

# City of Los Alamitos

## Agenda Report Consent Report

December 14, 2015  
Item No: 8C

**To:** Mayor Richard D. Murphy and Members of the City Council

**Via:** Bret M. Plumlee, City Manager

**From:** Steven A. Mendoza, Development Services Director

**Subject:** Adopt Ordinance 2015-09 – A Zoning Ordinance Amendment (ZOA 15-08) to Create a Retail Overlay Zone in compliance with the 2015-2035 General Plan (City initiated)

**Summary:** At its regular meeting of November 16, 2015, the City Council conducted a first reading of Ordinance No. 2015-09 creating a Retail Overlay Zone to allow more flexible uses for certain parcels in the Planned Light Industrial Zone to comply with the new 2015-2035 General Plan and to amend the zoning map by placing the Overlay Zones on specified parcels, as recommended by the Planning Commission (City initiated).

**Recommendation:** Adopt Ordinance No. 2015-09, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 15-08 TO AMEND SECTIONS 17.04.020, 17.10.020, AND 17.12.010 OF THE LOS ALAMITOS MUNICIPAL CODE TO CREATE A RETAIL OVERLAY ZONE AND TO AMEND THE ZONING MAP TO PLACE THE RETAIL OVERLAY ZONE OVER THOSE PROPERTIES COMMONLY KNOWN AS THE ARROWHEAD PROPERTIES, WHICH PROPERTIES ARE ALL IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONE OF THE CITY (CITY INITIATED)."

## Background

The 2015 – 2035 General Plan was approved and a Program Environmental Impact Report (EIR) was certified by the City Council on March 23, 2015. As part of the new General Plan, a Retail Overlay land use designation was created and placed on certain Planned Industrial Properties as shown on Attachment 2. The City is now required to create corresponding overlay zones and place them over the same properties to create consistency with the General Plan.

The term "retail" in this overlay is intended to correspond to the term "Retail Business" in the General Plan. Staff is, therefore, recommending that the Retail Overlay zone allow

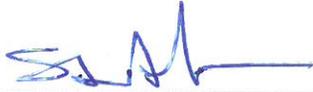
any use allowed in the General Commercial (C-G) zoning district as set forth in Table 2-04, in the same manner and under the same development standards that such uses are permitted or conditionally permitted therein. Industrial uses shall be continued to be allowed as set forth in the P-M zone.

On August 26, 2015, the Los Alamitos Planning Commission held a public hearing and then adopted Resolution PC 15-14 recommending that the City Council amend the zoning code and map to bring certain parcels into conformity with the New General Plan. On November 16<sup>th</sup> the City Council agreed with the recommendation through the first reading of Ordinance No. 2015-09, which approves the changes shown in Ordinance 2015-09. Tonight, the City Council conducts a second reading of that Ordinance.

### **Fiscal Impact**

None

Submitted By:



---

Steven A. Mendoza  
Development Services Director

Approved By:



---

Bret M. Plumlee  
City Manager

*Attachments: 1) City Council Ordinance No. 2015-09*

## ORDINANCE NO. 2015-09

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 15-08 TO AMEND SECTIONS 17.04.020, 17.10.020, AND 17.12.010 OF THE LOS ALAMITOS MUNICIPAL CODE TO CREATE A RETAIL OVERLAY ZONE AND TO AMEND THE ZONING MAP TO PLACE THE RETAIL OVERLAY ZONE OVER THOSE PROPERTIES COMMONLY KNOWN AS THE ARROWHEAD PROPERTIES, WHICH PROPERTIES ARE ALL IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONE OF THE CITY (CITY INITIATED).**

**WHEREAS**, the 2015-2035 Los Alamitos General Plan was approved by the City Council on March 23, 2015; and,

**WHEREAS**, the General Plan also added a Retail Overlay land use designation to allow retail uses on the industrial property commonly known as the Arrowhead property in order to provide retail opportunities at such time as the owners of the Arrowhead property determine that an industrial use is no longer the desired use; and,

**WHEREAS**, State law requires that there be consistency between the City's zoning and the General Plan; and,

**WHEREAS**, the Planning Commission held a duly noticed public hearing concerning this Amendment on August 26, 2015; and,

**WHEREAS**, at the conclusion of the public hearing, the Planning Commission adopted a resolution recommending that the City Council adopt this Ordinance; and,

**WHEREAS**, the City Council held a duly noticed Public Hearing concerning this Amendment on October 19, 2015 which was continued to November 16, 2015; and,

**WHEREAS**, the City Council considered this Amendment on November 16, 2015; and,

**WHEREAS**, the City Council considered all applicable Staff reports and all public testimony and evidence presented at the public hearing.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. The City Council of the City of Los Alamitos, California finds that the above recitals are true and correct and incorporates them by reference herein.

SECTION 2. Table 2-01 of Section 17.04.020 of the Los Alamitos Municipal Code is hereby amended by adding the following overlay zone to the Table:

Zoning District Symbol	Zoning District Name	General Plan Land Use Designation
<b>Residential Zoning Districts</b>		
R-1	Single-family residential zoning district	Residential
R-2	Limited multiple-family residential zoning district	Residential
R-3	Multiple-family residential zoning district	Residential
M-H	Mobile home park zoning district	Residential
<b>Commercial / Industrial Zoning Districts</b>		
C-O	Commercial-professional office zoning district	Commercial
C-G	General commercial zoning district	Commercial
P-M	Planned light-industrial zoning district	Industrial
<b>Special Purpose Zoning Districts</b>		
O-A	Open area zoning district	Special use
C-F	Community facilities zoning district	Special use
<b>Overlay Zoning District</b>		
-TC	Town center	Commercial
<u>-MOZ</u>	<u>Medical Overlay</u>	<u>Medical Overlay</u>
<u>-ROZ</u>	<u>Retail Overlay</u>	<u>Retail Overlay</u>

SECTION 3. Section 17.12.010 of the Los Alamitos Municipal Code is hereby amended by adding subsection E to read as follows:

E. -ROZ (Retail) Overlay Zoning District

1. Purpose of Zoning District. The Retail (-ROZ) overlay zoning district is intended to allow the development of retail businesses on certain parcels, while still maintaining the underlying zoning.

2. Uses Allowed. The Uses allowed in the Retail (-ROZ) overlay zoning district shall be those uses allowed in the General Commercial (C-G) zoning district as set forth in Table 2-04 in the same manner that such uses are permitted or conditionally permitted in the General Commercial (C-G) zone, as well as all uses permitted or conditionally permitted in the underlying zoning district.

3. Development Standards. The development standards for any use allowed in the General Commercial zoning district shall be as set forth in that district.

The development standards for any use permitted or conditionally permitted in the underlying zoning district shall be as set forth in that district.

4. Applicant's Option. Property in the Retail (-ROZ) overlay zoning district may be developed under either the underlying zoning district or the overlay zoning district at the Applicant's option. If the use is allowed in both zones, it may be developed under the least restrictive zone.

SECTION 4. The Los Alamitos Zoning Map, is amended to change the properties listed below as indicated and as attached hereto and incorporated herein below by reference.

<b>Planned Light Industrial (P-M) to Planned Industrial/Retail Overlay (P-M-ROZ)</b>		
<b>APN</b>	<b>ADDRESS</b>	<b>OWNER</b>
241-241-09	4411 Katella Avenue	JCB Inc Tinicum Corp
241-241-08	4411 Katella Avenue	JCB Inc Tinicum Corp
241-241-10	4411 Katella Avenue	JCB Inc Tinicum Corp
241-241-11	4411 Katella Avenue	JCB Inc Tinicum Corp

SECTION 5. This approval is based upon the following findings:

A. The proposed changes ensure and maintain consistency between the General Plan and the Zoning Code. The addition of these overlays is required of the Zoning Code by the Land Use Map of the new General Plan.

B. The proposed amendment will not adversely affect the public convenience, health, interest, safety, or welfare of the City as there are no adverse impacts anticipated in the Code amendments as demonstrated by the Certified EIR for the General Plan Amendment which contemplated these zone changes. The changes continue the planning that has been put into place by the General Plan and it is good planning practice, as well as a legal necessity, to create consistency between the General Plan and zoning.

C. The proposed amendments are internally consistent with other applicable provisions of this Zoning Code and do not provide any conflicts with any other provision of the Los Alamitos Municipal Code.

D. The sites on which the overlay zones are being placed are physically suitable for the type of development which would be allowed in the overlay zones. The changes do not involve any actual development and any development specific impacts will be dealt with at the project specific level.

E. The proposed amendment has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA). The City Council of the City of Los Alamitos, California, certified the Final Environmental Impact Report on

March 23, 2015 for the Los Alamitos General Plan to include land use changes for various parcels and adopting environmental findings, a statement of overriding considerations and a mitigation monitoring and reporting plan pursuant to the California Environmental Quality Act. As zoning is required to be consistent with the General Plan, the impacts relating to the zone changes are identical to the impacts that were covered in the Program EIR and there are no new impacts which would occur from such changes. As such, the zone changes are within the scope of the Program EIR.

SECTION 6. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a Certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

SECTION 7. This Ordinance shall take effect thirty days after approval as provided in Government Code Section 36937.

SECTION 8. The City Council of the City of Los Alamitos, California, certified the Final Environmental Impact Report on March 23, 2015 for the Los Alamitos General Plan to include land use changes for various parcels and adopting environmental findings, a statement of overriding considerations and a mitigation monitoring and reporting plan pursuant to the California Environmental Quality Act.

**PASSED, APPROVED AND ADOPTED THIS 14th DAY OF DECEMBER, 2015.**

---

Richard D. Murphy, Mayor

ATTEST:

---

Windmera Quintanar, City Clerk, CMC

APPROVED AS TO FORM:

---

Cary Reisman, City Attorney

STATE OF CALIFORNIA            )  
COUNTY OF ORANGE            ) ss.  
CITY OF LOS ALAMITOS         )

I, Windmera Quintanar, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Ordinance No. 2015-03 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 16<sup>th</sup> day of November, 2015 and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 14th day of December, 2015, by the following vote, to wit:

AYES:            COUNCIL MEMBERS:

NOES:           COUNCIL MEMBERS:

ABSENT:         COUNCIL MEMBERS:

ABSTAIN:        COUNCIL MEMBERS:

---

Windmera Quintanar, City Clerk, CMC