issues.

1. Government Code Section 51282 (e) requires “The landowners petition shall be accompanied by a proposal for a specified alternative use of the land.” The newly revised Staff Report added Attachment H, the April 23, 2023, letter from the representative of the subject property, the Applicant. In that letter, the Applicant states, in paragraph number 3, “Upon cancellation, the Miller Family will, in all likelihood, sell the Property to be developed similar to the surrounding properties...”. For almost exactly one-year, the County has been aware of the Applicant’s intent to sell the property for development. Unfortunately, the revisions to the Staff Report now state, contrary to the evidence in this hearing (Attachment H), the following, “If the cancelation [of the Williamson Act Contract] is approved, the property owners intend to continue the existing single family residential uses onsite without change. The property owners do not propose any construction or change to the existing use of the property as part of the requested cancelation.” **Both of these statements cannot be true.** The Board should not take any action on this proposal without more specific Project information for what should be obvious reasons, including, but not limited to, an Environmental Assessment under CEQA. The Board

of Supervisors should not act on this Planning Application until further information is provided.

2. The Applicant clearly states their intention, to sell the property for development. Regardless of the type of development, the cancellation of the Williamson Act Contract will be development inducing, thereby a Project. It is well established law that Projects cannot be approved in a piecemeal fashion in order to avoid the Environmental Assessment requirements of the California Environmental Quality Act (CEQA). It is incorrect to utilize a categorical exemption to bypass CEQA for this action. The Board does not have rely upon said recommendation. The Board should be more interested in protecting the community from adverse impacts. Here, the property is unquestionably environmentally significant and there has been no determination by staff that it is not. This fact is confirmed simply by reviewing the staff's own description of the property and its location in the area, the wildlife that resides on the property and trees on the property. The Board of Supervisors should not act on this Planning Application until a thorough CEQA Environmental Assessment is provided.
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which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.” There are no facts in the staff report that the proposed cancellation of the Williamson Act Contract is, in fact, in the public interest. It is apparent that the approval of the cancellation request is **contrary to the public interest**. Said cancellation will lead to development of the site, one of the last open spaces in the area which will result in the displacement of multiple species of flora and fauna, including nesting hawks, that will be harmed if the cancellation is approved. The benefits to the public interest as a result of the Williamson Act Contract should be evaluated in an Environmental Assessment. The Board of Supervisors should not act on this Planning Application until a thorough CEQA environmental assessment is provided and the public interest is fully vetted.

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Sincerely,

Rebecca McClure 11352 Arroyo Ave  
Santa Ana, Ca. 92705

Sent from my iPhone

## Lopez, Maria [COB]

---

**From:** Cindy Shepardson <cashepardson@gmail.com>  
**Sent:** Sunday, April 07, 2024 8:16 AM  
**To:** COB\_Response  
**Cc:** Wagner, Donald  
**Subject:** OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

4/7/2024

[response@ocgov.com](mailto:response@ocgov.com)

Clerk of the Board  
400 W. Civic Center Drive, Sixth Floor  
P.O. Box 687  
Santa Ana, CA 92702-0687

SUBJECT OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

Honorable Board of Supervisors,

We have lived in the area for 34 years across the street from 11091 Coronel Road.

I am submitting this public comment due to new information, in objection to the subject cancellation of Williamson Act Contract, PA23-0070. A few of the reasons for this objection are stated below. Accordingly, I request that this matter be denied or continued to a future date to satisfactorily address the below issues.

1. Government Code Section 51282 (e) requires "The landowners petition shall be accompanied by a proposal for a specified alternative use of the land." The newly revised Staff Report added Attachment H, the April 23, 2023, letter from the representative of the subject property, the Applicant. In that letter, the Applicant states, in paragraph number 3, "Upon cancellation, the Miller Family will, in all likelihood, sell the Property to be developed similar to the surrounding properties...". For almost exactly one-year, the County has been aware of the Applicant's intent to sell the property for development. Unfortunately, the revisions to the Staff Report now state, contrary to the evidence in this hearing (Attachment H), the following, "If the cancelation [of the Williamson Act Contract] is approved, the property owners intend to continue the existing single family residential uses onsite without change. The property owners do not propose any construction or change to the existing use of the property as part of the requested cancellation." Both of these statements cannot be true. The Board should not take any action on this proposal without more specific Project information for what should be obvious reasons, including, but not limited to, an Environmental Assessment under CEQA. The Board of Supervisors should not act on this Planning Application until further information is provided.

2. The Applicant clearly states their intention, to sell the property for development. Regardless of the type of development, the cancellation of the Williamson Act Contract will be development inducing, thereby a Project. It is well established law that Projects cannot be approved in a piecemeal fashion in order to avoid the Environmental Assessment requirements of the California Environmental Quality Act (CEQA). It is incorrect to utilize a categorical exemption to bypass CEQA for this action. The Board does not have rely upon said recommendation. The Board should be more interested in protecting the community from adverse impacts. Here, the property is unquestionably environmentally significant and there has been no determination by staff that it is not. This fact is confirmed simply by reviewing the staff's own description of the property and its location in the area, the wildlife that resides on the property and trees on the property. The Board of Supervisors should not act on this Planning Application until a thorough CEQA Environmental Assessment is provided.

3. The Applicant letter of April 23, 2023, (Attachment H) in Paragraph 5, makes the assertion that the Property is an island of undeveloped land that is best developed like surrounding properties and should not be considered for a Park. This assertion belies the fact that the Property is directly across the street from Arroyo Elementary School, a site accessed with fully developed streets but which is significantly adversely impacted by daily school traffic and lack of emergency vehicle access for the community; new housing could only exacerbate these conditions. The further development of this site will worsen these traffic conditions, amongst many other environmental conditions. Additionally, the Property is the perfect location for a Park, a use that is explicitly allowed in this Zone, per Zoning Code Section 7-9-67.2 Principal Uses Permitted, (a) Parks, Playgrounds and Athletic Fields. A Park is sorely needed in this neighborhood that has limited park access. The community and the school would benefit from a Park across the street from the school. It is also the community's understanding that the original owner, Mr. Miller, had expressed intentions to convey this property to the County for a Park. This should be further researched before any action is taken on this Application. The Board of Supervisors should not act on this Planning Application until discussion is held on the acquisition of the Property for a County Park.

4. The proposed Findings in the staff report in support of cancellation of the Williamson Act Contract fails to address provisions of GC 51282c. The California Department of Conservation, in the publication "Williamson Act Cancellation Process - Guide for Local Governments", states, The Board may approve a cancellation request only if it is in the public interest. (emphasis added) To make this finding, the board or council must make all the following findings (GC 51282c): a) That other public concerns substantially outweigh the objectives of this chapter; and b) That there is no proximate non contracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate non contracted land." There are no facts in the staff report that the proposed cancellation of the Williamson Act Contract is, in fact, in the public interest. It is apparent that the approval of the cancellation request is contrary to the public interest. Said cancellation will lead to development of the site, one of the last open spaces in the area which will result in the displacement of multiple species of flora and fauna, including nesting hawks, that will be harmed if the cancellation is approved. The benefits to the public interest as a result of the Williamson Act Contract should be evaluated in an Environmental Assessment. The Board of Supervisors should not act on this Planning

Application until a thorough CEQA environmental assessment is provided and the public interest is fully vetted.

5. The staff report, in the Financial Impact, fails to state that there is a financial impact. The property owner, if the cancellation request is made, is required to pay 12.5% of the fair market value to the County. This is buried in the Resolution but not clearly stated for public information as required. The fact is that there is a positive financial impact for the County. Furthermore, GC 51283 (a) states, "Prior to any action by the board or council giving tentative approval to the cancellation of any contract, the county assessor of the county in which the land is located shall determine the current fair market value of the land as though it were free of the contractual restriction (emphasis added). The revised Staff Report has now provided Attachment I, the Office of Assessor November 13, 2023 letter stating the "valuation" of the parcels of land as \$5.7 million "as of 8/1/2022". The Assessor's valuation fails to comport with Code. The valuation is to represent the fair market value of the land as though it were free of the contractual restriction (GC 51283(a), 51283.1(a)) and is considered current for one year (GC 51283.4(a)). The Assessor's Valuation expired as of August 1, 2023 and is no longer valid. The Board of Supervisors should not act on this Planning Application until the County Assessor provides an update and it is presented for public evaluation and to assure the County is properly compensated.

6. Section 4. of the Resolution (Attachment A to the staff report) states that a payment of \$712,500 is to be paid for this cancellation based upon the Assessor's certification of Property valuation of \$5.7 million. Using the E4 Zoning, it can be estimated that up to 40 lots could be created at 10,000 square feet each or about 30 lots could be created at 15,000 square feet each. A search of for sale vacant lots of these sizes are selling for more than \$500,000 each, the exact definition of fair market value. Using even the 30 lots figure, the fair market valuation of the Property would easily exceed \$15 million. The Board of Supervisors should not act on this Planning Application until the County Assessor provides a new and current property valuation resulting in an appropriate cancellation fee.

7. The Board of Supervisors should provide assurances to the community that they would never support a change in Zoning on this Property.

8. This letter of objection is based solely on the limited information found online. Further objections may be made as further investigation and information become available. All rights are reserved to raise further objections and any failure to raise issues and objections prior to or at the hearing is a result of the lack of information and the short time provided to comment and object to the cancellation of the contract.

Sincerely,

Cindy Shepardson  
11031 Arroyo Ave.  
Santa Ana, CA 97205

## Lopez, Maria [COB]

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**From:** Jennifer <jennifer@herdware.net>  
**Sent:** Sunday, April 07, 2024 9:27 AM  
**To:** COB\_Response  
**Cc:** Wagner, Donald  
**Subject:** OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Clerk of the Board  
400 W. Civic Center Drive, Sixth Floor  
P.O. Box 687  
Santa Ana, CA 92702-0687

SUBJECT OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

Honorable Board of Supervisors,

The more the onion is peeled on this application, the more it stinks and brings tears to my eyes.

Despite claims that density will not be increased, one has to wonder why anyone would pour millions of dollars into a property if they did not expect a better return than could be had by investing in a 5% CD? They wouldn't. And, "development similar to the surrounding area" was acknowledged in the package.

Whilst I believe in property rights, for decades the Miller family has enjoyed the benefit of a lower tax rate and protections provided by the Williamson Act Contract. They should continue to live up to the obligations that that entails.

As is so often the case, the next generation has no interest in continuing the traditions of their family and only see dollar signs. This is exactly why the Williamson Act was enacted.

I moved into the neighborhood in 1971 when Skyline Drive was the edge of the frontier. Not so now. Yet, thanks to the Williamson Act contract, the Miller land remains a sanctuary for wildlife. It is essential to the beauty of our neighborhood.

No, this application appears to be a shell game and does not pass the smell test. We neighbors are not fooled. Why no environmental impact report? Why no consideration of benefit to neighbors? Is this determination not **mandated** to terminate the Williamson Act Contract?

Supervisors, I hope that you too are not fooled. I urge you to have the honesty to acknowledge what is happening here.

Please have the courage to stand up for your many objecting North Tustin constituents and deny this application.

Jennifer Ware  
10952 Cherryhill Drive

**Lopez, Maria [COB]**

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**From:** aniv2468@aol.com  
**Sent:** Sunday, April 07, 2024 9:33 AM  
**To:** COB\_Response  
**Subject:** Williamson Act Contract

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

I am opposed to the Williamson Act Contract being cancelled for the property at 11091 Coronel Rd. Santa Ana CA .  
Redevelopment of this land will cause many problems with Arroyo School, property values, and environmental issues.  
Please understand community concerns about this matter. Ann Niven 11051 Coronel Rd.

## Lopez, Maria [COB]

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**From:** Joe Rovirosa <jrovirosa@scalenorth.com>  
**Sent:** Sunday, April 07, 2024 9:59 AM  
**To:** COB\_Response  
**Cc:** Wagner, Donald  
**Subject:** 11091 Coronel - Planning Application for Cancellation of the Williamson Act

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

April 7, 2024

Clerk of the Board  
400 W. Civic Center Drive, Sixth Floor  
P.O. Box 687  
Santa Ana, CA 92702-0687  
[response@ocgov.com](mailto:response@ocgov.com)

SUBJECT: OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

Honorable Board of Supervisors,

I am writing to formally submit this public comment in objection to the proposed cancellation of Williamson Act Contract PA23-0070 for the property located at 11091 Coronel Road, Santa Ana, CA. The scheduled hearing date for this matter is April 9, 2024. Below, I outline several reasons for my objection and respectfully request that this matter be either denied or continued to a future date to adequately address the issues outlined below.

Government Code Section 51282 (e) stipulates that a landowner's petition for cancellation must be accompanied by a proposal for a specified alternative use of the land. While the newly revised Staff Report includes Attachment H, which contains a letter dated April 23, 2023, from the representative of the subject property, the Applicant, the contents of this letter raise concerns. Specifically, the applicant's expressed intent to sell the property for development contradicts the subsequent assertion in the Staff Report that the property owners intend to maintain the existing single-family residential use. This inconsistency necessitates further clarification and a comprehensive Environmental Assessment under CEQA before any action is taken by the Board.

Regardless of the type of development proposed, the cancellation of the Williamson Act Contract is inherently development-inducing and constitutes a project under CEQA. It is imperative to adhere to established legal principles that prohibit the approval of projects in a piecemeal fashion to circumvent environmental assessment requirements. The Board must prioritize safeguarding the community from potential adverse impacts, particularly given the environmental significance of the property in question.

The assertion made in the Applicant's letter of April 23, 2023, that the property is best developed similarly to surrounding properties overlooks critical considerations, including its proximity to Arroyo Elementary School and the need for additional park space in the community. The potential adverse effects of further development, such as increased traffic congestion and environmental degradation, must be thoroughly evaluated before any decision is made regarding the property's future use. Arroyo is already a busy street that poses safety risks to its residents, adding additional homes, people and vehicles will only elevate this risk.



The proposed findings in the staff report fail to address essential provisions outlined in GC 51282c, which require that a cancellation request be in the public interest. Without compelling evidence demonstrating that the proposed cancellation serves the public interest and outweighs other concerns, approval of the request would be contrary to established legal standards. An Environmental Assessment under CEQA is necessary to assess the potential impacts on the environment and public welfare comprehensively.

The staff report's failure to acknowledge the financial impact of the cancellation, as well as discrepancies in the property valuation provided by the County Assessor, further underscore the need for additional scrutiny. The valuation provided must accurately reflect the fair market value of the property, and any financial implications must be transparently communicated to the public.

The proposed cancellation fee, as detailed in the staff report, does not correspond with the potential fair market value of the property when considering plausible development scenarios. Therefore, it is imperative that the Board refrains from making any decision until a current and precise property valuation is acquired. This will ensure that the County receives appropriate compensation for any contractual obligations. The provided numbers simply do not align with reality. For instance, in November 2022, we acquired a teardown home (essentially land) with a lot size of 1.15 acres, located no more than a half mile away, for \$2.355 million. Given this context, a valuation of \$5.7 million for over 11 flat acres is significantly undervalued.

It is imperative for the Board to provide assurances to the community that changes in zoning for the property will not be supported without thorough consideration of the public interest and potential impacts on the surrounding area.

Finally, I wish to emphasize that this objection is based solely on available information, and further objections may be forthcoming as additional investigation and information become available. I reserve the right to raise additional concerns and objections as necessary to ensure that all relevant factors are considered in the decision-making process.

In conclusion, I respectfully urge the Board of Supervisors to either deny or continue this matter until all concerns raised in this objection are satisfactorily addressed. Thank you for your attention to this matter.

Sincerely,  
Joseph Roviroso, CPA  
11351 Arroyo Ave.  
North Tustin, CA 92705



**Joe Roviroso, CPA**

Managing Director

714.462.9225 714.260.8717 [jroviroso@scalenorth.com](mailto:jroviroso@scalenorth.com)

[www.scalenorth.com](http://www.scalenorth.com) Teams Chat [in](#)

Assistant: Raiche Calderon +1.657.600.9535 | [RCalderon@ScaleNorth.com](mailto:RCalderon@ScaleNorth.com)

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BPO Partner

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## Lopez, Maria [COB]

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**From:** daniel dmadesigns.com <daniel@dmadesigns.com>  
**Sent:** Sunday, April 07, 2024 1:22 PM  
**To:** COB\_Response  
**Subject:** PA23-0070 Williamson Act Contract Cancellation for 11091 Coronel Rd

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Clerk of Board of Supervisors, Orange County:

I am writing to object to the cancellation of the Williamson Act Contract as set forth in the Board of Supervisors agenda for April 9, 2024, agenda item #27. I am joining the objections submitted by Joanne Schwartz, Trajan Perez and Heidi Rosenfield to this agenda item and incorporate those objections as if fully set forth herein. In addition, I join any other objections made in writing or at the hearing on this agenda item.

I am the homeowner residing at 10961 Arroyo Ave, North Tustin, CA. which is a property adjacent to the 11.02 acres, known as the Miller property. My objections relative to the updated OCPW staff report and draft Resolution dated March 26, 2024, are twofold.

First, the Resolution names the applicant as Dorothy M. Miller and Willis L. Miller, owners of the property described herein. The Resolution continues to refer to the named applicant throughout the introductory paragraphs as the signatories of the Williamson Act Contract No. 70-136. Though this seems to be accurate for the purposes of the application for cancelation of this contract, the named designation represents an incomplete filing for application since both of the named parties are deceased. A complete application requires current property ownership and subsequent public noticing to be accurately stated. As such, the Resolution is inaccurate and misleading. Unless ownership or a legal affiliation to the ownership is properly stated within the Resolution action, any approval would be legally insufficient.

Second, and more importantly, is the extremely broad generalization within finding 3.d. Staff has chosen to describe the property application zoning district as "E4 *Small Estates*." However, staff has omitted the complete current zoning designation: **100-E4(PD)-12500**. Significantly, the Planned Development, (PD), within the specific current zoning designation, provides that any future residential development proposal of dramatically increased density and development standards may be submitted for the property. I find this intentional simplification of the default residential zone by staff misleading. Consequently, the Board is being misinformed regarding the actual development potential of the property, which could be both *discontiguous* and not in the *public interest* contrary to the staff's assertions.

Very sincerely,

Daniel Martinez

10961 Arroyo Avenue

North Tustin, CA

Daniel

Daniel Martinez Architect  
1445 Glenneyre Street  
Suite B  
Laguna Beach, CA 92651

office [949.494.7272](tel:949.494.7272)

site [www.dmadesigns.com](http://www.dmadesigns.com)

[www.pinterest.com/dmadesigns/](http://www.pinterest.com/dmadesigns/)

[www.facebook.com/architect.dmadesigns/](http://www.facebook.com/architect.dmadesigns/)



## Lopez, Maria [COB]

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**From:** lissa & daniel martinez <ldmartinez28@sbcglobal.net>  
**Sent:** Sunday, April 07, 2024 3:02 PM  
**To:** COB\_Response; Wagner, Donald  
**Cc:** Randle, Yuritzy  
**Subject:** Fw: PA23-0070 - Agenda Item #27, Board of Supervisors Meeting 04/09/24

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Clerk of Board of Supervisors, Orange County:

I am writing to object to the cancellation of the Williamson Act Contract as set forth in the Board of Supervisors agenda for April 9, 2024, agenda item #27. I am joining the objections submitted by Joanne Schwartz, Trajan Perez and Heidi Rosenfield to this agenda item and incorporate those objections as if fully set forth herein. In addition, I join any other objections made in writing or at the hearing on this agenda item.

I am the homeowner residing at 10961 Arroyo Ave, North Tustin, CA. which is a property adjacent to the 11.02 acres, known as the Miller property. My objections relative to the updated OCPW staff report and draft Resolution dated March 26, 2024, are twofold.

First, the Resolution names the applicant as *Dorothy M. Miller and Willis L. Miller, owners of the property described herein*. The Resolution continues to refer to the named applicant throughout the introductory paragraphs as the signatories of the Williamson Act Contract No. 70-136. Though this seems to be accurate for the purposes of the application for cancelation of this contract, the named designation represents an incomplete filing for application since both of the named parties are deceased. A complete application requires current property ownership and subsequent public noticing to be accurately stated. As such, the Resolution is inaccurate and misleading. Unless ownership or a legal affiliation to the ownership is properly stated within the Resolution action, any approval would be legally insufficient.

Second, and more importantly, is the extremely broad generalization within finding 3.d. Staff has chosen to describe the property application zoning district as “E4 *Small Estates*.” However, staff has omitted the complete current zoning designation: **100-E4(PD)-12500**. Significantly, the Planned Development, (PD), within the specific current zoning designation, provides that any future residential development proposal of dramatically increased density and development standards may be submitted for the property. I find this intentional simplification of the default residential zone by staff misleading. Consequently, the Board is being misinformed regarding the actual development potential of the property, which could be both “*discontiguous*” and not in the “*public interest*” contrary to the staff’s assertions.

Very sincerely,

Lissa Martinez

10961 Arroyo Avenue

North Tustin, CA

## Lopez, Maria [COB]

---

**From:** Joanne Schwartz <joannes22@icloud.com>  
**Sent:** Sunday, April 07, 2024 3:56 PM  
**To:** COB\_Response; Wagner, Donald  
**Cc:** Randle, Yuritzy  
**Subject:** Objection to planning application PA23-0070 Cancellation of Williamson Act Contract for 11091 Coronel Road, Santa Ana, CA (Hearing April 9, 2024)

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

To the Board of Supervisors,

I object to the cancellation of the Williamson Act Contract which is the subject of item #27 on the April 9, 2024 agenda of the Board of Supervisors.

I am a homeowner residing at 1302 Mumford Drive, North Tustin, CA, which is adjacent to the property involved in this hearing. I have resided there for 26 years.

The filing of the involved application is incomplete since the named applicants, Dorothy M. Miller and Willis L. Miller, are deceased and are no longer the owners of the involved property. As such, the cancellation of the Williamson Act Contract must be denied by the Board of Supervisors.

Additionally, the applicant must state the intended plan for the involved property. The underlying documentation for the request for cancellation of this Williamson Act Contract has conflicting descriptions of plans for this property. Therefore, the applicant must clearly set forth the plan.

Further, I am joining the objections submitted by Heidi Rosenfield, Daniel Martinez, Trajan Perez, and all other objections made in writing or in person at the hearing on this agenda item.

Respectfully,

Joanne Schwartz  
1302 Mumford Drive  
North Tustin, CA 92705

## Lopez, Maria [COB]

---

**From:** Just Driven <darylralison@gmail.com>  
**Sent:** Sunday, April 07, 2024 2:51 PM  
**To:** COB\_Response  
**Subject:** Objection to Planning Application PA23-0070

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

April 7, 2024

Clerk of the Board  
400 W. Civic Center Drive, Sixth Floor P.O. Box 687  
Santa Ana, CA 92702-0687

Re: Objection to Planning Application PA23-0070: Termination of Williamson Act Contract for 11091 Coronel Road, Santa Ana, CA (Hearing Date April 9, 2024)

Esteemed Members of the Board of Supervisors,

I am writing to express my dissent regarding the proposed cancellation of the Williamson Act Contract under PA23-0070. My objection stems from recent developments and concerns outlined below. Consequently, I urge either the denial of this proposal or its postponement to allow for the proper addressing of these issues.

- Pursuant to Government Code Section 51282 (e), the landowner's petition must be accompanied by a proposal for an alternative use of the land. The revised Staff Report, including Attachment H—a letter dated April 23, 2023, from the property's representative—clearly indicates the intention to sell the property for development. Despite this knowledge for nearly a year, recent revisions to the Staff Report present conflicting statements regarding the property's future use. Such ambiguity necessitates further clarification, particularly regarding the environmental impact, before any decision is made.
- The Applicant's explicit intention to sell the property for development renders the cancellation of the Williamson Act Contract inherently development-inducing. It is imperative to acknowledge that piecemeal approval of projects to circumvent Environmental Assessment requirements, as stipulated by the California Environmental Quality Act (CEQA), is untenable. The Board's focus should be on safeguarding the community from potential adverse effects, especially considering the environmental significance of the property in question.
- Contrary to assertions made in the Applicant's letter of April 23, 2023, the property's proximity to Arroyo Elementary School underscores the necessity for careful consideration. The proposal overlooks the adverse impacts of increased traffic and environmental strain, which would be exacerbated by further development. Additionally, the potential conversion of the property into a park, as envisioned by the community and its original owner, merits exploration before any definitive action is taken.

- The proposed findings fail to address the public interest aspect mandated by GC 51282c. Given the lack of evidence supporting the assertion that the cancellation serves the public interest, it is imperative to conduct a comprehensive Environmental Assessment to evaluate the implications fully.
- The financial impact outlined in the staff report fails to acknowledge the required payment to the County upon cancellation. The assessment provided by the Office of Assessor lacks validity due to its expiration, necessitating an updated valuation to ensure equitable compensation.
- The proposed cancellation fee, based on outdated property valuation, does not accurately reflect the fair market value. A reassessment by the County Assessor is imperative to determine an appropriate fee.

It is essential for the Board to reassure the community of its commitment to maintaining the current zoning status of the property.

This objection is based on currently available information, and further objections may arise as additional investigation unfolds. The limited timeframe provided for comments underscores the necessity for ongoing scrutiny of this matter.

Sincerely,

Daryl Alison  
10971 Coronel Road.  
Santa Ana, CA. 92705  
(714) 624-6956 cell



## Lopez, Maria [COB]

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**From:** Joanne Schwartz <joannes22@icloud.com>  
**Sent:** Sunday, April 07, 2024 3:56 PM  
**To:** COB\_Response; Wagner, Donald  
**Cc:** Randle, Yuritzy  
**Subject:** Objection to planning application PA23-0070 Cancellation of Williamson Act Contract for 11091 Coronel Road, Santa Ana, CA (Hearing April 9, 2024)

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Additionally, the applicant must state the intended plan for the involved property. The underlying documentation for the request for cancellation of this Williamson Act Contract has conflicting descriptions of plans for this property. Therefore, the applicant must clearly set forth the plan.

Further, I am joining the objections submitted by Heidi Rosenfield, Daniel Martinez, Trajan Perez, and all other objections made in writing or in person at the hearing on this agenda item.

Respectfully,

Joanne Schwartz  
1302 Mumford Drive  
North Tustin, CA 92705

## Lopez, Maria [COB]

---

**From:** Brenna Chalmers <brenna.chalmers@gmail.com>  
**Sent:** Sunday, April 07, 2024 4:11 PM  
**To:** COB\_Response; Wagner, Donald  
**Cc:** Ken Chalmers  
**Subject:** Objection to planning application PA23-0070

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Clerk of the Board  
400 W. Civic Center Drive, Sixth Floor  
P.O. Box 687  
Santa Ana, CA 92702-0687

SUBJECTOBJECTION TO PLANNING APPLICATION PA23-0070.  
CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL  
ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

Honorable Board of Supervisors,

I am submitting this public comment due to new information, in objection to the subject cancellation of Williamson Act Contract, PA23-0070. A few of the reasons for this objection are stated below. Accordingly, I request that this matter be denied or continued to a future date to satisfactorily address the below issues.

1. Government Code Section 51282 (e) requires “Thelandowners petition shall be accompanied by a proposal for a specified alternative use of the land.” The newly revised Staff Report added Attachment H, the April 23, 2023, letter from the representative of the subject property, the Applicant. In that letter, the Applicant states, in paragraph number 3, “Upon cancellation, the Miller Family will, in all likelihood, sell the Property to be developed similar to the surrounding properties...”. For almost exactly one-year, the County has been aware of the Applicant’s intent to sell the property for development. Unfortunately, the revisions to the Staff Report now state, contrary to the evidence in this hearing (Attachment H), the following, “If the cancelation [of the Williamson Act Contract] is approved, the property owners intend to continue the existing single family residential uses onsite without change. The property owners do not propose any construction or change to the existing use of the property as part of the requested cancelation.” **Both of these statements cannot be true.** The Board should not take any action on this proposal without more specific Project information for what should be obvious reasons, including, but not limited to, an Environmental Assessment under CEQA. The Board of Supervisors should not act on this Planning Application until further information is provided.

2. The Applicant clearly states their intention, to sell the property for development. Regardless of the type of development, the cancellation of the Williamson Act Contract will be development inducing, thereby a Project. It is well established law that Projects cannot be approved in a piecemeal fashion in order to avoid the Environmental Assessment requirements of the California Environmental Quality Act (CEQA). It is incorrect to utilize a categorical exemption to bypass CEQA for this action. The Board does not have rely upon said recommendation. The Board should be more interested in protecting the community from adverse impacts. Here, the property is unquestionably environmentally significant and there has been no determination by staff that it is not. This fact is confirmed simply by reviewing the staff's own description of the property and its location in the area, the wildlife that resides on the property and trees on the property. The Board of Supervisors should not act on this Planning Application until a thorough CEQA Environmental Assessment is provided.

3. The Applicant letter of April 23, 2023, (Attachment H) in Paragraph 5, makes the assertion that the Property is an island of undeveloped land that is best developed like surrounding properties and should not be considered for a Park. This assertion belies the fact that the Property is directly across the street from Arroyo Elementary School, a site accessed with fully developed streets but which is significantly adversely impacted by daily school traffic and lack of emergency vehicle access for the community; new housing could only exacerbate these conditions. The further development of this site will worsen these traffic conditions, amongst many others environmental conditions. Additionally, the Property is the perfect location for a Park, a use that is explicitly allowed in this Zone, per Zoning Code Section 7-9-67.2 Principal Uses Permitted, (a) Parks, Playgrounds and Athletic Fields. A Park is sorely needed in this neighborhood that has limited park access. The community and the school would benefit from a Park across the street from the school. It is also the community's understanding that the original owner, Mr. Miller, had expressed intentions to convey this property to the County for a Park. This should be further researched before any action is taken on this Application. The Board of Supervisors should not act on this Planning Application until discussion is held on the acquisition of the Property for a County Park.

4. The proposed Findings in the staff report in support of cancellation of the Williamson Act Contract fails to address provisions of GC 51282c. The California Department of Conservation, in the publication "Williamson Act Cancellation Process - Guide for Local Governments", states, The Board may approve a cancellation request ***only if it is in the public interest***. (emphasis added) To make this finding, the board or council must make all the following findings (GC 51282c): a) That other public concerns substantially outweigh the objectives of this chapter; and b) That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land." There are no facts in the staff report

that the proposed cancellation of the Williamson Act Contract is, in fact, in the public interest. It is apparent that the approval of the cancellation request is **contrary to the public interest**. Said cancellation will lead to development of the site, one of the last open spaces in the area which will result in the displacement of multiple species of flora and fauna, including nesting hawks, that will be harmed if the cancellation is approved. The benefits to the public interest as a result of the Williamson Act Contract should be evaluated in an Environmental Assessment. The Board of Supervisors should not act on this Planning Application until a thorough CEQA environmental assessment is provided and the public interest is fully vetted.

5. The staff report, in the Financial Impact, fails to state that there is a financial impact. The property owner, if the cancellation request is made, is required to pay 12.5% of the fair market value to the County. This is buried in the Resolution but not clearly stated for public information as required. The fact is that there is a positive financial impact for the County. Furthermore, GC 51283 (a) states, "Prior to any action by the board or council giving tentative approval to the cancellation of any contract, **the county assessor of the county in which the land is located shall determine the current fair market value of the land as though it were free of the contractual restriction** (emphasis added). The revised Staff Report has now provided Attachment I, the Office of Assessor November 13, 2023 letter stating the "valuation" of the parcels of land as \$5.7 million "as of 8/1/2022". The Assessor's valuation fails to comport with Code. The valuation is to represent the fair market value of the land as though it were free of the contractual restriction (GC 51283(a), 51283.1(a)) and is considered current for one year (GC 51283.4(a)). **The Assessors Valuation expired as of August 1, 2023 and is no longer valid.** The Board of Supervisors should not act on this Planning Application until the County Assessor provides an update and it is presented for public evaluation and to assure the County is properly compensated.

6. Section 4. of the Resolution (Attachment A to the staff report) states that a payment of \$712,500 is to be paid for this cancellation based upon the Assessor's certification of Property valuation of \$5.7 million. Using the E4 Zoning, it can be estimated that up to 40 lots could be created at 10,000 square feet each or about 30 lots could be created at 15,000 square feet each. A search of for sale vacant lots of these sizes are selling for more than \$500,000 each, the exact definition of fair market value. Using even the 30 lots figure, the fair market valuation of the Property would easily exceed \$15 million. The Board of Supervisors should not act on this Planning Application until the County Assessor provides a new and current property valuation resulting in an appropriate cancellation fee.

7. The Board of Supervisors should provide assurances to the community that they would never support a change in Zoning on this Property.

8. This letter of objection is based solely on the limited information found online. Further objections may be made as further investigation and information become available. All rights are reserved to raise further objections and any failure to

raise issues and objections prior to or at the hearing is a result of the lack of information and the short time provided to comment and object to the cancellation of the contract.

Sincerely,

Brenna and Ken Chalmers  
1282 Tropicana Lane  
North Tustin, CA 92705

**Lopez, Maria [COB]**

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**From:** sandy jeon <sandyjeon@gmail.com>  
**Sent:** Sunday, April 07, 2024 5:01 PM  
**To:** COB\_Response  
**Cc:** Wagner, Donald  
**Subject:** OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA, CA

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

April 7, 2024

Clerk of the Board  
400 W. Civic Center Drive, Sixth Floor  
P.O. Box 687  
Santa Ana, CA 92702-0687

SUBJECT OBJECTION TO PLANNING APPLICATION PA23-0070.  
CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL  
ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

Honorable Board of Supervisors,

I am submitting this public comment due to new information, in objection to the subject cancellation of Williamson Act Contract, PA23-0070. A few of the reasons for this objection are stated below. Accordingly, I request that this matter be denied or continued to a future date to satisfactorily address the below issues.

1. Government Code Section 51282 (e) requires “The landowners petition shall be accompanied by a proposal for a specified alternative use of the land.” The newly revised Staff Report added Attachment H, the April 23, 2023, letter from the representative of the subject property, the Applicant. In that letter, the Applicant states, in paragraph number 3, “Upon cancellation, the Miller Family will, in all likelihood, sell the Property to be developed similar to the surrounding properties...”. For almost exactly one-year, the County has been aware of the Applicant’s intent to sell the property for development. Unfortunately, the revisions to the Staff Report now state, contrary to the evidence in this hearing (Attachment H), the following, “If the cancelation [of the Williamson Act Contract] is approved, the property owners intend to continue the existing single family residential uses onsite without change. The property owners do not propose any construction or change to the existing use of the property as part of the requested cancelation.” **Both of these statements cannot be true.** The Board should not take any action on this proposal without more specific Project information for what should be obvious reasons, including, but not limited to, an Environmental Assessment under CEQA. The Board

of Supervisors should not act on this Planning Application until further information is provided.

2. The Applicant clearly states their intention, to sell the property for development. Regardless of the type of development, the cancellation of the Williamson Act Contract will be development inducing, thereby a Project. It is well established law that Projects cannot be approved in a piecemeal fashion in order to avoid the Environmental Assessment requirements of the California Environmental Quality Act (CEQA). It is incorrect to utilize a categorical exemption to bypass CEQA for this action. The Board does not have rely upon said recommendation. The Board should be more interested in protecting the community from adverse impacts. Here, the property is unquestionably environmentally significant and there has been no determination by staff that it is not. This fact is confirmed simply by reviewing the staff's own description of the property and its location in the area, the wildlife that resides on the property and trees on the property. The Board of Supervisors should not act on this Planning Application until a thorough CEQA Environmental Assessment is provided.

3. The Applicant letter of April 23, 2023, (Attachment H) in Paragraph 5, makes the assertion that the Property is an island of undeveloped land that is best developed like surrounding properties and should not be considered for a Park. This assertion belies the fact that the Property is directly across the street from Arroyo Elementary School, a site accessed with fully developed streets but which is significantly adversely impacted by daily school traffic and lack of emergency vehicle access for the community; new housing could only exacerbate these conditions. The further development of this site will worsen these traffic conditions, amongst many others environmental conditions. Additionally, the Property is the perfect location for a Park, a use that is explicitly allowed in this Zone, per Zoning Code Section 7-9-67.2 Principal Uses Permitted, (a) Parks, Playgrounds and Athletic Fields. A Park is sorely needed in this neighborhood that has limited park access. The community and the school would benefit from a Park across the street from the school. It is also the community's understanding that the original owner, Mr. Miller, had expressed intentions to convey this property to the County for a Park. This should be further researched before any action is taken on this Application. The Board of Supervisors should not act on this Planning Application until discussion is held on the acquisition of the Property for a County Park.

4. The proposed Findings in the staff report in support of cancellation of the Williamson Act Contract fails to address provisions of GC 51282c. The California Department of Conservation, in the publication "Williamson Act Cancellation Process - Guide for Local Governments", states, The Board may approve a cancellation request ***only if it is in the public interest***. (emphasis added) To make this finding, the board or council must make all the following findings (GC 51282c): a) That other public concerns substantially outweigh the objectives of this chapter; and b) That there is no proximate noncontracted land which is both available and suitable for the

use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.” There are no facts in the staff report that the proposed cancellation of the Williamson Act Contract is, in fact, in the public interest. It is apparent that the approval of the cancellation request is **contrary to the public interest**. Said cancellation will lead to development of the site, one of the last open spaces in the area which will result in the displacement of multiple species of flora and fauna, including nesting hawks, that will be harmed if the cancellation is approved. The benefits to the public interest as a result of the Williamson Act Contract should be evaluated in an Environmental Assessment. The Board of Supervisors should not act on this Planning Application until a thorough CEQA environmental assessment is provided and the public interest is fully vetted.

5. The staff report, in the Financial Impact, fails to state that there is a financial impact. The property owner, if the cancellation request is made, is required to pay 12.5% of the fair market value to the County. This is buried in the Resolution but not clearly stated for public information as required. The fact is that there is a positive financial impact for the County. Furthermore, GC 51283 (a) states, “Prior to any action by the board or council giving tentative approval to the cancellation of any contract, ***the county assessor of the county in which the land is located shall determine the current fair market value of the land as though it were free of the contractual restriction*** (emphasis added). The revised Staff Report has now provided Attachment I, the Office of Assessor November 13, 2023 letter stating the “valuation” of the parcels of land as \$5.7 million “as of 8/1/2022”. The Assessor’s valuation fails to comport with Code. The valuation is to represent the fair market value of the land as though it were free of the contractual restriction (GC 51283(a), 51283.1(a)) and is considered current for one year (GC 51283.4(a)). **The Assessors Valuation expired as of August 1, 2023 and is no longer valid.** The Board of Supervisors should not act on this Planning Application until the County Assessor provides an update and it is presented for public evaluation and to assure the County is properly compensated.

6. Section 4. of the Resolution (Attachment A to the staff report) states that a payment of \$712,500 is to be paid for this cancellation based upon the Assessor’s certification of Property valuation of \$5.7 million. Using the E4 Zoning, it can be estimated that up to 40 lots could be created at 10,000 square feet each or about 30 lots could be created at 15,000 square feet each. A search of for sale vacant lots of these sizes are selling for more than \$500,000 each, the exact definition of fair market value. Using even the 30 lots figure, the fair market valuation of the Property would easily exceed \$15 million. The Board of Supervisors should not act on this Planning Application until the County Assessor provides a new and current property valuation resulting in an appropriate cancellation fee.

7. The Board of Supervisors should provide assurances to the community that they would never support a change in Zoning on this Property.



8. This letter of objection is based solely on the limited information found online. Further objections may be made as further investigation and information become available. All rights are reserved to raise further objections and any failure to raise issues and objections prior to or at the hearing is a result of the lack of information and the short time provided to comment and object to the cancellation of the contract.

Sincerely,

Sung Jeon  
11141 Arroyo Ave  
Santa Ana, CA 92705

## Lopez, Maria [COB]

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**From:** Susan Chambless <mrs\_chambless5th@yahoo.com>  
**Sent:** Sunday, April 07, 2024 5:06 PM  
**To:** COB\_Response  
**Subject:** Objection to PA23-0070 Williamson Act Contract Cancellation for 11091 Coronel

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Clerk of the Board  
400 W. Civic Center Drive, Sixth Floor  
P.O. Box 687  
Santa Ana, CA 92702-0687

SUBJECT OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

Honorable Board of Supervisors,

I am submitting this public comment due to new information, in objection to the subject cancellation of Williamson Act Contract, PA23-0070. A few of the reasons for this objection are stated below. Accordingly, I request that this matter be denied or continued to a future date to satisfactorily address the below issues.

1. Government Code Section 51282 (e) requires “The landowners petition shall be accompanied by a proposal for a specified alternative use of the land.” The newly revised Staff Report added Attachment H, the April 23, 2023, letter from the representative of the subject property, the Applicant. In that letter, the Applicant states, in paragraph number 3, “Upon cancellation, the Miller Family will, in all likelihood, sell the Property to be developed similar to the surrounding properties...”. For almost exactly one year, the County has been aware of the Applicant’s intent to sell the property for development. Unfortunately, the revisions to the Staff Report now state, contrary to the evidence in this hearing (Attachment H), the following, “If the cancellation [of the Williamson Act Contract] is approved, the property owners intend to continue the existing single family residential uses onsite without change. The property owners do not propose any construction or change to the existing use of the property as part of the requested cancellation.” **Both of these statements cannot be true.** The Board should not take any action on this proposal without more specific Project information for what should be obvious reasons, including, but not limited to, an Environmental Assessment under CEQA. The Board of Supervisors should not act on this Planning Application until further information is provided.

2. The Applicant clearly states their intention, to sell the property for development. Regardless of the type of development, the cancellation of the Williamson Act Contract will be development inducing, thereby a Project. It is well established law that Projects cannot be approved in a piecemeal fashion in order to avoid the Environmental Assessment requirements of the California Environmental Quality Act (CEQA). It is incorrect to utilize a categorical exemption to bypass CEQA for this action. The Board does not have to rely upon said recommendation. The Board should be more interested in protecting the community from adverse impacts. Here, the property is unquestionably environmentally significant and there has been no determination by staff that it is not. This fact is confirmed simply by reviewing the staff's own description of the property and its location in the area, the wildlife that resides on the property and trees on the property. The Board of Supervisors should not act on this Planning Application until a thorough CEQA Environmental Assessment is provided.
3. The Applicant letter of April 23, 2023, (Attachment H) in Paragraph 5, makes the assertion that the Property is an island of undeveloped land that is best developed like surrounding properties and should not be considered for a park. This assertion belies the fact that the Property is directly across the street from Arroyo Elementary School, a site accessed with fully developed streets but which is significantly adversely impacted by daily school traffic and lack of emergency vehicle access for the community; new housing could only exacerbate these conditions. The further development of this site will worsen these traffic conditions, amongst many other environmental conditions. Additionally, the Property is the perfect location for a park, a use that is explicitly allowed in this Zone, per Zoning Code Section 7-9-67.2 Principal Uses Permitted, (a) Parks, Playgrounds and Athletic Fields. A park is sorely needed in this neighborhood that has limited park access. The community and the school would benefit from a park across the street from the school. It is also the community's understanding that the original owner, Mr. Miller, had expressed intentions to convey this property to the County for a park. This should be further researched before any action is taken on this Application. The Board of Supervisors should not act on this Planning Application until discussion is held on the acquisition of the Property for a County Park.
4. The proposed Findings in the staff report in support of cancellation of the Williamson Act Contract fails to address provisions of GC 51282c. The California Department of Conservation, in the publication "Williamson Act Cancellation Process - Guide for Local Governments", states, The Board may approve a cancellation request ***only if it is in the public interest.*** (emphasis added) To make this finding, the board or council must make all the following findings (GC 51282c): a) That other public concerns substantially outweigh the objectives of this chapter; and b) That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land." There are no facts in the staff report

that the proposed cancellation of the Williamson Act Contract is, in fact, in the public interest. It is apparent that the approval of the cancellation request is **contrary to the public interest**. Said cancellation will lead to development of the site, one of the last open spaces in the area which will result in the displacement of multiple species of flora and fauna, including nesting hawks, that will be harmed if the cancellation is approved. The benefits to the public interest as a result of the Williamson Act Contract should be evaluated in an Environmental Assessment. The Board of Supervisors should not act on this Planning Application until a thorough CEQA environmental assessment is provided and the public interest is fully vetted.

5. The staff report, in the Financial Impact, fails to state that there is a financial impact. The property owner, if the cancellation request is made, is required to pay 12.5% of the fair market value to the County. This is buried in the Resolution but not clearly stated for public information as required. The fact is that there is a positive financial impact for the County. Furthermore, GC 51283 (a) states, "Prior to any action by the board or council giving tentative approval to the cancellation of any contract, **the county assessor of the county in which the land is located shall determine the current fair market value of the land as though it were free of the contractual restriction** (emphasis added). The revised Staff Report has now provided Attachment I, the Office of Assessor November 13, 2023 letter stating the "valuation" of the parcels of land as \$5.7 million "as of 8/1/2022". The Assessor's valuation fails to comport with Code. The valuation is to represent the fair market value of the land as though it were free of the contractual restriction (GC 51283(a), 51283.1(a)) and is considered current for one year (GC 51283.4(a)). **The Assessor's Valuation expired as of August 1, 2023 and is no longer valid.** The Board of Supervisors should not act on this Planning Application until the County Assessor provides an update and it is presented for public evaluation and to assure the County is properly compensated.
6. Section 4. of the Resolution (Attachment A to the staff report) states that a payment of \$712,500 is to be paid for this cancellation based upon the Assessor's certification of Property valuation of \$5.7 million. Using the E4 Zoning, it can be estimated that up to 40 lots could be created at 10,000 square feet each or about 30 lots could be created at 15,000 square feet each. A search of for-sale vacant lots of these sizes are selling for more than \$500,000 each, the exact definition of fair market value. Using even the 30 lots figure, the fair market valuation of the Property would easily exceed \$15 million. The Board of Supervisors should not act on this Planning Application until the County Assessor provides a new and current property valuation resulting in an appropriate cancellation fee.
7. The Board of Supervisors should provide assurances to the community that they would never support a change in Zoning on this Property.
8. This letter of objection is based solely on the limited information found online. Further objections may be made as further investigation and information become

available. All rights are reserved to raise further objections and any failure to raise issues and objections prior to or at the hearing is a result of the lack of information and the short time provided to comment and object to the cancellation of the contract.

Sincerely,

Susan Chambliss  
11311 Orangeview Road  
Santa Ana, CA 92705

## Lopez, Maria [COB]

---

**From:** Karen Hsu-Hardt <khsu60@yahoo.com>  
**Sent:** Sunday, April 07, 2024 5:15 PM  
**To:** COB\_Response  
**Cc:** Wagner, Donald; Richard Nelson FCA Foothill Community Association  
**Subject:** Do Not Cancel Williamson Act contract for 11091 Coronel, North Tustin

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

**URGENT:** Objection to PA23-0070 Williamson Act Contract Cancellation for 11091 Coronel - Do not cancel as this is a proposal that will favor developers and not be in the public interest and community.

1. Changing the zoning of this large property across from Arroyo Elementary School from agricultural to residential will have a negative effect on houses blocks from the property. As anyone who has ever driven past Arroyo Elementary knows, traffic in that area can be difficult at best now and adding an unspecified number of housing units may make it impossible and drive even more traffic into the surrounding neighborhoods which is unsafe now as the streets can not support parking at the same time with two way traffic.

2. This change is being proposed without detailing the exact outline of any project that may be built and without specifying environmental and community impacts.

As the leaders of this community, please support us

Thank you,  
Sent from my iPhone

Karen Hsu-Hardt  
714-833-2032  
khsu60@yahoo.com

## Lopez, Maria [COB]

---

**From:** Gary Hardt <gary\_hardt@yahoo.com>  
**Sent:** Sunday, April 07, 2024 5:17 PM  
**To:** COB\_Response  
**Cc:** Wagner, Donald  
**Subject:** 11091 Coronel

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Please do not cancel the Williamson Act Contract for the property at 11091 Coronel in favor of developers and against the public interest.

Thank you,

Gary Hardt  
1461 Cloyden Road  
North Tustin, California 92705

[Sent from Yahoo Mail for iPhone](#)

## Lopez, Maria [COB]

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**From:** Perez, Trajan <Trajan.Perez@millernash.com>  
**Sent:** Sunday, April 07, 2024 5:48 PM  
**To:** COB\_Response; Randle, Yuritz  
**Subject:** PA23-0070 - Agenda Item #27, Board of Supervisors Meeting April 9, 2024

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Clerk,

I am writing to renew the objections I previously made to the recommendation by Orange County Staff (“Staff”) for the Board of Supervisors (“BOS”) to agree to Williamson Act Contract cancellation request by the property owners as set forth in Application PA23-0070 on March 23, 2024 and to join all objections made by any person to the above reference agenda item. I would like to further request that this agenda item again be postponed so that the public records act request I made can be responded to in order to have sufficient information to appropriately engage in make public comments and objections. During the week of April 1, 2024 I made a very limited Public Records Act Request to Orange County for non-privileged documents pertaining to agenda item #27. (PRA request 24-1967). My request was responded to Mrs. Wnedy Brown, Custodian of Records stating, in part, that “...however, the item was continued until the Board meeting that will take place on April 9<sup>th</sup>. Once the April 9<sup>th</sup> Board meeting has passed, OC Public Works will being the search for records.” Effectively taking the position that no records will be provided until after the Board has made a decision and effectively preventing the public from having access to non-privileged information to make informed decisions. The letter further provides that the County will not begin to search for records until after the Board has conducted a hearing – without any justification or citation to law for such a position. Given that the issue before the Board is not one involving a franchise, competitive bidding, or contracting, there is no basis for withholding non-privileged documents from the public, I respectfully request that the hearing on the above reference agenda item be continued until all non-privileged public records are provided and the public can engage and participate in fully informed and meaningful public hearings.

Regards,

Phillip Perez

**Trajan Perez**  
Partner

**Miller Nash LLP**  
340 Golden Shore, Ste 450 | Long Beach, CA 90802



Direct: 562.247.7623 | Cell: 949.290.5185 | Office: 562.435.8002

**Email | Bio | Insights | Website**

*Our attorneys regularly offer insights to address the challenges faced by our clients. To visit the Miller Nash industry-focused blog overview page on our updated website: [please click this link](#).*

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**CONFIDENTIALITY NOTICE:** This email message may contain confidential or privileged information. If you have received this message by mistake, please do not review, disclose, copy, or distribute the email. Instead, please notify us immediately by replying to this message or telephoning us. Thank you.  
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## Lopez, Maria [COB]

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**From:** Gregory Lewis <greg134@me.com>  
**Sent:** Sunday, April 07, 2024 6:08 PM  
**To:** COB\_Response; Wagner, Donald  
**Subject:** Objection to planning application PA23-0070 Cancellation of Williamson Act Contract for 11091 Coronel Road, Santa Ana, CA(Hearing April 9, 2024)

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

To Supervisor Donald Wagner, Third District, and the Board of Supervisors:

I respectfully object to the proposed cancellation of the Williamson Act Contract agenda item 27. I join with all other objections submitted by residents of North Tustin, CA. Specially I endorse, join in and republish the objections of Trajan Perez, Heidi Rosenfield, Daniel Martinez and my wife Joanne Schwartz. I am a property owner residing at 1302 Mumford Drive, North Tustin. The property in issue, commonly referred to as the Miller Property (11.02 acres) lies adjacent to my backyard. I am 85 years old and after working for 60 plus years, together with my wife, purchased our North Tustin home with all the hopes and dreams of spending our remaining time in the beautiful confines of the North Tustin Residential Plan.

Approving the proposed cancellation of the Williams Act Contract, (item 27 on the Boards agenda) is inappropriate in that more information is required before the Board has jurisdiction to determine whether or not to “approve”. For that proposition please see offerings of Daniel Martinez, Trajan Perez, Heidi Rosenfield and Joanne Schwartz. Simply put the proponents of agenda item 27 have failed to follow code. The Board cannot grant or agree to the request until after ALL required information is provided. We, the residents of North Tustin have a right to review all required information. As yet, they simply don’t have the required information, or simply don’t wish to publish and share that which is required. I’m concerned we are in the beginning stages of hiding the ball.

This matter is especially serious in the context that the Miller Property joined the Williams Act Contract for the sole purpose of reclassifying the property as Agricultural not Residential. They didn’t care about agriculture. What they wanted to achieve was an ongoing lesser tax burden by not declaring the property residential. And that’s what they did. Now, it appears they want to again take advantage of the North Tustin Residential Plan and very likely develop these 11.02 acres with a change of zoning to allow for a higher density which will diminish most of the attributes of the North Tustin Residential Plan.

Supervisor Wagner. Stand up for North Tustin Residential Plan and don’t let the developers destroy our precious way of life.

Respectfully,

Gregory Lewis  
1302 Mumford Drive  
North Tustin, CA

## Lopez, Maria [COB]

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**From:** mia\_nam@yahoo.com  
**Sent:** Sunday, April 07, 2024 7:50 PM  
**To:** COB\_Response  
**Cc:** Wagner, Donald  
**Subject:** PLANNING APPLICATION PA23-0070 (FOR 11091 CORONEL ROAD, SANTA ANA, CA - Hearing Date April 9, 2024)

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

To the Board of Supervisors

I submit this public comment in objection to the cancellation of Williamson Act Contract, PA23-0070 for 11091 Coronel Road, Santa Ana without further diligence and an assessment of the environmental impact on the community is completed through a CEQA Environmental Assessment.

We have concerns for a number of reasons including the very critical fact that traffic in this neighborhood and surrounding areas is already congested with school traffic. Emergency vehicles access would not be possible if the land were developed for additional housing, and the community would be placed at risk in case of fire or earthquake.

A new assessor's valuation needs to be completed before being considered for approval by the board or council as the previous assessor's valuation expired as of August 1, 2023.

Lastly, the original owner, Mr. Miller, intended to convey the property to the county for a park. A botanic garden and park would be a wonderful asset to the community and enrich the students at Arroyo Elementary School which sits directly across from the property.

This would honor the current zoning laws for the property in discussion and continue to support the existing flora and fauna - including nesting hawks and owls.

I appreciate your consideration of my letter.

Sincerely,  
Eve Nam  
Santa Ana community resident

## Lopez, Maria [COB]

---

**From:** Samantha Mccargar <smccargar@cox.net>  
**Sent:** Sunday, April 07, 2024 7:56 PM  
**To:** COB\_Response  
**Subject:** Objection to Planning Application PA23-0070. Cancellation of Williamson Act Contract for 11091 Coronel Road, Santa Ana.

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Clerk of Board of Supervisors, Orange County:

I am writing to state my objection and to join the objections on file, incorporated herein as if fully set forth here, to the agenda item, Cancellation of Williamson Act Contract for 11091 Coronel Road, Santa Ana, CA. In addition, I join any other objections concerning this agenda item made in writing or to be presented at the hearing by the Orange County Board of Supervisors, scheduled for April 9, 2024 at 9:30am.

Government Code Section 51282e requires "The landowners petition shall be accompanied by proposal for a specified alternative use of the land." There is nothing in the staff report that purports to confirm that the landowners petition fulfilled this obligation.

The proposed Findings in the staff report in support of the cancellation of the Williamson Act Contract fails to address provisions of GC 51282c. The Board may approve a cancellation request only if it is in the public interest. There are no facts in the staff report that the proposed cancellation of the Williamson Act Contract is, in fact, in the public interest. The mere statement that the removal of the Williamson Act Contract will lead to residential development is not an evaluation of the public interest. It is apparent that the approval of the cancellation request is contrary to the public interest. Said cancellation will lead to development of the site, one of the last open spaces in the area which will result in the displacement of multiple species of flora and fauna, including nesting hawks, that will be harmed if the cancellation is approved.

Cancellation of the Williamson Act Contract will be development inducing, thereby a Project. It is well established law that Projects cannot be approved in a piecemeal fashion in order to avoid the environmental assessment requirements of the California Environmental Quality Act (CEQA). A thorough and detailed Environmental Assessment must be performed before this Application is considered.

Further objections may be made as further investigation and information become available. All rights are reserved to raise further objections and any failure to raise issues and objections prior to or at the hearing is a result of the lack of information and the short time provided to comment and object to the cancellation of the contract.

Thank you,

Samantha McCargar  
1212 Edgeview Dr.

## Lopez, Maria [COB]

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**From:** Missra Rezvani <missrez33@gmail.com>  
**Sent:** Sunday, April 07, 2024 9:10 PM  
**To:** COB\_Response  
**Cc:** Wagner, Donald  
**Subject:** Objection to Planning Application PA23-0070 Cancellation of Williamson Act Contract for 11091 Coronel Rd. Santa Ana CA

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Honorable Board of Supervisors,

I am submitting this public comment in objection to the cancellation of the Williamson Act Contract, PA23-0070, for the property located at 11091 Coronel Rd., Santa Ana, CA. We request that this matter be denied due to the following objections:

- Based on the publicly available information, it is unclear what the applicant's intended alternate use of the property will be if the Williamson Act contract is cancelled. It appears that the owner intends to sell the property for development however, the revisions to the staff report now indicate that the owners intend to utilize the property as existing without change. The intent of the owner is unclear and if the intent is not to change the existing utilization then why the request to cancel the contract?? This appears to be a means to forgo the need for an Environmental Assessment under CEQA and the Board of Supervisors should not approve the cancellation without all required and adequate information being available.

- Contrary to what the applicant has indicated, the community would significantly benefit from the property being utilized as a Park given its location and proximity to the elementary school and surrounding homes which do not currently have readily available access to a Park/Open Space. Further residential development of the property would negatively impact the environment and community and exacerbate existing traffic. This action to cancel the contract and allow for further development would in fact be contrary to public interest and nothing within the application or staff report suggests that there is any justification for why public interest should be ignored in favor of granting a cancellation. The best use of such a property, which has financially benefited the owner(s) by having been granted a contract under the Williamson Act, in such a location would be to continue the legacy of land conservation, as is the intent of the Williamson Act, and utilize the property for a park/open space to help persevere wildlife and benefit the people within the community, County and the State of California. Public interest must be considered and weighed prior to granting any approval for revocation of the contract as is expressly indicated by the Williamson Act Cancellation Process Guide.

- An Environmental Assessment has not been completed as required per the California Environmental Quality Act (CEQA) to assess any adverse impacts to the community. This is an environmentally significant property and any change to existing use would therefore substantially impact vegetation and wildlife. It is critical that a CEQA Environmental Assessment be conducted and impact to environmental quality and public interest evaluated.

Sincerely,  
Missra Rezvani  
1301 Tropicana Lane  
Santa Ana, CA 92705

## Lopez, Maria [COB]

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**From:** Dr. Martin Eaton <Dr.Eaton@wellfamily.care>  
**Sent:** Sunday, April 07, 2024 10:40 PM  
**To:** COB\_Response; Wagner, Donald  
**Subject:** Request for Consideration of Public Opinion  
**Attachments:** Letter to Supervisor.docx

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Attached is my letter for your consideration for the upcoming April 9<sup>th</sup> meeting regarding the Miller Property.

Sincerely,

Martin J. Eaton, PhD  
Licensed Clinical Psychologist



*Well Street is now Well Family*

O: 714.730.WELL F: [714.455.9568](tel:714.455.9568)

100 S Imperial Hwy, Anaheim Hills, CA 92807

1400 Quail St., Ste. 139, Newport Beach, CA 92660

[www.wellfamily.care](http://www.wellfamily.care)

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## Lopez, Maria [COB]

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**From:** lorrainesch@earthlink.net  
**Sent:** Monday, April 08, 2024 7:27 AM  
**To:** COB\_Response; Wagner, Donald  
**Subject:** Williamson Act Contract in re: 11091 Coronel Road, Santa Ana

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Sirs:

I urge the Board of Supervisors to deny the cancellation of the Williamson Act Contract on the 11.1 acres on 11091 Coronel Road, Santa Ana. I have lived two blocks away at 1501 Cloyden Road for 50 years and am very concerned about high density housing being built on these 11.1 acres. This would be very incompatible with the existing single family homes on 1/3 to 1/2 acre lots in the neighborhood and the narrow streets in the area. For example, Coronel Road is already very crowded and busy when the school day starts and ends at Arroyo School, across the street from this parcel. It is difficult to imagine how much more crowded and impassable the street would be if construction would begin and subsequent interior streets and houses would be built. The noise from all the trucks and heavy equipment during the construction phase would also be detrimental to the students at the school and to the residents on Cloyden, Addison, Arroyo, Mumford and other neighboring streets. Finally, the eradication of trees and wildlife on these 11.1 acres would be a significant loss to the community.

Thank you for your consideration in this important matter.

Sincerely,

Lorraine E. Schmidt



## Lopez, Maria [COB]

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**From:** Chris Hancock <c.hancock@yahoo.com>  
**Sent:** Monday, April 08, 2024 7:28 AM  
**To:** COB\_Response  
**Cc:** Wagner, Donald  
**Subject:** Planning Application for cancellation of the Williamson Act Contract for 11091 Coronel

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

4/8/24

Clerk of the Board

400 W. Civic Center Drive, Sixth Floor

P.O. Box 687

Santa Ana, CA 92702-0687

SUBJECT OBJECTION TO PLANNING APPLICATION PA23-0070. CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

Honorable Board of Supervisors,

I am submitting this public comment due to new information, in objection to the subject cancellation of Williamson Act Contract, PA23-0070. A few of the reasons for this objection are stated below. Accordingly, I request that this matter be denied or continued to a future date to satisfactorily address the below issues.

1. Government Code Section 51282 (e) requires "The landowners petition shall be accompanied by a proposal for a specified alternative use of the land." The newly revised Staff Report added Attachment H, the April 23, 2023, letter from the representative of the subject property, the Applicant. In that letter, the Applicant states, in paragraph number 3, "Upon cancellation, the Miller Family will, in all likelihood, sell the Property to be developed similar to the surrounding properties...". For almost exactly one-year, the County has been aware of the Applicant's intent to sell the property for development. Unfortunately, the revisions to the Staff Report now state, contrary to the evidence in this hearing (Attachment H), the following, "If the cancelation [of the Williamson Act Contract] is approved, the property owners intend to continue the existing single family residential uses onsite without change. The property owners do not propose any construction or change to the existing use of the property as part of the requested cancelation." **Both of these statements cannot be true.** The Board should not take any action on this proposal without more specific Project information for what should be obvious reasons, including, but not limited to, an Environmental Assessment under CEQA. The Board of Supervisors should not act on this Planning Application until further information is provided.

2. The Applicant clearly states their intention, to sell the property for development. Regardless of the type of development, the cancellation of the Williamson Act Contract will be development inducing, thereby a Project. It is well established law that Projects cannot be approved in a piecemeal fashion in order to avoid the Environmental Assessment requirements of the California Environmental Quality Act (CEQA). It is incorrect to utilize a categorical exemption to bypass CEQA for this action. The Board does not have rely upon said recommendation. The Board should be more interested in protecting the community from adverse impacts. Here, the property is unquestionably environmentally

significant and there has been no determination by staff that it is not. This fact is confirmed simply by reviewing the staff's own description of the property and its location in the area, the wildlife that resides on the property and trees on the property. The Board of Supervisors should not act on this Planning Application until a thorough CEQA Environmental Assessment is provided.

3. The Applicant letter of April 23, 2023, (Attachment H) in Paragraph 5, makes the assertion that the Property is an island of undeveloped land that is best developed like surrounding properties and should not be considered for a Park. This assertion belies the fact that the Property is directly across the street from Arroyo Elementary School, a site accessed with fully developed streets but which is significantly adversely impacted by daily school traffic and lack of emergency vehicle access for the community; new housing could only exacerbate these conditions. The further development of this site will worsen these traffic conditions, amongst many others environmental conditions. Additionally, the Property is the perfect location for a Park, a use that is explicitly allowed in this Zone, per Zoning Code Section 7-9-67.2 Principal Uses Permitted, (a) Parks, Playgrounds and Athletic Fields. A Park is sorely needed in this neighborhood that has limited park access. The community and the school would benefit from a Park across the street from the school. It is also the community's understanding that the original owner, Mr. Miller, had expressed intentions to convey this property to the County for a Park. This should be further researched before any action is taken on this Application. The Board of Supervisors should not act on this Planning Application until discussion is held on the acquisition of the Property for a County Park.

4. The proposed Findings in the staff report in support of cancellation of the Williamson Act Contract fails to address provisions of GC 51282c. The California Department of Conservation, in the publication "Williamson Act Cancellation Process - Guide for Local Governments", states, The Board may approve a cancellation request **only if it is in the public interest.** (emphasis added) To make this finding, the board or council must make all the following findings (GC 51282c): a) That other public concerns substantially outweigh the objectives of this chapter; and b) That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land." There are no facts in the staff report that the proposed cancellation of the Williamson Act Contract is, in fact, in the public interest. It is apparent that the approval of the cancellation request is **contrary to the public interest.** Said cancellation will lead to development of the site, one of the last open spaces in the area which will result in the displacement of multiple species of flora and fauna, including nesting hawks, that will be harmed if the cancellation is approved. The benefits to the public interest as a result of the Williamson Act Contract should be evaluated in an Environmental Assessment. The Board of Supervisors should not act on this Planning Application until a thorough CEQA environmental assessment is provided and the public interest is fully vetted.

5. The staff report, in the Financial Impact, fails to state that there is a financial impact. The property owner, if the cancellation request is made, is required to pay 12.5% of the fair market value to the County. This is buried in the Resolution but not clearly stated for public information as required. The fact is that there is a positive financial impact for the County. Furthermore, GC 51283 (a) states, "Prior to any action by the board or council giving tentative approval to the cancellation of any contract, **the county assessor of the county in which the land is located shall determine the current fair market value of the land as though it were free of the contractual restriction** (emphasis added). The revised Staff Report has now provided Attachment I, the Office of Assessor November 13, 2023 letter stating the "valuation" of the parcels of land as \$5.7 million "as of 8/1/2022". The Assessor's valuation fails to comport with Code. The valuation is to represent the fair market value of the land as though it were free of the contractual restriction (GC 51283(a), 51283.1(a)) and is considered current for one year (GC 51283.4(a)). The Assessors Valuation expired as of August 1, 2023 and is no longer valid. The Board of Supervisors should not act on this Planning Application until the County Assessor provides an update and it is presented for public evaluation and to assure the County is properly compensated.

6. Section 4. of the Resolution (Attachment A to the staff report) states that a payment of \$712,500 is to be paid for this cancellation based upon the Assessor's certification of Property valuation of \$5.7 million. Using the E4 Zoning, it can be estimated that up to 40 lots could be created at 10,000 square feet each or about 30 lots could be created at 15,000

square feet each. A search of for sale vacant lots of these sizes are selling for more than \$500,000 each, the exact definition of fair market value. Using even the 30 lots figure, the fair market valuation of the Property would easily exceed \$15 million. The Board of Supervisors should not act on this Planning Application until the County Assessor provides a new and current property valuation resulting in an appropriate cancellation fee.

7. The Board of Supervisors should provide assurances to the community that they would never support a change in Zoning on this Property.

8. This letter of objection is based solely on the limited information found online. Further objections may be made as further investigation and information become available. All rights are reserved to raise further objections and any failure to raise issues and objections prior to or at the hearing is a result of the lack of information and the short time provided to comment and object to the cancellation of the contract.

Sincerely,

Chris Hancock  
11211 Arroyo Ave  
Santa Ana, CA 92705

## Lopez, Maria [COB]

---

**From:** Terry Chambless <tchambless888@gmail.com>  
**Sent:** Monday, April 08, 2024 8:31 AM  
**To:** COB\_Response  
**Subject:** OBJECTION TO PLANNING APPLICATION PA23-0070

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Clerk of the Board  
400 W. Civic Center Drive, Sixth Floor  
P.O. Box 687  
Santa Ana, CA 92702-0687

SUBJECT OBJECTION TO PLANNING APPLICATION PA23-0070.  
CANCELLATION OF WILLIAMSON ACT CONTRACT FOR 11091 CORONEL  
ROAD, SANTA ANA, CA (Hearing Date April 9, 2024)

Honorable Board of Supervisors,

I am submitting this public comment due to new information, in objection to the subject cancellation of Williamson Act Contract, PA23-0070. A few of the reasons for this objection are stated below. Accordingly, I request that this matter be denied or continued to a future date to satisfactorily address the below issues.

1. Government Code Section 51282 (e) requires “The landowners petition shall be accompanied by a proposal for a specified alternative use of the land.” The newly revised Staff Report added Attachment H, the April 23, 2023, letter from the representative of the subject property, the Applicant. In that letter, the Applicant states, in paragraph number 3, “Upon cancellation, the Miller Family will, in all likelihood, sell the Property to be developed similar to the surrounding properties...”. For almost exactly one year, the County has been aware of the Applicant’s intent to sell the property for development. Unfortunately, the revisions to the Staff Report now state, contrary to the evidence in this hearing (Attachment H), the following, “If the cancellation [of the Williamson Act Contract] is approved, the property owners intend to continue the existing single family residential uses onsite without change. The property owners do not propose any construction or change to the existing use of the property as part of the requested cancellation.” **Both of these statements cannot be true.** The Board should not take any action on this proposal without more specific Project information for what should be obvious reasons, including, but not limited to, an Environmental Assessment under CEQA. The Board of Supervisors should not act on this Planning Application until further information is provided.

2. The Applicant clearly states their intention, to sell the property for development. Regardless of the type of development, the cancellation of the Williamson Act Contract will be development inducing, thereby a Project. It is well established law that Projects cannot be approved in a piecemeal fashion in order to avoid the Environmental Assessment requirements of the California Environmental Quality Act (CEQA). It is incorrect to utilize a categorical exemption to bypass CEQA for this action. The Board does not have to rely upon said recommendation. The Board should be more interested in protecting the community from adverse impacts. Here, the property is unquestionably environmentally significant and there has been no determination by staff that it is not. This fact is confirmed simply by reviewing the staff's own description of the property and its location in the area, the wildlife that resides on the property and trees on the property. The Board of Supervisors should not act on this Planning Application until a thorough CEQA Environmental Assessment is provided.

3. The Applicant letter of April 23, 2023, (Attachment H) in Paragraph 5, makes the assertion that the Property is an island of undeveloped land that is best developed like surrounding properties and should not be considered for a park. This assertion belies the fact that the Property is directly across the street from Arroyo Elementary School, a site accessed with fully developed streets but which is significantly adversely impacted by daily school traffic and lack of emergency vehicle access for the community; new housing could only exacerbate these conditions. The further development of this site will worsen these traffic conditions, amongst many other environmental conditions. Additionally, the Property is the perfect location for a park, a use that is explicitly allowed in this Zone, per Zoning Code Section 7-9-67.2 Principal Uses Permitted, (a) Parks, Playgrounds and Athletic Fields. A park is sorely needed in this neighborhood that has limited park access. The community and the school would benefit from a park across the street from the school. It is also the community's understanding that the original owner, Mr. Miller, had expressed intentions to convey this property to the County for a park. This should be further researched before any action is taken on this Application. The Board of Supervisors should not act on this Planning Application until discussion is held on the acquisition of the Property for a County Park.

4. The proposed Findings in the staff report in support of cancellation of the Williamson Act Contract fails to address provisions of GC 51282c. The California Department of Conservation, in the publication "Williamson Act Cancellation Process - Guide for Local Governments", states, The Board may approve a cancellation request ***only if it is in the public interest***. (emphasis added) To make this finding, the board or council must make all the following findings (GC 51282c): a) That other public concerns substantially outweigh the objectives of this chapter; and b) That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land." There are no facts in the staff report

that the proposed cancellation of the Williamson Act Contract is, in fact, in the public interest. It is apparent that the approval of the cancellation request is **contrary to the public interest**. Said cancellation will lead to development of the site, one of the last open spaces in the area which will result in the displacement of multiple species of flora and fauna, including nesting hawks, that will be harmed if the cancellation is approved. The benefits to the public interest as a result of the Williamson Act Contract should be evaluated in an Environmental Assessment. The Board of Supervisors should not act on this Planning Application until a thorough CEQA environmental assessment is provided and the public interest is fully vetted.

5. The staff report, in the Financial Impact, fails to state that there is a financial impact. The property owner, if the cancellation request is made, is required to pay 12.5% of the fair market value to the County. This is buried in the Resolution but not clearly stated for public information as required. The fact is that there is a positive financial impact for the County. Furthermore, GC 51283 (a) states, "Prior to any action by the board or council giving tentative approval to the cancellation of any contract, **the county assessor of the county in which the land is located shall determine the current fair market value of the land as though it were free of the contractual restriction** (emphasis added). The revised Staff Report has now provided Attachment I, the Office of Assessor November 13, 2023 letter stating the "valuation" of the parcels of land as \$5.7 million "as of 8/1/2022". The Assessor's valuation fails to comport with Code. The valuation is to represent the fair market value of the land as though it were free of the contractual restriction (GC 51283(a), 51283.1(a)) and is considered current for one year (GC 51283.4(a)). **The Assessor's Valuation expired as of August 1, 2023 and is no longer valid.** The Board of Supervisors should not act on this Planning Application until the County Assessor provides an update and it is presented for public evaluation and to assure the County is properly compensated.

6. Section 4. of the Resolution (Attachment A to the staff report) states that a payment of \$712,500 is to be paid for this cancellation based upon the Assessor's certification of Property valuation of \$5.7 million. Using the E4 Zoning, it can be estimated that up to 40 lots could be created at 10,000 square feet each or about 30 lots could be created at 15,000 square feet each. A search of for-sale vacant lots of these sizes are selling for more than \$500,000 each, the exact definition of fair market value. Using even the 30 lots figure, the fair market valuation of the Property would easily exceed \$15 million. The Board of Supervisors should not act on this Planning Application until the County Assessor provides a new and current property valuation resulting in an appropriate cancellation fee.

7. The Board of Supervisors should provide assurances to the community that they would never support a change in Zoning on this Property.

8. This letter of objection is based solely on the limited information found online. Further objections may be made as further investigation and information

become available. All rights are reserved to raise further objections and any failure to raise issues and objections prior to or at the hearing is a result of the lack of information and the short time provided to comment and object to the cancellation of the contract.

Sincerely,

Terry Chambliss  
11311 Orangeview Road  
Santa Ana, CA 92705

## Lopez, Maria [COB]

---

**From:** Gabriel Groen <gabrielgroen@gmail.com>  
**Sent:** Monday, April 08, 2024 9:31 AM  
**To:** COB\_Response; Wagner, Donald  
**Subject:** Support for Planning Application PA23-0070 - Cancellation of a Williamson Act Contract for the Miller Property

**Attention:** This email originated from outside the County of Orange. Use caution when opening attachments or links.

Hello,

I am writing to submit comment on Item #27 on the April 9th meeting: "Public hearing to consider adopting resolution tentatively approving cancellation of Williamson Act"

I am in support of the resolution.

Low-density housing and under-development work in opposition to housing affordability, which is a major issue all of us in Orange County must work to combat. As a Tustin homeowner, of course I benefit personally from skyrocketing property prices as I see my own home increasing greatly in value. But my duty to my community, my county, and my country morally compels me to support development wherever opportunity arises.

I know that high-density housing is not precisely in line with the existing low-density single-family homes consistent with the neighborhood. But that is the nature of all communities: all neighborhoods change over time. The SFH buildout of North Tustin is inconsistent with the previous agricultural use, and the agricultural use was inconsistent with the previous undeveloped land. Mixing SFH and higher-density housing is a good thing, bringing diversity of incomes, family ages, and options to neighborhoods. Being located across the street from an elementary school also makes this location ideal for housing development, because more students can attend the school by simply walking across the street.

I lament the loss of natural space, but denser building is exactly the way to preserve more natural space overall. Building out the empty spaces within existing neighborhoods and upzoning SFH to higher density duplexes, triplexes, townhouses, and midrises is how we will combat housing unaffordability AND combat sprawling development further into the natural foothills. Hundreds of acres of open space are being developed on the edges of the foothills because it's easier in Orange County (and much of the US) to build outward instead of densifying where we have already built.

The only acceptable way in my eyes to block the development of this property would be if it were done in conjunction with sweeping upzoning in the rest of the neighborhood and broadly across the entire county, allowing developers to return to the traditional market-based development of properties up to what the local market demands instead of artificially promoting under-development. However, since that is a much bigger political challenge, we need to be accepting incremental changes like this and further steps to allow for developing where development is market-supported.

Thank you,  
Gabriel