

CITY OF LOS ALAMITOS

3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA PLANNING COMMISSION REGULAR MEETING

Wednesday, March 23, 2016 – 7:00 PM

NOTICE TO THE PUBLIC

This Agenda contains a brief general description of each item to be considered. Except as provided by law, action or discussion shall not be taken on any item not appearing on the agenda. Supporting documents, including staff reports, are available for review at City Hall in the Community Development Department or on the City's website at www.cityoflosalamitos.org once the agenda has been publicly posted.

Each matter on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Items listed as "for information" or "for discussion" may also be the subject of an "action" taken by the City Council at the same meeting.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Community Development Department, 3191 Katella Ave., Los Alamitos CA 90720, during normal business hours. In addition, such writings or documents will be made available for public review at the respective public meeting.

It is the intention of the City of Los Alamitos to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee, or a participant at this meeting, you will need special assistance beyond what is normally provided, please contact the Community Development Department at (562) 431-3538, extension 303, 48 hours prior to the meeting so that reasonable arrangements may be made. Assisted listening devices may be obtained from the Planning Secretary at the meeting for individuals with hearing impairments.

Persons wishing to address the Planning Commission on any item on the Planning Commission Agenda shall sign in on the Oral Communications Sign In sheet which is located on the podium once the item is called by the Chairperson. At this point, you may address the Planning Commission for up to ***FIVE MINUTES*** on that particular item.

1. **CALL TO ORDER**

2. **ROLL CALL**
Chair Cuiilty
Vice Chair Andrade
Commissioner DeBolt
Commissioner Grose
Commissioner Loe
Commissioner Riley
Commissioner Sofelkanik

3. **PLEDGE OF ALLEGIANCE**

4. ORAL COMMUNICATIONS

At this time any individual in the audience may address the Planning Commission and speak on any item within the subject matter jurisdiction of the Commission. If you wish to speak on an item listed on the agenda, please sign in on the Oral Communications Sign In sheet located on the podium. **Remarks are to be limited to not more than five minutes.**

5. APPROVAL OF MINUTES

A. Approve the Minutes for the Regular Meeting of January 27, 2016.

6. CONSENT CALENDAR

None.

7. PUBLIC HEARINGS

**A. Conditional Use Permit (CUP) 15-05 - Outside Seating
Conditional Use Permit (CUP) 16-03 - Shared Parking
Restaurant with Outside Seating Area and Shared Parking in the
General Commercial (C-G) Zone**

Consideration of a Conditional Use Permit to allow an Outside Seating Area and shared parking for a Restaurant (Mighty Kitchen) in the General Commercial (C-G) Zone (Applicant: Craig Hofman, of Hof's Hut Restaurants, Inc.).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (e)(1) *Existing Facilities*; The proposed use is in an existing building with no proposed alterations or expansion of no more than 2,500 square feet; and,
3. Adopt Resolution No. PC 16-06, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING WITH CONDITIONS A CONDITIONAL USE PERMIT (CUP) 15-05 TO ALLOW AN 877 SQUARE FOOT RESTAURANT OUTSIDE SEATING AREA AT 11122 LOS ALAMITOS BOULEVARD AND CONDITIONAL USE PERMIT (CUP) 16-03 TO ALLOW SHARED PARKING (APN NOS. 222-092-11 & 222-092-24) IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: CRAIG HOFMAN, OF HOF'S HUT RESTAURANTS, INC.)."

B. Conditional Use Permit (CUP) 16-01

A Request for a Dentist to Locate in the General Commercial (C-G) Zone, and without Sufficient Parking.

Consideration of a Conditional Use Permit (CUP 16-01) to allow a dentist on a property (Center Plaza) in the General Commercial (C-G) Zone on a major arterial at 10688 Los Alamitos Boulevard, APN 242-245-01 and to allow parking of less than one space for each 250 square feet of gross floor area (Applicant: Sandra Yavitz, of Los Alamitos Center Plaza II, LLC).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Adopt Resolution No. 16-08, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DENYING A CONDITIONAL USE PERMIT (CUP) 16-01 TO ALLOW A MEDICAL USE (DENTIST) AT 10688 LOS ALAMITOS BOULEVARD, A MAJOR ARTERIAL IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT (APPLICANT: SANDRA YAVITZ, OF LOS ALAMITOS CENTER PLAZA II LLC);" or alternatively,
3. Direct Staff to draft a resolution of approval for Conditional Use Permit 16-01, if the required findings can be made to approve the project.

C. Conditional Use Permit (CUP) 16-02

Outdoor Storage in the Planned Light Industrial (P-M) Zone

Consideration of a Conditional Use Permit (CUP 16-02) to permit an unpermitted 4,554 square foot outside storage area at a 18,808 square foot Industrial Building (Trend Offset) located at 10631 Humbolt Street (APN 242-242-25) in the Planned Light Industrial (P-M) Zoning District (Applicant: Kristie Nelsen, of Kardent Design).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to a CEQA guidelines Class 1 Categorical Exemption, Section 15301(e)(2)(b) – Existing Facilities, will be prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is on a property with an existing building, the project is less than 10,000 square feet, and is located in an area that is not environmentally sensitive.
3. ADOPT RESOLUTION NO. 16-05, ENTITLED, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP 16-02) TO RETROACTIVELY APPROVE A 4,531 SQUARE FOOT METAL

CANOPY-COVERED STRUCTURE, OUTDOOR STORAGE AREA, ATTACHED TO AN EXISTING 18,808 SQUARE FOOT BUILDING ON A 1.05 ACRE PARCEL AT 10631 HUMBOLT STREET (APN NO. 242-242-25) IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: KRISTIE NELSEN, KARDENT DESIGN, ON BEHALF OF TREND OFFSET PRINTING).”

**D. Zoning Ordinance Amendment (ZOA) 16-05
Review of Uses in the Planned Light Industrial Zone (Citywide) (City initiated)**

The City Council has directed the Planning Commission to review the land use table for the Industrial Zone (other zones to follow) and consider a Zoning Ordinance Amendment to implement those uses supported by the Commission within the Planned Light Industrial (P-M) Zone and its overlay zones (Citywide) (City initiated).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Direct Staff to complete the draft ordinance incorporating amendments that are agreed upon by the Commissioners during tonight’s discussion,
3. Determine that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) under the general rule that CEQA does not apply to activities which can be seen with certainty to have no effect on the environment; and,
4. Adoption of Resolution No. 16-07, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING ORDINANCE AMENDMENT (ZOA) 16-05 MAKING CHANGES TO THE TABLE OF ALLOWED USES IN SECTION 17.10.020, TABLE 2-04, AND DEFINITIONS IN CHAPTER 17.76, OF THE LOS ALAMITOS MUNICIPAL CODE (CITY INITIATED).”

8. STAFF REPORTS

A. Update on Recreational Vehicle Issue

A Staff update to the Planning Commission concerning the zoning code that pertains to Recreational Vehicles (Citywide) (City initiated).

Recommendation:

1. Receive, file, and provide input as needed; or alternatively,
2. Adopt Resolution No. 16-01 entitled, "A RESOLUTION OF INTENTION OF THE PLANNING COMMISSION OF LOS ALAMITOS, CALIFORNIA, TO OPEN A DISCUSSION OF POSSIBLE MUNICIPAL CODE CHANGES CONCERNING THE PARKING AND STORAGE OF RECREATIONAL VEHICLES (ZOA 16-04) (CITYWIDE) (CITY INITIATED)."

9. ITEMS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

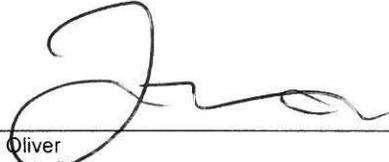
10. COMMISSIONER REPORTS

11. ADJOURNMENT

APPEAL PROCEDURES

Any final determination by the Planning Commission may be appealed to the City Council, and must be done so in writing at the Community Development Department, within twenty (20) days after the Planning Commission decision. The appeal must include a statement specifically identifying the portion(s) of the decision with which the appellant disagrees and the basis in each case for the disagreement, accompanied by an appeal fee of \$1,000.00 in accordance with Los Alamitos Municipal Code Section 17.68 and Fee Resolution No. 2008-12.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the following locations: Los Alamitos City Hall, 3191 Katella Ave.; Los Alamitos Community Center, 10911 Oak Street; and, Los Alamitos Museum, 11062 Los Alamitos Blvd.; not less than 72 hours prior to the meeting.



Tom Oliver
Associate Planner

3/17/16

Date

**MINUTES OF PLANNING COMMISSION MEETING
OF THE CITY OF LOS ALAMITOS**

REGULAR MEETING – January 27, 2016

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:01 p.m., Wednesday, January 27, 2016, in the Council Chambers, 3191 Katella Avenue; Chair Riley presiding.

2. ROLL CALL

Present: Commissioners: Chair John Riley
Vice-Chair Mary Anne Culty
Commissioner Larry Andrade
Commissioner Wendy Grose
Commissioner Gary Loe

Absent: Commissioner Art DeBolt
Commissioner Victor Sofelkanik

Staff: Development Services Director Steven Mendoza
Associate Planner Tom Oliver
Assistant City Attorney Lisa Kranitz
Department Secretary Dawn Sallade

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Riley.

4. ORAL COMMUNICATION

Chair Riley opened the meeting for Oral Communication for items not on the agenda.

Josh Wilson, Chair of the Parks, Recreation and Cultural Arts Commission for the City of Los Alamitos, indicated he is offering the official challenge for Race on the Base participation to each Commission. Each of the Commissions is hereby challenged as well as the City Council to have as many participates either race or volunteer for the event. The race is on February 27, 2016.

There being no more persons wishing to speak, Chair Riley closed Oral Communication.

5. PLANNING COMMISSION REORGANIZATION

This report provides relevant information for the Planning Commission's annual reorganization by the election of Chair and Vice Chair.

Recommendation: Nominate and elect the following officers:

1. Chair
2. Vice Chair

Planning Director/Secretary of the Board Mendoza presented the Staff report.

Chair Riley turned the meeting over to Secretary Mendoza who opened the floor to nominations for the office of "Chair".

Commissioner Loe nominated Vice Chair Cuiilty.

There being no further nominations, Director/Secretary of the Board Mendoza closed the nominations.

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission appointed Vice Chair Cuiilty as Chair.

ROLL CALL

Chair Riley	Yes
Vice Chair Cuiilty	Yes
Commissioner Andrade	Yes
Commissioner DeBolt	Absent
Commissioner Grose	Yes
Commissioner Loe	Yes
Commissioner Sofelkanik	Absent

Chair Cuiilty opened the floor to nominations for the office of "Vice-Chair".

Commissioner Loe nominated Commissioner Andrade.

There being no further nominations, Director/Secretary of the Board Mendoza closed the nominations.

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission appointed Commissioner Andrade as Vice Chair.

ROLL CALL

Chair Cuiilty	Yes
Commissioner Andrade	Yes
Commissioner DeBolt	Absent
Commissioner Grose	Yes
Commissioner Loe	Yes
Commissioner Riley	Yes
Commissioner Sofelkanik	Absent

6. APPROVAL OF MINUTES

- A. Approve the Minutes for the Regular Meeting of November 18, 2015.**
Motion/Second: Grose/Loe.

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission approved the Minutes of the Regular meeting of November 18, 2015.

7. CONSENT CALENDAR

None.

8. STAFF REPORTS

A. Resolution of Intention 16-01 – Recreational Vehicles

Consideration of a Resolution of Intention by the Planning Commission to explore amending the zoning code concerning Recreational Vehicles (Citywide) (City initiated).

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission. He explained that a resident had approached the Commission during the last meeting in December requesting a revision to the code; in order to revise the code, the Commission has to make a decision whether they would like to look at the code, make revisions and if so, the Commission would have to adopt a Resolution of Intention. Staff has recommended either adopt the Resolution of Intention which directs Staff to start a revision of the code or send this actual case back to the City Prosecutor so he can take a closer look to make sure Staff is enforcing the code in its literal manner and as it was intended to do.

Chair Cuiilty opened the Public Hearing.

There being no speakers, Chair Cuiilty closed the item for public comment and brought it back to the Commission for their comments and action.

Motion/Second: Grose/Andrade

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission directed the City Prosecutor to review the case provided to the Commission.

9. PUBLIC HEARINGS

A. Conditional Use Permit (CUP) 16-01 – Medical (Dentist) in C-G on Los Alamitos Blvd.

Consideration of an Conditional Use Permit (CUP 16-01) to allow a Medical Office (Dentist) in the General Commercial (C-G) Zone on a Major arterial at 10688 Los Alamitos Boulevard, APN 42-245-01 (Applicant: Sandy Yavitz, of Los Alamitos Center Plaza II, LLC).

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission.

Chair Cuiilty opened the Public Hearing.

Judy Klabough – Owner of Green Street Interiors, said she wanted to give her blessing but asked the Commission to please give this a lot of consideration as parking is so bad and there is no parking anywhere. She indicated she personally needs two parking spots but if a dentist goes in, they'll need at least five spots which would greatly impact parking/businesses in the center. She said she loves her landlords but hates the parking situation.

Chair Culty indicated the Public Hearing will remain open until the next Commission meeting on February 24, 2016.

Commissioner Loe said he is wondering if the landlord has been heard from and what they have to say about this parking situation if the dentist leases the property.

Sandy Yavitz, one of the owners of the property, indicated they did do a parking analysis and said she would like Staff to analyze it and would ask the Commission to look at it based on a dentist's use. She said they can lease the space to other users but they are trying to be sensitive to the tenants and they do not think that a dentist office is a parking intensive use. She said she appreciates Staff continuing this item to look at it and will be happy to come and address any of the questions the Commission may have at the next meeting.

Chair Culty asked if the parking spots were measured when the parking study was done. She pointed out that some of the parking spaces in the center seem not to be the legal width.

Mr. Mendoza responded by saying the middle parking spots were legal at the time when it was built and met the code at the time. Since then, they do not meet the regulation 9' width.

Vice Chair Andrade indicated it appears that the parking is so bad that anything that goes into that space is going to create an issue. He said that it being a retail shopping center, he believes that anything that goes in there won't create the same additional issues.

Commissioner Grose asked what type of dentistry the dentist practices, i.e. oral surgery and does he use nitrous oxide?

Ms. Yavitz indicated the dentist will be at the hearing next month and the Commission can then ask him questions.

Motion/Second: Grose/Riley

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission moved to continue the Public Hearing to the February 24, 2016 Commission

meeting providing the City Attorney and Staff more time to address parking related issues recently reported at the property.

B. Conditional Use Permit (CUP) 15-05 – Restaurant with Outside Seating Area in the General Commercial (C-G) Zone

Consideration of a Conditional Use Permit to allow an Outside Seating Area at a Restaurant (Mighty Kitchen) in the General Commercial (C-G) Zone (Applicant: Craig Hofman, of Hof's Hut Restaurants, Inc.). The City Attorney's office has recommended that this item be continued to another date for more consideration.

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission. Mr. Mendoza indicated that Staff is recommending a continuation on this item in order to give Staff more time to tighten this up in light of the passion that was drawn at the City Council meeting with regard to public parking.

Assistant City Attorney Lisa Kranitz interjected that the City Attorney's office is going to request that this item be re-noticed and be more clear as to what's being requested in terms of the parking situation and given the passionate level of that Council meeting, she wants' to make sure that everybody has adequate notice of this issue.

Chair Culty opened the Public Hearing.

Craig Hofman, owner of Hoffman Hospitality Group which also owns Hof's Hut, said he felt Staff adequately addressed their issues. He acknowledged they do have a visibility issue at that location and that's one of the reasons the business failed before. People drive by the restaurant and can't see that it is a restaurant other than just signage. By having some outdoor dining and seeing umbrellas and people dining, they think it will be very inviting for customers to stop. He said he feels they've addressed the parking issues fairly well by renting additional spaces during peak periods; night time and weekends. What they've done in front of the restaurant is there used to be some spaces there and they've closed that up so there are now more spaces on the street (3 spaces) where customers can park. They want to reopen the restaurant but they want to open it and make sure that they can stay open and be successful in Los Alamitos. As far as the landscaping issue is concerned, he feels they've really improved what was there before and he doesn't feel that they are changing the landscaping in any way that would be a detriment to the building.

Mary Herrera who indicated her family has the R & H building next door, said she is in favor of tables on the outside but her issue is the parking. Ms. Herrera indicated she has quite a bit of parking but they also have their tenants and their concern is their customers. She said when Spin Pizza was

open at the beginning, she said she did have issues and would have to shoo people away from her parking lot. She suggested that maybe that would be somewhat of a help if they put signs out where their parking is located. She also suggested that out front on the curb maybe change it back from 20 minute parking to something longer. She expressed excitement as does her clients and customers to have the restaurant reopen as it's a great idea.

There being no further speakers, Chair Culty closed the item for public comment and brought it back to the Commission for their comments and action.

Mr. Mendoza indicated Staff will re-notice this item and will bring it back to the February 24, 2016 Commission meeting.

C. Site Plan Review (SPR 15-04) – Second Residence to be Constructed on a Parcel with an Existing Residence in the R-3 Zone.

Consider a Site Plan Review (SPR 15-04) application for the addition of a 2,583 square foot residential unit on a parcel with an existing 1,158 square foot single family residence, thereby providing two single-family residences on a 9,490 square foot parcel at 4292 Green Avenue in the R-3 zone, APN 222-131-06. This project would also replace an existing one-car garage with two two-car garages (Applicant: Jason Hickox).

Associate Planner Tom Oliver summarized the Staff report, referring to the information contained therein, and indicated Staff supports this application. Mr. Oliver said he's prepared to answer questions from the Planning Commission.

Chair Culty opened the Public Hearing.

Jay Crawford, architect, said they had no problems with the conditions of approval. He indicated the owner spoke with the City today and they told him that the utilities can stay overhead like they are currently.

Mr. Oliver confirmed that he spoke with the City Engineer today who indicated that if the owner wants to, they do not have to underground the utilities as stated in one of the conditions.

There being no further speakers, Chair Culty closed the item for public comment and brought it back to the Commission for their comments and action.

Commissioner Grose said when she drove by the project, she felt that it will be an asset to the area and will look nice.

Mr. Crawford indicated that the Planning Department is amazing; easy to work with and they have been a delight which is not always the case in other cities.

Commissioner Loe indicated he would like to strike the condition to do underground utilities from the pole to the property.

Motion/Second: Loe/Grose

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission approved (with the above change) the adoption of Resolution No. PC 16-02, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW 15-04 FOR THE ADDITION OF A 2,583 SQUARE FOOT RESIDENTIAL UNIT ON A PARCEL WITH AN EXISTING 1,158 SQUARE FOOT SINGLE FAMILY RESIDENCE, THEREBY PROVIDING TWO SINGLE-FAMILY RESIDENCES, AND REPLACING AN EXISTING GARAGE WITH ONE ATTACHED AND ONE DETACHED TWO-CAR GARAGE ON A 9,490 SQUARE FOOT PARCEL AT 4292 GREEN AVENUE IN THE MULTIPLE-FAMILY (R-3) ZONE, APN 222-131-06, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: JASON HICKOX)."

D. Zoning Ordinance Amendment (ZOA) 15-05 – Nonconforming Use Provisions

Continued discussion with Staff of desired provisions relating to Nonconforming Use Provisions, Zoning Ordinance Amendment (ZOA) 15-05 (Citywide) (City initiated).

Assistant City Attorney Kranitz summarized the Staff report, referring to the information contained therein. She indicated she believes she has incorporated all of the changes that the Commission directed that the Staff make at the last meeting. This item wasn't agendaized for adoption tonight; it will come back at the next meeting. They did have the environmental consultant take a look at it and he has determined that a Notice of Exemption would be appropriate. This is one thing Staff wanted to make sure of and he's comfortable that this can go on a Notice of Exemption so those findings will be incorporated into the resolution that will be before the Commission at the next meeting for them to recommend adoption. She indicated she's prepared to answer questions from the Planning Commission.

Chair Cuiilty re-opened the continued Public Hearing.

Chair Cuiilty reported that the Public Hearing will remain open for the February 24, 2016 Commission meeting.

Ms. Kranitz reported that this will come back in its final form with the appropriate findings. She said the only issue was the continuation of legal,

non-conforming lots; she said they did address it and put in the draft that you can build on it but just can't intensify the non-conformity.

E. Zoning Ordinance Amendment No. 15-09 – Allowing More Flexible Commercial Recreation Uses for Certain Parcels in the Planned Light Industrial Zone (City Initiated).

Continued consideration of a Zoning Ordinance Amendment (ZOA 15-09) to create a Limited Industrial Zone allowing more flexible commercial recreation 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 Zone on specified parcels (City initiated).

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission.

Assistant City Attorney Kranitz explained that part of this was just redefining the terms so they seem to make more sense rather than having businesses falling into multiple categories.

Mr. Mendoza explained the idea around this was now the City can start improving the area that has these concentrations in them to address the drop off zones. There are some public improvements the City would like to do in this area so once this is done, Staff will start addressing this in the Capital Improvement Plan over the next seven years.

Vice Chair Andrade asked what the advantage is to not allowing a CUP for a business. If that type of a business wants to come in and they're limited to just the cross hatched areas, but those are all obviously occupied, there's nowhere else for them to go.

Associate Planner Tom Oliver said they could also go to the Commercial area. They have a large area, except for the commercial area often costs more to rent than the industrial area does and what this does, is this allows them to be in the industrial area.

Mr. Mendoza explained that another thing is compatibility. Staff was having applicants apply for things near places where trucks were waiting to load and off load and Staff just didn't see this as compatible and safe for kids.

Commissioner Riley said he agrees that maybe some of the buildings may be more appropriate for the business but that doesn't mean the surrounding area/street is always appropriate.

Ms. Kranitz explained that when the Planning Commission adopted the General Plan, the General Plan specifically states Commercial/Recreational uses are not permitted in the Planned Industrial General Plan category which

parallels the PM zone so if you want to go back and re-think that a CUP would be allowed for the Commercial/Recreational uses there, Staff would have to go back and amend the whole General Plan Land Use Element on that point because it was very clearly decided back then.

Ms. Kranitz explained that the action tonight should be to continue to the February 24th Planning Commission meeting.

Chair Cuiilty indicated that this item will be continued to the Planning Commission meeting of February 24, 2016.

F. Zoning Ordinance Amendment 15-10 – Vacant Lots and Buildings

Consideration of zoning code changes to clarify maintenance standards for vacant lots and buildings. The draft ordinance is brought to the Planning Commission for review (Citywide) (City initiated).

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission. Mr. Mendoza suggested taking input tonight regarding fencing and landscaping on vacant lots and buildings and whatever input that the Staff obtains tonight will be incorporated in a resolution and ordinance for the next meeting.

Chair Cuiilty opened the Public Hearing.

Commissioner Grose asked how the City will handle pests/gophers on these lots.

Mr. Mendoza responded that the Nuisance Ordinance will handle this issue.

Responding to Commissioner Riley's question, Mr. Mendoza explained that the empty lot on the corner of Los Alamitos Blvd. and Cerritos Ave. has been in escrow for about 22 years. The ground is under remediation and has been for some time.

Commissioner Riley then asked about the banner that is hanging on the fence on that property and how the draft ordinance would affect this since it clearly states that no advertising signs or banners can be hung on a fence.

Mr. Mendoza explained that the ordinance wouldn't allow the banner.

Chair Cuiilty pointed out that they would have to actually landscape and put a new fence further back on the lot.

Mr. Mendoza said that that was correct; the owner would have to do this, not the high school.

Commissioner Grose asked if there was a toxic problem with the soil on this piece of property.

Mr. Mendoza explained that the entire intersection has had issues over the years.

Commissioner Grose asked if we wanted to push the fence back on the property to meet this code, is that going to create a problem with the soil that might release toxins if the soil is dug up?

Mr. Mendoza said there may be some concerns there.

Ms. Kranitz said they could get a variance but maybe Staff could come up with some sort of administrative variance to allow the banner to stay.

Commissioner Riley pointed out that this site comes up because it's been an eye sore for years. The volunteers put the banner on the fence and at least it looks better; they replace it frequently.

Ms. Kranitz pointed out that the City can't say we can allow a school banner and not allow a church banner or something of that type.

Commissioner Riley asked if the intent of the fence is to be see-through or something that's not see-through? It says the gate needs to be see-through but not the fence.

Mr. Mendoza asked if the Commission wants to see inside a lot that's not maintained or somebody can hide behind a fence that you can't see behind? He then asked the Commission if they like the Los Alamitos High School screening on the fence.

Chair Culty said its looks very nice.

Commissioner Riley said it looks great but ideally he would much rather see something happen on that lot although something is better. He pointed out that the banner shows school spirit and it looks much better than what the lot looked like before.

Commissioner Grose said an issue she has is if the fence has to be pushed back on the property according to the ordinance, she is concerned about what potential soil hazards could be released into the atmosphere. She commented that the banner looks very nice as it stands now.

A lengthy discuss ensued regarding the remediation issue on the above subject project.

Commissioner Grose asked if Staff could do some investigation into some concepts on whether it's more feasible for the City to push the property owner to move the fence back and if the ground is safe. Also, if there are any other options in the mean time.

Mr. Mendoza asked if he is hearing a consensus that the Commission wants to allow for the banner as it exists; the community really loves that banner.

Vice Chair Andrade said that he's torn because this one banner is done right but they might not all be done right.

Commissioner Grose said they need to look at the wording so that we can allow that banner to remain.

Ms. Kranitz said perhaps we could find out what technique they used to create the banner. Also, we may want a different standard on the commercial versus the residential vacant properties. We may not want a banner in the residential areas; you may want more landscaping in the residential areas.

Commissioner Riley said there's definitely a distinction between the two.

Mr. Mendoza said Staff would put this together in an easy form to read so it's not lost in a resolution; we'll just say this is what we think the guidelines should be for commercial, industrial and residential. Also, we'll get the questions answered regarding the environmental aspect of the contaminated lot.

Chair Cuiilty asked if we can find out how long the remediation period is and it seems odd to her that a person could take as long as you want to get pollutants out of the ground especially when this has been going on for at least 25 years.

Motion/Second: Grose/Andrade

Carried 5/0/0 (DeBolt and Sofelkanik absent): The Planning Commission approved continuing this Public hearing item to the February 24, 2016 Planning Commission.

10. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

- Piano lot on Los Alamitos Blvd. has closed escrow.
- Lot line adjustment application submitted in back of the Arrowhead property.

11. COMMISSIONER REPORTS

- Commissioner Grose reported that she will be participating in the Race at the Base in February.
- Chair Cuiilty and Commissioner Riley indicated they were also attending the Race.

12. ADJOURNMENT

The Planning Commission adjourned at 8:29 PM.

Mary Anne Cuijly, Chair

ATTEST:

Steven Mendoza, Secretary

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

March 23, 2016
Item No: 7A

To: Chair Culty and Members of the Planning Commission

Via: Steven Mendoza, Development Services Director

From: Tom Oliver, Associate Planner

Subject: Conditional Use Permit (CUP) 15-05 - Outside Seating
Conditional Use Permit (CUP) 16-03 - Shared Parking
Restaurant with Outside Seating Area and Shared Parking in the
General Commercial (C-G) Zone

Summary: Continued consideration of a Conditional Use Permit to allow an Outside Seating Area and shared parking for a Restaurant (Mighty Kitchen) in the General Commercial (C-G) Zone (Applicant: Craig Hofman, of Hof's Hut Restaurants, Inc.).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (e)(1) *Existing Facilities*; The proposed use is in an existing building with no proposed alterations or expansion of no more than 2,500 square feet; and,
3. Adopt Resolution No. PC 16-06, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING WITH CONDITIONS A CONDITIONAL USE PERMIT (CUP) 15-05 TO ALLOW AN 877 SQUARE FOOT RESTAURANT OUTSIDE SEATING AREA AT 11122 LOS ALAMITOS BOULEVARD AND CONDITIONAL USE PERMIT (CUP) 16-03 TO ALLOW SHARED PARKING (APN NOS. 222-092-11 & 222-092-24) IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: CRAIG HOFMAN, OF HOF'S HUT RESTAURANTS, INC.)."

Applicant: Craig Hofman, of Hof's Hut Restaurants, Inc.

Location: 11122 Los Alamitos Blvd., General Commercial (C-G)
Zone

Environmental:

A Class 1 Categorical Exemption, pursuant to Section 15301(e) – Existing Facilities, will be prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is an existing building with no proposed alterations or expansion of no more than 2,500 square feet and there are no unusual circumstances present.

Noticing:

Notices announcing the Public Hearing for February 24, 2016, were mailed to all property owners within 500 feet of the proposed location on January 13, 2016. A Public Hearing notice regarding this meeting was also published in the News Enterprise on February 10, 2016. The Public Hearing in the February meeting was continued to March 23, 2016.

Approval Criteria:

Los Alamitos Municipal Code (LAMC), Section 17.10.020, Table 2-04 (Allowed Uses and Permit Requirements for the Commercial/Industrial Zoning Districts) requires Planning Commission approval of a Conditional Use Permit to allow a Restaurant with Outside Seating Area use in the C-G Zoning District. Additionally, LAMC Section 17.26.050 requires a Conditional Use Permit for shared parking.

Permitting History:

1990 CUP 340-90 Restaurant remodel and addition
2011 CUP 11-02 Alcohol Sales

Background

An application has been filed by Craig Hofman for a Conditional Use Permit to allow outside seating for a restaurant in the General Commercial (C-G) zone.



The outside seating would be located on the west side of the restaurant, adjacent to Los Alamitos Blvd., where landscaping currently exists. It would be surrounded by a short wall topped by a tempered glass screen, enclosing an 877 square foot patio with approximately 11 (4 person) tables for seating.

The addition of outside dining is an amenity that will provide much needed exposure for this restaurant site which has struggled under its previous identity as Spin Pizza. The addition of an 877 square foot patio is an intensification which requires more parking.

To address the parking issue, the Applicant has worked closely with Staff to find ways to facilitate an approval of this Conditional Use Permit including obtaining 8 additional spaces (shown on the plans) from a neighboring office building for use on weekends and after 5:30 p.m. on weekdays. The Applicant feels that these eight spaces along with conditions being proposed by Staff will address issues that may arise regarding their parking.

Discussion

The Applicant shuttered his "Spin Pizza" restaurant in August 2015 at this location. The building is 5,232 square feet and is a standalone building. Because the building is set back from the street, unlike the buildings on either side of it, there is a problem with visibility from Los Alamitos Boulevard. The proposed 877 square foot outside seating area would visually bring the restaurant forward toward the street, where activity outside the restaurant could provide for more exposure, visibility and activity, thereby increasing awareness of the location and increasing sales.

Location

The location of the proposed outside seating is outlined in yellow (next page):



The adjacent properties are developed and zoned as follows:

- North:** Developed with a commercial retail and office building (businesses such as Antica Olive Oil) in the General Commercial (G-C) zoning district.
- South:** Developed with a retail/office building (businesses such as Boondocks) in the General Commercial (G-C) zoning district.
- East:** Developed with an office building in the General Commercial (C-G) Zoning District.
- West:** Developed with retail buildings in the Rossmoor shopping area.

Parking

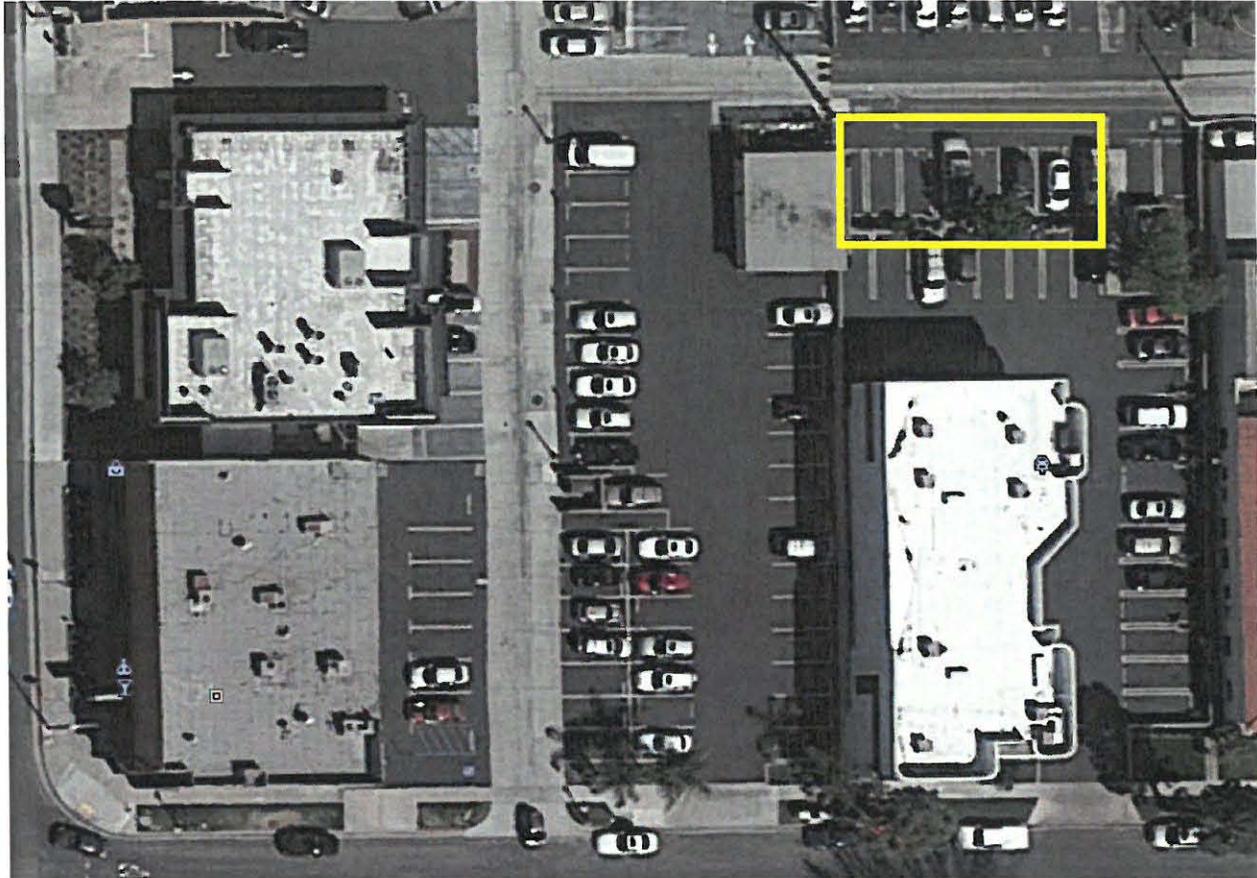
Under current parking standards a 5,232 square foot restaurant would require 52 spaces as set forth below. The restaurant is a legal non-conforming use with 47 parking spaces located adjacent to the restaurant on a detached parking area on an adjacent parcel. Despite the existing deficiencies, the City has not received complaints about parking in the area, only about speeding in the alley.

The addition of 877 square feet of outdoor dining requires an additional 6 spaces. Altogether, the parking falls 11 spaces short of current code requirements with the proposed outdoor dining.

C-G Parking Requirements for Restaurants

	Required §17.26.040 Parking Space Requirements	Proposed Project
	One space for each 100 s.f. of gross area of the structure up to 5,000 s.f.	Current Restaurant 5,232 sq. ft. Proposed Patio 877 sq. ft.
Required Spaces	1 space per 150 s.f. in excess of 5,000 1 space per 150 s.f. of outside seating area.	5,000 (1/100) = 50 spaces 232 (1/150) = 2 spaces 877 (1/150) = 6 spaces Total =58 spaces
Provided Spaces	47 spaces	47 spaces = 11 spaces short of 58

The Applicant has obtained the use of 8 parking spaces located at 3561 Howard Avenue for use on weekends and evenings after 5:30 p.m. A copy of the letter from the Property Owner is attached; one of the conditions of approval requires that an actual signed agreement between the two parties be provided to the City before any permits are issued. The location of the additional parking is shown below.



A parking study of the existing parking situation was conducted by the City's Traffic Engineer and her findings from the report are shown below:

The parking need was also analyzed based on ITE's Parking Generation for a High-Turnover (Sit-Down) Restaurant (ITE Code 932), with a bar or lounge, in a suburban area. The peak period parking demand rates and resulting minimum parking requirements are as follows:

- Weekday: 13.30 spaces/thousand square feet (tsf) = 85 spaces
- Saturday: 16.30 spaces/tsf = 104 spaces

- Weekday: 0.48 spaces/seat = 73 spaces
- Saturday: 0.47 spaces/seat = 71 spaces

The results of the parking demand analysis are summarized in the table below.

Source (Basis of demand)	Minimum Required Spaces	Proposed Spaces Provided	Parking Space Deficiency
City's Zoning Code (SF)	60	47	13
ITE's <i>Parking Generation</i> (TSF)	104	47	57
ITE's <i>Parking Generation</i> (Seats)	73*	47	26

* Less dense seating than for previous restaurant

It is clear that the proposed restaurant would not meet the minimum required parking spaces, no matter what the basis. It would be 13 spaces short of the City's requirements and up to 57 spaces short based on ITE's *Parking Generation*.

Note: The sixty spaces noted in the table above have changed to 58 spaces due to a square footage revision by the Applicant to the outside seating area. Therefore the parking space deficiency number would be revised to 11 spaces.

The parking area for this building is in an area filled with adjoining lots for other commercial uses where traffic ebbs and flows throughout the day. Without demolishing part of this existing building, it would be impossible to add more parking.

Shared Parking Solution

Craig Hofman, the Applicant, was able to negotiate a deal with property owner John Benfanti for 8 spaces that can be used on weekends and after 5:30 p.m. Monday through Friday on property at 3561 Howard Avenue as his tenants generally do not use the parking during such time. The property at 3561 Howard Avenue has a total of 28 spaces. The uses that are currently located at 3561 Howard are listed below:

- Scalco Financial – (M-F from 9 AM – 5 PM)
- Sunset Designers & Builders
- Richard A. Malley, CPA
- David L. Spencer, Attorney
- Suburban Cities Escrow
- Secured Realty & Investment
- Health – Plus Insurance Agency, Inc.

Currently, there are no plans to serve breakfast at the proposed restaurant, only lunch and dinner, with proposed operational hours being from 11 a.m. to Midnight. A condition (number 11) has been added restricting the restaurant to the proposed hours. The Applicant anticipates that dinner and weekends will be the peak times for the restaurant and this is when the 8 additional parking spaces will be available on the neighboring property. As this is 2 more spaces than required for the addition of the outdoor dining, it will also help alleviate the current existing 5 space shortage during such times.

Although shared parking generally requires a parking management plan as required by LAMC section 17.26.050A, it is not necessary for a plan in this case as the parking is only going to be “shared” when the spaces are not in use by the businesses at 3561 Howard.

Staff has added the following conditions (numbers 11-19) to the resolution to manage the parking situation:

- The restaurant's hours of operation shall be limited to 11 AM to Midnight unless Applicant obtains 6 additional parking spaces during all times that the restaurant is in operation.

- Outdoor dining may only take place during such time as the agreement with the property owner at 3561 Howard Avenue for 8 additional parking spaces is in full force and effect. The agreement shall provide that the City must be provided with notice of the termination of the agreement.
- Should the City, in its sole discretion, determine that the parking arrangement is inadequate; the Applicant shall immediately utilize the services of a valet parking company who shall park only on parking belonging to the restaurant at 11122 Los Alamitos Blvd. The valet parking service shall not utilize Los Alamitos Boulevard or the property at 3651 Howard Avenue and shall not charge the patrons for parking.
- The Applicant shall install a minimum of eight bicycle parking spaces, but shall endeavor to install more. (It is noted that the City of Los Angeles allows one parking space to be replaced by four bicycle parking spaces for up to 20% of the required parking spaces.)
- If parking continues to be inadequate, the Applicant shall remove the outdoor seating area and return the space to a landscape area if no other parking arrangements can be made.
- This conditional use permit shall be subject to review, modification or revocation in accordance with the provisions of Los Alamitos Municipal Code § 17.26.050C.
- The conditional use permit and conditions of approval shall be recorded against 11122 Los Alamitos Blvd.
- The Applicant shall provide signage on the eight spots used on 3651 Howard Avenue concerning parking after hours parking and usage.
- The Applicant shall provide some kind of signage, painted or otherwise, to denote which spaces are assigned to this restaurant.

Alcohol Conditions

The Property Owner received a Conditional Use Permit for serving alcohol at this location in 2011. Staff recommends that alcohol be allowed to be served in the outside seating area as well, subject to the conditions of approval in Resolution No. 16-06 and the following conditions:

- Signs advertising brands of alcoholic beverages or the availability of alcoholic beverages for sale at the subject site shall not be visible from the exterior of the building.

- The display of alcoholic beverages shall be interior only (no outside display) at any time.
- Restaurant employees shall prevent alcohol from being carried out of or passed out of the outside dining area.
- Serving of alcohol to obviously intoxicated individuals is prohibited.
- No alcohol shall be served in the outside dining area unless a supervisor, at least 21 years of age, is on-site.
- Any alcohol-induced behavior that disturbs customers or passersby shall constitute grounds for revocation of any permit(s) for the on-premise sale of alcohol.
- Food establishments serving alcoholic beverages shall also obtain all necessary permits required by the State Alcoholic Beverage Control Department.
- All conditions of Resolution No. 11-06 shall continue to apply.

C-G General Commercial Development Standards

	Required	Proposed Project	Requirement Met
Parcel Area	6,000 sq. ft.	13,800 Building Lot	Yes
Parcel Width	60 ft.	Building Lot 120 ft. Parking Lot 75 ft.	Yes
Parcel Depth	100 ft.	Building Lot 115 ft. Parking Lot 89 ft.	Yes No, but legal nonconforming
Parcel Coverage	90%	38% of building lot	Yes
Maximum Height Limit – Main Structures	Max 3 stories or 40 ft.	1 story	Yes
Setbacks:			
Front	None required	Building is 19 ft. from the west parcel	Yes
Side	None required unless abut residential	29 ft. from north parcel 0 ft. from south	Yes
Rear	None required unless abut residential	30 ft. from east parcel	Yes

Landscaping

The construction of this seating area will remove much of the landscaping that was added to the Los Alamitos Boulevard side of the property during the previous Spin Pizza renovation. When this earlier landscaping was added, it was not a code required addition to the property (see landscape applicability at LAMC 17.20.020). If this restaurant were to be built today, it would require 15% of the site in landscaping. This site has 6.8% landscaping proposed with this project.

Conditional Use Permit Findings

The following findings are required for the conditional use permits:

- **The use will not endanger the public health, safety or general welfare and will not allow conditions which tend to generate nuisance conditions including, but not limited to, noise, glare, odor, or vibrations.** The outside seating for a restaurant located at 11122 Los Alamitos Boulevard in the General Commercial (C-G) Zoning District will not endanger the public health or general welfare. Outdoor dining is encouraged in the General Plan and this will encourage the business friendly, walkable environment that the City is expecting in its future vision along Los Alamitos Boulevard and the Applicant has agreed to solutions in the form of additional parking spaces and valet spaces if required to solve the parking issues. The attached conditions will insure that the public is protected from both outside dining/drinking and parking problems.
- **That the use meets the required conditions and specifications set forth in the zoning district where it proposes to locate.** The outside seating for the restaurant will be located in a commercial area and is a conditionally permitted use within the zoning district where it proposes to locate. This is a commercial building surrounded by commercial and office uses on all sides. Restaurants with outside seating uses are specifically allowed in this zone if approved with a Conditional Use Permit (CUP). Shared parking is also allowed by the Los Alamitos Municipal Code.
- **That the location and character of the use, if developed according to the plan as submitted for approval, will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos General Plan.** The outside seating for a restaurant will be compatible with other uses located in the General Commercial (C-G) Zoning District and with the Los Alamitos General Plan. The Economic Element of the General Plan states as Goal number three, "Distinctive shopping and entertainment corridors and districts that attract consumer spending by residents, workers, and regional visitors." The outdoor dining use will be compatible with surrounding uses which are retail and commercial in nature. Obtaining 8 additional parking spaces and

agreeing to institute valet parking if there are problems, will insure that the shared parking will not be incompatible with the other uses.

- **That the decision to approve, conditionally approve, or disapprove the application for a conditional use permit is based on substantial evidence in view of the record as a whole before the Commission, or Council on appeal.** The decision to approve these Conditional Use Permits is based on review by the Planning Commission of all evidence presented, both written and oral. The project has been conditioned to insure the compatibility with the surrounding uses.

Shared Parking Findings

In addition to the findings required for a conditional use permit, the Commission must also make the following findings in order to approve the shared parking:

- **Adequate parking will be available at all times for employees and customers of the uses affected by the joint use parking plan.** The shared parking is only available at weekday nights and weekends, when the restaurant will experience its peak hours of service and when the businesses at 3561 Howard Avenue will not be using the spaces.
- **Surrounding property owners, residents, and businesses shall not be adversely affected by the joint use parking plan.** The shared parking of 8 spaces more than satisfies the additional parking requirements for 6 spaces caused by the outdoor dining space. The restaurant will not be able to use the shared parking spaces during the workday hours when the spaces are being utilized by the businesses at 3561 Howard Avenue. The conditions added by the City ensure that there is adequate parking available at all times for employees and customers of the uses affected by the shared parking and that surrounding property owners and businesses will not be impacted by the parking situation.

Recommendation

Staff would recommend that the Planning Commission approve the attached Resolution with conditions for the conditional use permits for outdoor dining and shared parking.

Attachments:

- 1) *Resolution No. 16-06*
- 2) *Site Plans*
- 3) *Parking Study from City Traffic Engineer*
- 4) *Letter from Neighboring Property Owner*

RESOLUTION NO. 16-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING WITH CONDITIONS A CONDITIONAL USE PERMIT (CUP) 15-05 TO ALLOW AN 877 SQUARE FOOT RESTAURANT OUTSIDE SEATING AREA AT 11122 LOS ALAMITOS BOULEVARD AND CONDITIONAL USE PERMIT (CUP) 16-03 TO ALLOW SHARED PARKING (APN NOS. 222-092-11 & 222-092-24) IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: CRAIG HOFMAN, OF HOF'S HUT RESTAURANTS, INC.)

WHEREAS, an application has been filed by Craig Hofman of Hof's Hut Restaurants, Inc. to allow 877 square feet of outside seating for an existing restaurant building at 11122 Los Alamitos Boulevard in the General Commercial (C-G) Zoning District; and,

WHEREAS, outdoor dining in the C-G zone requires a conditional use permit under LAMC section 17.10.020, Table 2-04; and,

WHEREAS, the expansion of dining space triggers a need for additional parking; and,

WHEREAS, the applicant proposes to provide parking through the use of shared parking with a neighboring location; and,

WHEREAS, shared parking requires a conditional use permit under LAMC section 17.26.050; and,

WHEREAS, the two lots on which the outdoor dining is proposed currently have 47 parking spaces and based on requirements from the zoning code, 58 would be required if the restaurant were built today; and,

WHEREAS, the outside seating space being added requires an additional 6 spaces; and,

WHEREAS, the Applicant has obtained 8 parking spaces from the property owner at 3561 Howard Avenue, which spaces will be available Monday – Friday after 5:30 p.m. and on weekends; and,

WHEREAS, the business uses located at 3561 Howard Avenue generally do not use the parking spaces during the time that the 8 parking spaces will be available for the restaurant; and,

WHEREAS, the Planning Commission considered said application at a duly noticed Public Hearing on January 27, 2016 which hearing was continued to February 24, 2016; and then continued again to March 23, 2016; and,

WHEREAS, at these Public Hearings, the Applicant, Applicant's representatives, and members of the public were provided the opportunity to present written and oral testimony; and,

WHEREAS, the Planning Commission considered all evidence presented, both written and oral, including the Staff reports.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are true and correct.

SECTION 2. The approvals set forth herein are not meant to set a precedent for any other restaurant outside seating.

SECTION 3. Conditional Use Permits 15-05 and 16-03 are hereby approved for outside seating for a restaurant with conditions and shared parking. This approval of outside seating for an existing restaurant building at 11122 Los Alamitos Boulevard in the General Commercial (C-G) Zoning District is based upon the following findings and subject to the conditions set forth in Section 5:

1. The outside seating for a restaurant located at 11122 Los Alamitos Boulevard in the General Commercial (C-G) Zoning District will not endanger the public health or general welfare. Outdoor dining is encouraged in the General Plan and this will encourage the business friendly, walkable environment that the City is expecting in its future vision along Los Alamitos Boulevard and the Applicant has agreed to solutions in the form of additional parking spaces and valet spaces if required to solve the parking issues. The attached conditions will insure that the public is protected from both outside dining/drinking and parking problems.
2. The outside seating for the restaurant will be located in a commercial area and is a conditionally permitted use within the zoning district where it proposes to locate. This is a commercial building surrounded by commercial and office uses on all sides. Restaurants with outside seating uses are specifically allowed in this zone if approved with a Conditional Use Permit (CUP). Shared parking is also allowed by the Los Alamitos Municipal Code.
3. The outside seating for a restaurant will be compatible with other uses located in the General Commercial (C-G) Zoning District and with the Los Alamitos General Plan. The Economic Element of the General Plan states as Goal number three, "Distinctive shopping and entertainment corridors and districts that attract consumer spending by residents, workers, and regional visitors." The outdoor dining use will be compatible with surrounding uses which are retail and commercial in nature. Obtaining 8 additional parking spaces and agreeing to institute valet parking if there

are problems will insure that the shared parking will not be incompatible with the other uses.

4. The decision to approve the Conditional Use Permit is based on review by the Planning Commission of all evidence presented, both written and oral. The project has been conditioned to insure the compatibility with the surrounding uses.

The following additional findings are made with respect to Conditional Use Permit 16-03 for shared parking:

5. Adequate parking will be available at all times for employees and customers of the uses affected by the joint use parking plan. The shared parking is only available on weekday nights and weekends, when the restaurant will experience its peak hours of service and when the businesses at 3561 Howard Avenue will not be using the spaces.
6. Surrounding property owners, residents, and businesses shall not be adversely affected by the joint use parking plan. The shared parking of 8 spaces more than satisfies the additional parking requirements for 6 spaces caused by the outdoor dining space. The restaurant will not be able to use the shared parking spaces during the workday hours when the spaces are being utilized by the businesses at 3561 Howard Avenue. The conditions added by the City ensure that there is adequate parking available at all times for employees and customers of the uses affected by the shared parking and that surrounding property owners and businesses will not be impacted by the parking situation.

SECTION 4. The project is Categorically Exempt from the California Environmental Quality Act per Guidelines Section 15303(e), Class 1. Existing Facilities. The proposed use is in an existing building with no proposed alterations or expansion of more than 2,500 square feet. There are no unusual circumstances or other exceptions to the exemptions which would prevent the use of this Categorical Exemption.

SECTION 5. The following conditions shall apply to this project:

Planning Department

1. Approval of CUP 15-05 is to allow an 877 square foot restaurant outside seating area at 11122 Los Alamitos Boulevard in the General Commercial (C-G) zoning district with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of CUP 15-05 noted thereon, and on file in the Community Development Department. Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of this use, a request for an amendment of this approval must be submitted to the Development Services Director. If the Development Services Director determines that

the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.

2. Approval of CUP 16-03 is to allow shared parking for a restaurant with outside seating at 11122 Los Alamitos Boulevard in the General Commercial (C-G) zoning district with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of CUP 16-03 noted thereon, and on file in the Community Development Department. Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of this use, a request for an amendment of this approval must be submitted to the Development Services Director. If the Development Services Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.
3. Any signs shall comply with the provisions under Chapter 17.28 of the Los Alamitos Municipal Code or the Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Development Services Director.
4. Failure to satisfy and/or comply with the conditions herein may result in revocation by the Planning Commission and/or City Council of this approval.
5. The Applicant and the Applicant's successors, in interest, shall be fully responsible for knowing and complying with all conditions of approval.
6. California Government Section 66020(d)(1) requires that the project applicant be notified of all fees, dedications, reservations and other exactions imposed on the development for purposes of defraying all or a portion of the cost of public facilities related to development. Fees for regulatory approvals, including Planning processing fees, building permit fees and park development fees, are not included under this noticing requirement.

Pursuant to Government Code Section 66020(d)(1), the Applicant is hereby notified that fees, dedications, reservations and other exactions imposed upon the development, which are subject to notification, are as follows:

Fees: N/A
Dedications: N/A
Reservations: N/A
Other Exactions: N/A

The Applicant has 90 days from the date of adoption of this Resolution to protest the impositions described above. The Applicant is also notified of the 180-day period from the date of this notice during which time any suit to protest impositions must be filed, and that timely filing of a protest within the 90-day period is a prerequisite.

7. The Applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the Applicant of any such claim, action or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
8. The Property Owner/Applicant shall file an Acknowledgment of Conditions of Approval with the Community Development Department. The Property Owner/Applicant shall be required to record the Acknowledgment of these conditions of approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department prior to issuance of any permits.
9. Applicant shall comply with applicable City, County, and/or State regulations.
10. The Applicant shall be required to provide a signed agreement between himself and the Property Owner at 3561 Howard Avenue in a form acceptable to the City Attorney prior to the issuance of any permits.

Parking Related Conditions

11. Notwithstanding the hours of approval listed in Resolution No. 11-06, the restaurant's hours of operation shall be limited to 11 a.m. to Midnight unless Applicant obtains 6 additional parking spaces in addition to the 8 being provided during all times that the restaurant is in operation.
12. Outdoor dining may only take place during such time as the agreement with the property owner at 3561 Howard Avenue for 8 additional parking

spaces is in full force and effect. The agreement shall provide that the City must be provided with notice of the termination of the agreement.

13. Should the City, in its sole discretion, determine that the parking arrangement is inadequate, the Applicant shall immediately utilize the services of a valet parking company who shall park only on parking belonging to the restaurant at 11122 Los Alamitos Blvd. The valet parking service shall not utilize Los Alamitos Boulevard nor the property at 3651 Howard Avenue nor shall they charge for valet parking
14. The Applicant shall install a minimum of eight bicycle parking spaces, but shall endeavor to install more. (It is noted that the City of Los Angeles allows one parking space to be replaced by four bicycle parking spaces for up to 20% of the required parking spaces.)
15. If parking continues to be inadequate, the Applicant shall remove the outdoor seating area and return the space to a landscape area if no other parking arrangements can be made.
16. This conditional use permit shall be subject to review, modification or revocation in accordance with the provisions of Los Alamitos Municipal Code § 17.26.050C.
17. The conditional use permit and conditions of approval shall be recorded against 11122 Los Alamitos Blvd.
18. The Applicant shall provide signage on the eight spots used on 3651 Howard Avenue concerning parking after hours parking and usage.
19. The Applicant shall provide some kind of signage, painted or otherwise, to denote which spaces are assigned to this restaurant.

Alcohol Conditions

20. Signs advertising brands of alcoholic beverages or the availability of alcoholic beverages for sale at the subject site shall not be visible from the exterior of the building.
21. The display of alcoholic beverages shall be interior only (no outside display) at any time.
22. Restaurant employees shall prevent alcohol from being carried out of or passed out of the outside dining area.
23. Serving of alcohol to obviously intoxicated individuals is prohibited.
24. No alcohol shall be served in the outside dining area unless a supervisor, at least 21 years of age, is on-site.

25. Any alcohol-induced behavior that disturbs customers or passersby shall constitute grounds for revocation of any permit(s) for the on-premise sale of alcohol.
26. Food establishments serving alcoholic beverages shall also obtain all necessary permits required by the State Alcoholic Beverage Control Department.
27. Except as expressly modified herein, all conditions of approval set forth in Resolution No. 11-06 shall continue to apply and a copy of these conditions shall be kept on the premises in addition to the conditions set forth in Resolution No. 11-06 shall be maintained on the premises and made available upon the demand of any peace officer at all times.

Building Department

28. The Applicant shall obtain City permits for all tenant improvements.

Orange County Fire Authority

29. **Plan Submittal:** The Applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to issuance of any permits or approvals:

architectural (service codes PR200-PR285), when required by the OCFA "Plan Submittal Criteria Form."

If you need additional information or clarification, please contact me by phone at (714) 573-6133, by fax at (714) 368-8843, or by email: lynnepivaroff@ocfa.org.

SECTION 6. The Secretary of the Planning Commission shall forward a copy of this Resolution to the Applicant and any person requesting the same, and Staff shall file a Notice of Exemption with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 23rd day of March, 2016.

Chair Mary Anne CUILTY

ATTEST:

Steven Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

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

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 23rd day of March, 2016, by the following vote, to wit:

AYES:

NOES:

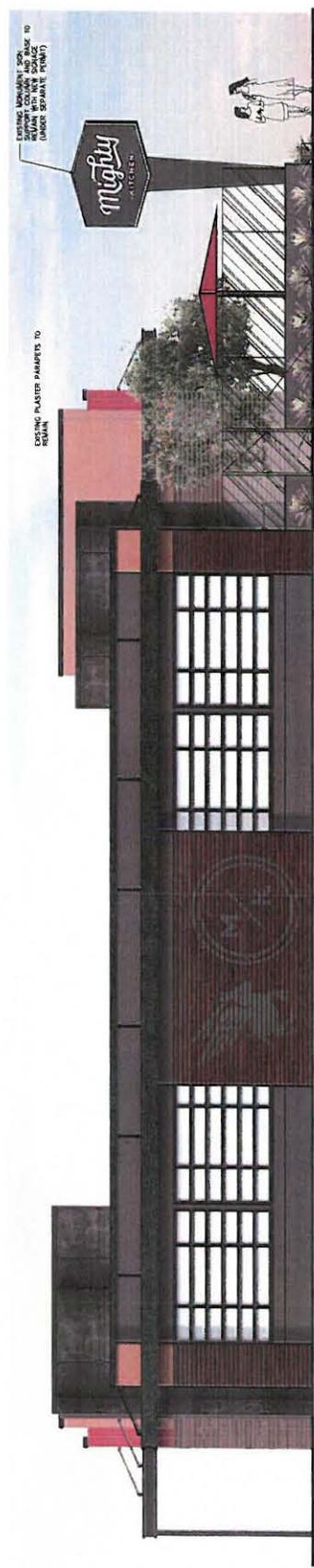
ABSENT:

ABSTAIN:

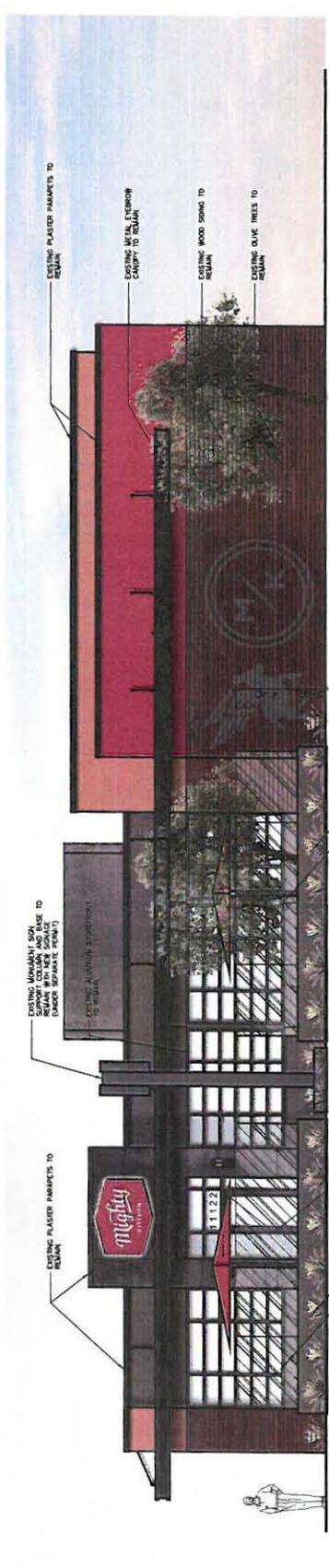
Steven Mendoza, Secretary

ATTACHMENT 2

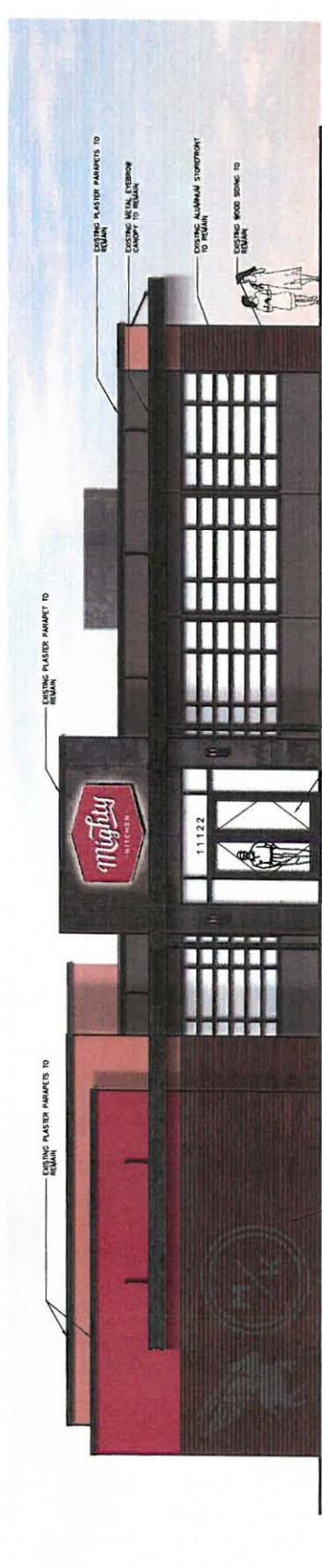
MIGHTY KITCHEN
EXTERIOR ELEVATIONS
SCALE: 1/8" = 1'-0"
11.09.15



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION



Memorandum

TO: Tom Oliver, Associate Planner, Community Development Department
Steven Mendoza, Development Services Director

FROM: Ruth Smith, TE, PTP, City Traffic Engineer

DATE: December 30, 2015

SUBJECT: Parking Analysis – Proposed Mighty Kitchen Restaurant, 11122 Los Alamitos Blvd.,
Los Alamitos, CA

I have completed my analysis of the number of on-site parking spaces needed to provide sufficient parking for the proposed Mighty Kitchen restaurant at 11122 Los Alamitos Blvd. I also reviewed the proposed parking stalls and their layouts with respect to City parking standards. My findings and comments are provided in this memo.

The proposed restaurant is a remodel of the previous restaurant. It would change from a pizza restaurant to a sit-down family-style restaurant with a bar. The analysis considered the required parking spaces based on City standards and on the Institute of Transportation Engineers' (ITE's) *Parking Generation*, 4th Edition.

According to the site plan, the proposed restaurant would consist of the existing 5,232 sf, which would also include a new bar area, plus a new patio with 1,142 sf of outdoor dining, for a total 6,374 sf. The inside seating would be reduced from 153 seats to 107 seats, to which would be added 44 outdoor dining seats on the patio, for a total of 151 seats (a net reduction of 2 seats). The site plan also indicates that a total of 47 parking spaces would be provided, with 17 adjacent to the building and another 30 designated spaces in a nearby lot on restaurant property northeast of the building.

Section 17.26.040 *Parking space requirements*, Table 3-01, of the City's zoning code, indicates that the minimum number of required parking spaces for restaurants is:

- One space for each 100 s.f. of gross area of the structure up to 5,000 s.f. and one space for each 150 s.f. of gross structure area in excess of 5,000 s.f.
- Outdoor dining areas, one space for each 150 s.f. of area devoted to outdoor eating

The resulting minimum number of required parking spaces for the proposed restaurant would be 52 spaces for indoor dining plus 8 spaces for outdoor dining for a minimum of 60 total on-site parking spaces.

The parking need was also analyzed based on ITE's *Parking Generation* for a High-Turnover (Sit-Down) Restaurant (ITE Code 932), with a bar or lounge, in a suburban area. The peak period parking demand rates and resulting minimum parking requirements are as follows:

- Weekday: 13.30 spaces/thousand square feet (tsf) = 85 spaces
- Saturday: 16.30 spaces/tsf = 104 spaces
- Weekday: 0.48 spaces/seat = 73 spaces
- Saturday: 0.47 spaces/seat = 71 spaces

The minimum number of parking spaces is much lower when based on number of seats versus square feet. This is due to the proposed reduction in indoor seating, including seating lost to the new bar. It appears, however, that the interior space could actually accommodate more seating than proposed.

ITE's *Parking Generation* also noted the following:

1. The highest weekday peak parking demand typically occurs on Friday.
2. The peak demand period for restaurants with a bar or lounge typically occurs in the evening, from 6:00 – 8:00 PM, for both weekdays and Saturdays.
3. The lunchtime peak demand is approximately half of the peak demand, with 49% of the peak demand on a weekday and 53% on Saturday.

The results of the parking demand analysis are summarized in the table below.

Source (Basis of demand)	Minimum Required Spaces	Proposed Spaces Provided	Parking Space Deficiency
City's Zoning Code (SF)	60	47	13
ITE's <i>Parking Generation</i> (TSF)	104	47	57
ITE's <i>Parking Generation</i> (Seats)	73*	47	26

* Less dense seating than for previous restaurant

It is clear that the proposed restaurant would not meet the minimum required parking spaces, no matter what the basis. It would be 13 spaces short of the City's requirements and up to 57 spaces short based on ITE's *Parking Generation*.

City Code 17.26.030, General parking regulations, A. Expansion of Use. states "Where insufficient parking is serving a structure or use existing at the time of the ordinance codified in this chapter becomes effective, the structure or use may be expanded only if adequate parking is provided for the total structure or use in compliance with the provisions of this chapter."

It appears that the applicant is assuming that since the building footprint would not change and that there would be fewer seats, the remodel of the site and addition of outdoor dining would not be considered an expansion of the site/use. In that case, the number of parking spaces previously provided for the site would be acceptable. Since the City Code is based on square footage and not seats, however, the expansion should also be based on square footage. And although the building footprint would not be expanded, the footprint and square footage of the use would be expanded, leading to the conclusion that the addition of outdoor dining would require the proposed restaurant to be in compliance with the City Code requirements, including the need to provide at least 60 parking spaces.

All parking spaces should also meet *City Code 17.26.080, Development standards for parking, A. Parking Space Dimensions. Table 3-02, and G. Compact Stalls.* This requires the parking stalls to be 9 ft. wide by 19 feet long, with compact parking stalls are not allowed at all.

I also reviewed the proposed parking spaces and their layouts with respect to the development standards for parking. Since the dimensions of the parking spaces and the aisle widths were not noted on the site plan, they were scaled off. It appears that the spaces adjacent to the building (east and north of the building, including spaces on the north side of the adjacent one-way driveway to Los Alamitos Boulevard) would comply with the City's current parking stall size requirements. The spaces parallel to the one-way driveway, however, may not meet other City requirements. *City Code 17.26.080, Development standards for parking, F. Parking Area Development. 5.* states that curbs shall be installed a minimum of 2.5 ft. from the face of buildings. It also states that the requirement does not apply to driveways that are not a part of the maneuvering area for parking, provided that a curb is installed a minimum of 3 ft. from the edge of



driveways that are parallel to structures. The first part is probably intended for head-in parking, however, it should also apply to parallel parking, to provide adequate room for opening car doors on the building-side. Such a gap was not previously provided for the parking spaces parallel and adjacent to the driveway. With the addition of a gap of 3 to 3.5 ft. including the curbs) next to each wall, the driveway would not be sufficiently wide to allow parking on both sides. This would result in the loss of 4 to 5 parking spaces.

The existing tandem space on the south side of the building would no longer be counted toward provided parking in accordance with *City Code 17.26.030, General parking regulations. C. Parking to be Accessible*, which states that tandem parking is not allowed for required parking except for mobilehome park zoning districts.

The spaces in the nearby restaurant lot would not be in compliance with the City Code regarding parking stall and drive aisle dimensions. On the site plan, it appears that the parking spaces along the alley and in the row opposite it would remain the essentially the same, at 9 ft. wide and 17 ft. to 17.5 ft. long (depending on the width of the landscaping in the raised divider). The compact spaces along the east side of the parking lot, however, would be restriped to narrow the width from 9 ft. to 7.5 ft. (the current width of compact spaces on the south end of the rows), to gain 2 parking spaces. These spaces are currently about 12.5 ft. long, plus a 1 to 2 foot overhang in the planter. It appears that the length would remain the same.

Since the current requirements do not allow any compact spaces, the nearby lot would only have room for 2 rows of parking with 9 spaces in each row, instead of the current 3 rows. It would be a reduction from the proposed 31 spaces to 18 spaces. Combined with the reduction in spaces along the driveway and the tandem space, the site would only be able to provide about 29 of the minimum of 60 spaces required by the City Code.

Another factor to consider is that the project, as proposed, would have fewer actual usable spaces than proposed. Experience in the City has shown that very narrow compact spaces cannot be fully utilized due to careless motorists parking their vehicles such that they take up 2 spaces instead of one.

Patrons arriving by bicycle or on foot would reduce the needed number of parking spaces, however, it is not clear how great the reduction would be, particularly in the evening during the greatest parking demand.

The analysis leads me to conclude that the project, as proposed, would not come close to meeting any parking requirements. Should the City impose the current parking code standards, the on-site parking would be reduced from 47 spaces to 29 spaces, and would be even less able to accommodate the demand. In any case, the project's insufficient parking would result in parking intrusion in other nearby private parking lots for retail businesses and office buildings, and in front of residences on Green Avenue and Howard Avenue, as well as on-street parking on Los Alamitos Blvd.

Should the City approve the project as proposed, it is recommended that a condition of approval be included to limit the total seating, now and in the future, to the proposed 151 seats.

c: Steven Mendoza, Development Services Director
Dave Hunt, City Engineer





Insuring For A Healthy Future

March 7, 2016

Mr. Craig Hofman
Hofman Hospitality Group
2601 East Willow Street
Signal Hill, CA 90755

RE: Request for Alley Access Parking

Hello Craig,

To restate our discussions, I agree to permit the part -time use of my alley access parking under the following conditions:

1. I will agree to a rental of 8 parking spots in writing.
2. You must furnish some Statement of Liability and/or a hold harmless document regarding the use of those spots, and name me as an additional insured on your Commercial Liability policy. You will be responsible for any damages that occur to those parking stalls and the adjacent area after hours.
3. You must ensure that all trash or debris will be cleaned up daily prior to my building hours of operation from 7:30 AM - 5:30 PM
4. You will provide approved signage for all eight spots regarding after hours parking and usage.
5. Provide a monthly rental fee of \$750 to begin at the latest when your doors open.

Please call with questions. Thank you.



John Benfanti
Independent Benefits Advisor
CA Lic.# 0C91901

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

March 23, 2016
Item No: 7B

To: Chair Culty and Members of the Planning Commission

Via: Steven Mendoza, Development Services Director

From: Tom Oliver, Associate Planner

Subject: Conditional Use Permit (CUP) 16-01
A Request for a Dentist to Locate in the General Commercial (C-G) Zone, and without Sufficient Parking.

Summary: Consideration of a Conditional Use Permit (CUP 16-01) to allow a dentist on a property (Center Plaza) in the General Commercial (C-G) Zone on a major arterial at 10688 Los Alamitos Boulevard, APN 242-245-01 and to allow parking of less than one space for each 250 square feet of gross floor area (Applicant: Sandra Yavitz, of Los Alamitos Center Plaza II, LLC).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Adopt Resolution No. 16-08, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DENYING A CONDITIONAL USE PERMIT (CUP) 16-01 TO ALLOW A MEDICAL USE (DENTIST) AT 10688 LOS ALAMITOS BOULEVARD, A MAJOR ARTERIAL IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT (APPLICANT: SANDRA YAVITZ, OF LOS ALAMITOS CENTER PLAZA II LLC);" or alternatively,
3. Direct Staff to draft a resolution of approval for Conditional Use Permit 16-01, if the required findings can be made to approve the project.

Applicant: Sandra Yavitz, of Los Alamitos Center Plaza II, LLC

Location: 10688 Los Alamitos Boulevard (Center Plaza)

Environmental: A Class 1 Categorical Exemption, pursuant to Section 15301(e) – Existing Facilities, will be prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is an

existing building with no proposed alterations or expansion of more than 2,500 square feet and there are no unusual circumstances present. However, CEQA compliance is not required when a project is disapproved.

Approval Criteria:

Los Alamitos Municipal Code (LAMC), Section 17.26.020, Table 2-04 (Allowed Uses and Permit Requirements for the Commercial/Industrial Zoning Districts) requires Planning Commission approval of a Conditional Use Permit to allow a medical office use in the C-G Zoning District on a major artery.

Background

The Applicant, Sandra Yavitz of Los Alamitos Center Plaza, LLC, asks that the Planning Commission consider a Conditional Use Permit to allow a dentist in a unit in the Center Plaza in the General Commercial Zone on a major arterial at 10688 Los Alamitos Boulevard, and further to allow parking of less than one space for each 250 square feet of gross floor area.



Discussion

The Property Owner has applied for a Conditional Use Permit on the behalf of a dentist to allow a medical office in the Center Plaza. The subject tenant space is approximately 1,820 square feet, located within a 30,756 square foot Shopping Center. There are no plans to make changes to the parking layout.

This item was originally set for a Public Hearing on January 27, 2016 at which time the Planning Commission opened the hearing and heard testimony. In the audience a business owner from this Shopping Center pled to the Commission not to approve the dentist in the Center because of the difficulty of parking that already exists. During the same hearing the Property Owner spoke of her new parking study (attached to this report) and the fact that she felt the dentist was a good fit for the Center. The item was then continued to February 24, 2016 and the continued again to tonight.

Location



The adjacent properties are developed and zoned as follows:

North:	Developed with an empty lot in the General Commercial (C-G) Zoning District.
South:	Developed with Ganahl Lumber in the General Commercial (C-G) Zoning District.
East:	Developed with an office building with outside storage (Millie & Severson) in the General Commercial (C-G) Zoning District.
West:	Developed with office buildings (Southland Credit) and shops in the General Commercial (C-G) Zoning District.

Conditional Use Permit

In order to approve a conditional use permit, the following findings have to be made based on substantial evidence in the record:

1. The use will not endanger the public health, safety or general welfare and the use will not allow conditions which tend to generate nuisance conditions including but not limited to noise, glare, odor, or vibrations;
2. The use meets the required conditions and specifications set forth in the zoning district where it proposes to locate; and
3. The location and character of the use, if developed according to the plan as submitted, will be in harmony with the area in which it is to be located and in general conformity with the Los Alamitos General Plan.

Parking

While medical offices are allowed in this zone with a conditional use permit and medical uses are considered to be parts of shopping centers, it is important to recognize the parking problems that already exist in this Shopping Center in making the above determinations.

A dentist on a property on a major arterial is subject to discretionary approval and therefore the amount of parking required for this use can be considered as data for the Planning Commission decision. In this case, the decision is whether the deficient parking situation should be amplified with a business that may have more parking impact. While Section 17.26.040 of the Municipal Code requires 1 parking space for every 250 square feet for shopping centers, medical uses usually require 1 parking space for every 200 square feet. As the Shopping Center is 30,756 square feet, under

current Code requirements, 123 spaces would be required. However, the Center currently provides only 106 parking spaces. If this were a stand-alone use, an 1,820 square foot medical office requires 2 additional spaces than an 1,820 square foot commercial space.

As the Commission may recall, on March 10, 2014, the Planning Commission approved a conditional use permit and a variance to allow outdoor dining for the Brew Kitchen Alehouse Restaurant. The amount of restaurant space in the mall was limited in order to add that more intense use as specified in the condition below:

“Applicant shall not be allowed to have more than 4,808 square feet of restaurant space (not counting take-out only restaurants), plus an additional 387 square feet of outside seating space without obtaining a further variance from the City.”

Despite the fact that the Shopping Center does not meet the City's parking requirements, the Applicant has provided a parking analysis (attached) from LLG. LLG based its analysis on actual parking counts and a shared parking analysis. Based on this, LLG has determined that with the addition of the dentist office and the filling of the other vacancies, there will be a surplus of one parking space.

Using the shared parking analysis of the actual conditions, the City's Traffic Consultant has determined that based on the shared parking methodology, there would be a surplus/deficit of 0 spaces. (See attached.) Additionally, the City's Traffic Consultant noted that as LLG's analysis is based on ULI shared parking data collected from dental offices that are typically closed from 12 – 2 p.m., a condition should be imposed requiring this. The City's Traffic Consultant additionally noted that most of the parking spaces do not meet the current requirements as to the size of the spaces as they are not sufficient in length or width. For the parking spaces to meet current code requirements would mean the loss of an additional 20 spaces.

The City's Traffic Consultant also compared the results of LLG's current parking study with one they prepared in 2014 for the then proposed restaurant, located in the same shopping center. The parking data that was collected for the 2016 study is somewhat different from that for the 2014 study. It is also interesting that both studies concluded that the proposed parking for each proposed land use would just meet the City's requirements by one parking space. After reviewing and comparing the studies, the City's Traffic Consultant concluded that the differences in the parking data were consistent with counts taken two nearly years apart and having a new restaurant that opened in the intervening years. For the second study, the City also required that the parking data include shopping center patrons who were parked on the adjacent streets. The Traffic Consultant concluded that both studies were prepared in accordance with standard practices and that the identical results are coincidental.

The City's Police Department has provided the following input concerning the application:

"I have concerns that affect our department in reference to the location of the application. As I am sure you are well aware, parking in the area has been an issue lately for a variety of reasons. This particular commercial area has become impacted due to increased traffic to the businesses located in that center. It has gotten to the point that our administration and those specifically tasked with enforcing our parking restrictions have fielded multiple complaints regarding this topic. To allow another business that will just add to the problem to enter the business complex is of concern to me and will more likely negatively impact an already impacted area."

Findings

Staff does not believe that the findings set forth for Conditional Use Permits can be made, as more specifically set forth in the resolution of denial. The Center Plaza is generally a Center filled with Mom & Pop-type businesses that need every parking space they can use. It is a retail commercial building on a major arterial in the City of Los Alamitos where customer parking is a much needed aspect of having a successful business. Allowing a more parking-intensive, non-retail business to inhabit this space, which may use more than its share of parking spaces, would be difficult to support if it were to cause other successful retail businesses in the Center to decline.

It is common knowledge that the Center is busy with limited parking and traffic. The Center was already given relief on parking requirements with the addition of outdoor seating for a restaurant. In general, because medical offices generally require more parking than retail uses, the parking problems in the Shopping Center and the area will be exacerbated and create a nuisance condition. The use does not meet the conditions and specifications of the C-G zone because there is not sufficient parking. And allowing a dentist office at this location would not be in harmony with the area, which is already experiencing parking problems, and would not be consistent with the General Plan as explained below.

This said, the Applicant has received letters of support from other businesses in this Shopping Center (attached) asking the Commissioners to allow this business to be approved for the location. However, one business owner spoke at the Planning Commission on January 27, 2016 in opposition to this project based on parking concerns.

General Plan Consistency

Staff believes that approval of the conditional use permit would be inconsistent with the following goals of the General Plan:

- Land Use Goal 3: Commercial, office, and industrial opportunities that maintain compatibility with surrounding neighborhoods, businesses, and public facilities.
 - Adding a dentist's office to the current mix of land uses in the Shopping Center would not be compatible because it would create parking problems for existing users.
- Economic Development Goal 1: Development patterns and a mix of uses that provide a fiscal balance sufficient to continue and increase public investment in the community's quality of life; Policy 1.1: Incorporate short-term and long-term economic and fiscal implications of proposed actions into decision-making.
 - The issue of parking has recently been raised before the City Council with local business owners complaining that there is not sufficient parking. Adding a business which would increase parking requirements could wind up driving away smaller retail businesses which could lead to a decrease in sales tax revenue.
- Mobility and Circulation Goal 5: The right amount of convenient parking at commercial, employment and civic facilities.
 - The addition of a dentist office in this location does not provide adequate parking.

Commissioner Question Addressed

In the February Planning Commission Meeting, Commissioner Grose asked Staff to find out if the dentist will use Nitrous Oxide or any similar agent. The Applicant has informed Staff that this dentist will not use these agents. With this subject answered, Staff did not study if emergency vehicle access would need to be improved. If the Commissioners direct Staff to draft an alternate resolution of approval, Staff will add a condition that the dentist will not use Nitrous Oxide or other sleeping agents.

Recommendation

Staff recommends that the Commissioners reopen the continued Public Hearing and then support Staff's recommended denial of CUP 16-01 through the adoption of

Resolution 16-08 which includes the findings. Alternatively, the Commissioners can direct Staff to draft a resolution of approval if they can articulate the required findings.

Attachments:

- 1) *Draft Planning Commission Resolution 16-08*
Exhibit A – Site Plan of Tenant Space
- 2) *Letters of Support from Area Businesses*
- 3) *Parking Demand Analysis*

RESOLUTION NO. 16-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DENYING A CONDITIONAL USE PERMIT (CUP) 16-01 TO ALLOW A MEDICAL USE (DENTIST) AT 10688 LOS ALAMITOS BOULEVARD, A MAJOR ARTERIAL IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT (APPLICANT: SANDRA YAVITZ, OF LOS ALAMITOS CENTER PLAZA II LLC)

WHEREAS, an application was submitted for a Conditional Use Permit to allow a medical use (dentist) in an existing 1,820 square foot space at 10688 Los Alamitos Boulevard in the General Commercial (C-G) Zoning District; and,

WHEREAS, the application constitutes a request under Section 17.42.040 (Conditional Use Permits - Application Filing) of the Los Alamitos Municipal Code (LAMC); and,

WHEREAS, a hearing was duly noticed for a meeting which was held on January 27, 2016, where a business owner from this Shopping Center spoke out against this Conditional Use Permit request; and,

WHEREAS, the January hearing was continued to the February 24, 2016 Planning Commission meeting, at which time the hearing was again continued to the March 23, 2016 meeting; and,

WHEREAS, the Planning Commission considered said application at a Public Hearing on March 23, 2016; and,

WHEREAS, at this Public Hearing, the Applicant, Applicant's representatives, and members of the public were provided the opportunity to present written and oral testimony; and,

WHEREAS, under current Code requirements the 30,756 square foot Shopping Center in which the use is proposed is required to have 123 parking spaces and only 106 parking spaces exist; and,

WHEREAS, the parking chapter of the municipal code (LAMC 17.26) looks upon a medical use as a more intensive use than retail uses as the parking requirement for medical is generally 1:200 square feet as compared to retail which is 1:250 square feet.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are true and correct.

SECTION 2. In accordance with Section 17.26.030B of the Los Alamitos Municipal Code, the Planning Commission determines that this medical use (dentist) in the General Commercial (C-G) Zoning District at 10688 Los Alamitos Boulevard should be denied.

SECTION 3. Conditional Use Permit 16-01 is hereby denied for a medical use (dentist) in an existing 1,820 square foot space at 10688 Los Alamitos Boulevard in the General Commercial (C-G) Zoning District, and based upon the following findings:

1. A medical use (dentist) at 10688 Los Alamitos Boulevard in the General Commercial (C-G) Zoning District would endanger the public health or general welfare. The use would foster circumstances that tend to generate a nuisance, such as exacerbating the existing lack of required parking for this busy Shopping Center and causing existing businesses to miss sales opportunities when customers cannot locate a nearby parking spot.
2. A medical use (dentist) at 10688 Los Alamitos Boulevard in the General Commercial (C-G) Zoning District can be a conditionally permitted use within the zoning district where it proposes to locate. However, this is a retail commercial building on a major arterial in the City of Los Alamitos where customer parking is a much needed aspect of having a successful business. Allowing a more parking-intensive, non-retail business to inhabit this space, which may use more than its share of parking spaces, would be difficult to support if it were to cause other successful retail businesses in the Center to decline.
3. A medical use (dentist) at 10688 Los Alamitos Boulevard in the General Commercial (C-G) Zoning District would not be compatible with other uses located on a major arterial in the General Commercial (C-G) Zoning District and the Economic Element of the Los Alamitos General Plan. Approval of the conditional use permit would be inconsistent with the following goals of the General Plan:
 - Land Use Goal 3: Commercial, office, and industrial opportunities that maintain compatibility with surrounding neighborhoods, businesses, and public facilities.
 - Adding a dentist's office to the current mix of land uses in the Shopping Center would not be compatible because it would create parking problems for existing users.
 - Economic Development Goal 1: Development patterns and a mix of uses that provide a fiscal balance sufficient to continue and increase public investment in the community's quality of life; Policy 1.1: Incorporate short-term and long-term economic and fiscal implications of proposed actions into decision-making.

- The issue of parking has recently been raised before the City Council with local business owners complaining that there is not sufficient parking. Adding a business which would increase parking requirements may drive away smaller retail businesses which could lead to a decrease in sales tax revenue.
 - Mobility and Circulation Goal 5: The right amount of convenient parking at commercial, employment and civic facilities.
 - The addition of a dentist office in this location does not provide adequate parking.
4. The decision to deny the Conditional Use Permit is based on review by the Planning Commission of the reports, plans and specifications submitted for the proposed project and on testimony given at the Public Hearing before the Planning Commission which constitutes substantial evidence.

SECTION 4. CEQA is not required for projects which are disapproved.

SECTION 5. The Secretary of the Planning Commission shall forward a copy of this Resolution to the Applicant and any person requesting the same and shall certify as to the adoption of this Resolution.

SECTION 6. The City Clerk shall certify to the adoption of this Resolution, forward a copy of this Resolution to the Applicant, and their counsel, if any, together with a proof of mailing in the form required by law and any person requesting the same, together with a proof of mailing in the form required by law, and shall enter a certified copy of this Resolution in the book of Resolutions of the City.

PASSED, APPROVED, AND ADOPTED this 23rd day of March, 2016.

Chair Mary Anne Cuiilty

ATTEST:

Steven Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

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

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 23rd day of March, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven Mendoza, Secretary

ATTACHMENT 2

LETTERS OF SUPPORT FROM AREA BUSINESSES

**CONDITIONAL USE PERMIT 16-01
ALLOWANCE OF A DENTIST OFFICE
IN CENTER PLAZA**



Quality and clarity in print media

10666 Los Alamitos Blvd.
Los Alamitos, CA 90720

562-493-4547 (Phone)
562-594-6221 (Fax)

Printmasterlosal@aol.com (E-mail)
www.Printmasterlosal.com

January 30, 2016

To: Wood Investments

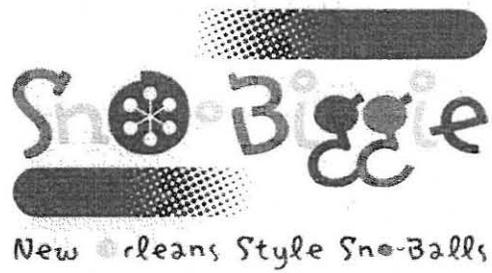
Re: Dental Office Proposed at Center Plaza

It has been a pleasure to provide printing services to the Los Alamitos area over the past eight years, at one of the prime business locations in the city. We have seen our business grow over the years, as well as many of the businesses around us. It is beneficial to each of the businesses if all tenant spaces are occupied. Therefore a dental office would be a welcomed addition to Center Plaza.

One of the challenges Center Plaza tenants face is the issue of limited parking. The impact on parking from a dental office is minimal compared to the overall parking issue, and is likely to be similar with any other prospective tenant. Therefore we request that the city's consideration of the dental office be independent of the analysis of the parking issue.

Regards,

Nesi Stewart
Printmasters



February 18, 2016

Dear City of Los Alamitos;

I, JoAnn Buday, owner and operator of Sno-Biggie, located at 10670 Los Alamitos Blvd, Los Alamitos, CA 90630, Center Plaza am in support of Hofkes and Yin, DDS operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,

A handwritten signature in black ink that reads 'JoAnn B. Buday'. The signature is fluid and cursive, with a large loop at the end.

JoAnn B. Buday

562-980-2591

February _18___, 2016

Dear City of Los Alamitos;

I, Reema Sabharwal, owner and/or operator of Lush Brows , located at
10672 Los Alamitos Boulevard in Los Alamitos Center Plaza am in support of Hofkes and Yin, DDS
operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,



Reema

March 12, 2016

Dear City of Los Alamitos;

I, Chris WATSON, owner and/or operator of Jenny Craig, located at 10674 Los Alamitos Boulevard in Los Alamitos Center Plaza am in support of Hofkes and Yin, DDS operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,

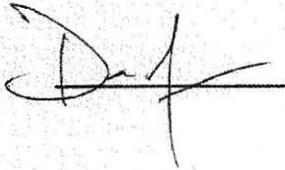
A handwritten signature in cursive script that reads "Chris Watson". The signature is written in black ink and is positioned below the "Thank you," text.

March 16, 2016

Dear City of Los Alamitos;

I, DANIEL YOUNG, owner and/or operator of NUTRITION ZONE, located at 10676 Los Alamitos Boulevard in Los Alamitos Center Plaza am in support of Hofkes and Yin, DDS operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,

A handwritten signature in black ink, appearing to read "Daniel Young". The signature is stylized with a large, sweeping initial "D" and a long horizontal stroke extending to the right.

February 18, 2016

Dear City of Los Alamitos;

I, Jane Cassidy, owner and/or operator of Deux Amies / Gifts, located at 10678 Los Alamitos Boulevard in Los Alamitos Center Plaza am in support of Hofkes and Yin, DDS operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,

J. Cassidy

February 18, 2016

Dear City of Los Alamitos;

I, Bryce Turner, owner and/or operator of Beach Fitness Strength & Conditioning, located at 10862 Los Alamitos Boulevard in Los Alamitos Center Plaza, am in support of Hofkes and Yin, DDS operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,

Bryce Turner, Co-Owner
Beach Fitness, Inc.

February 19, 2016

Dear City of Los Alamitos;

I, Barbara Barte Land owner and/or operator of Beach Fitness & CrossFit Beach Fitness, located at 10682 Los Alamitos Boulevard in Los Alamitos Center Plaza am in support of Hofkes and Yin, DDS operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,

A handwritten signature in black ink, appearing to read "Barbara Lands". The signature is stylized with a large initial "B" and a long, sweeping underline.

Barbara Lands, Owner
Beach Fitness, Inc. + CrossFit Beach Fitness
10682 Los Alamitos Blvd | Los Alamitos, CA 90720
gym: 562.493.8426 | cel: 714.336.3752
www.beachfitness.com

March 8, 2016

Dear City of Los Alamitos;

I, Christina Kim, owner and/or operator of University Escrow, located at 10690 Los Alamitos Boulevard in Los Alamitos Center Plaza am in support of Hofkes and Yin, DDS operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,

A handwritten signature in cursive script, appearing to read "Christina Kim".

March 15, 2016

Dear City of Los Alamitos;

AKIRA IZUSHIMA, owner and/or operator of Somago Sushi, located at 10692 Los Alamitos Boulevard in Los Alamitos Center Plaza am in support of Hofkes and Yin, DDS operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,



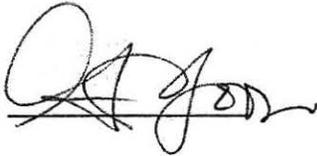
Akira Izushima

March 8, 2016

Dear City of Los Alamitos;

I, GINA YOON, owner and/or operator of BONJOUR BAGEL, located at 10696 Los Alamitos Boulevard in Los Alamitos Center Plaza am in support of Hofkes and Yin, DDS operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,

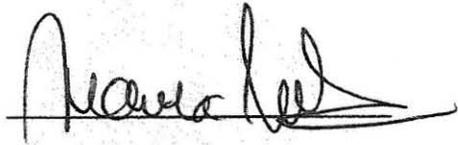
A handwritten signature in black ink, appearing to read "Gina Yoon", written over a horizontal line.

February 2, 2016

Dear City of Los Alamitos;

I, MARINA MITRI, owner and/or operator of
MARINA'S SKIN CARE, located at
10698 Los Alamitos Boulevard in Los Alamitos Center
Plaza am in support of Hofkes and Yin, DDS
operating their dental practice at 10688 Los Alamitos
Boulevard, Los Alamitos, CA 90720.

Thank you,

A handwritten signature in black ink, appearing to read "Marina Mitri", written over a horizontal line.

February 18, 2016

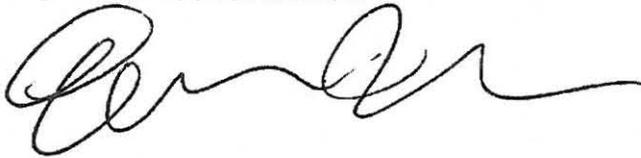
Dear City of Los Alamitos;

I, Emi Wheaton, owner and/or operator of Gloss Salon & Studio, located at 10700 Los Alamitos Boulevard in Los Alamitos Center Plaza am in support of Hofkes and Yin, DDS operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,

Emi Wheaton

Owner Gloss Salon & Studio

A handwritten signature in black ink, appearing to read 'Emi Wheaton', with a long horizontal flourish extending to the right.

February 29, 2016

Dear City of Los Alamitos;

I, Vinh Nguyen, owner and/or operator of Complete Nails, located at 10702 Los Alamitos Boulevard in Los Alamitos Center Plaza am in support of Hofkes and Yin, DDS operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,



Vinh Nguyen

March 8, 2016

Dear City of Los Alamitos,

Joseph Mabbionto owner and/or operator of Brew Kitchen Alehouse located at
10710 Los Alamitos Boulevard in Los Alamitos Center Plaza am in support of Horkes and Yin, DC
operating their dental practice at 10688 Los Alamitos Boulevard, Los Alamitos, CA 90720.

Thank you,

Joseph Mabbionto

January 11, 2016

Ms. Sandra G. Yavitz
Yavitz Companies
1700 Pacific Coast Highway, Suite C
Seal Beach, CA 90740

LLG Reference No. 2.14.3457.1

Subject: Parking Demand Analysis for Los Alamitos Center Plaza
Los Alamitos, California

Dear Ms. Yavitz:

As requested, Linscott, Law & Greenspan, Engineers (LLG) is pleased to submit this Parking Demand Analysis for Los Alamitos Center Plaza. Los Alamitos Center Plaza is located on the southeast corner of Los Alamitos Boulevard and Serpentine Drive in the City of Los Alamitos, California. **Figure 1**, located at the rear of this letter report, presents a Vicinity Map, which illustrates the general location of the project site and depicts the surrounding street system.

Los Alamitos Center Plaza is an existing mixed-use 30,809 square-foot (SF) shopping center with a current retail vacancy of 3,900 SF and an existing parking supply of 106 parking spaces. This parking demand analysis evaluates the proposed conversion of 1,900 SF of vacant retail space to medical/dental office space, and the re-occupancy of the remaining vacant retail square-footage (i.e. 2,000 SF) to their current use.

Based on our understanding, a parking study is required by the City of Los Alamitos to determine the parking demand for the existing shopping center with the proposed conversion of 1,900 SF of vacant retail space to medical/dental office space, and the re-occupancy of the remaining vacant square-footage to ensure that adequate parking will be provided.

This report evaluates the parking demand of the existing and proposed land uses at Los Alamitos Center Plaza. The parking demand analysis evaluates the Project's parking requirements based on the City of Los Alamitos Municipal Code and utilization of existing parking surveys combined with the ULI *Shared Parking* methodology.

Our method of analysis, findings, and recommendations are detailed in the following sections of this report.

Engineers & Planners
Traffic
Transportation
Parking

Linscott, Law & Greenspan, Engineers

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Irvine, CA 92614
949.825.6175 T
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Engineers & Planners
Pasadena
Irvine
San Diego
Woodland Hills

Philip M. Linscott, PE (1924-2000)
Jack M. Greenspan, PE (Ret.)
William A. Law, PE (Ret.)
Paul W. Wilkinson, PE
John P. Keating, PE
David S. Shender, PE
John A. Boorman, PE
Clare M. Look-Jaeger, PE
Richard E. Berretto, PE
Keil D. Maberry, PE

An LLG24VB Company. Founded 1966

PROJECT DESCRIPTION

Los Alamitos Center Plaza is an existing mixed-use 30,809 SF shopping center with a current retail vacancy of 3,900 SF and an existing parking supply of 106 parking spaces. The proposed Project consists of the conversion of 1,900 SF of vacant retail space to medical/dental office space. At completion of the proposed conversion, Los Alamitos Center Plaza will continue to provide 30,809 SF.

PARKING SUPPLY-DEMAND ANALYSIS

The parking analysis for the Los Alamitos Center Plaza Project involves determining the expected parking needs, based on the size and type of existing and proposed development components versus the parking supply.

For this Project, there are two appropriate methods that can be used to estimate the site's peak parking requirements. These methods include:

1. Application of City Parking Code requirements.
2. Application of parking survey information combined with the ULI *Shared Parking* methodology, which combines actual parking demand data with proposed uses based on City Code and time of day profiles.

CITY PARKING CODE REQUIREMENTS

To determine the number of parking spaces required to support the proposed Los Alamitos Center Plaza Project, the parking demand was first calculated using parking code requirements per the *City of Los Alamitos Municipal Code – Chapter 17.26, Off-Street Parking and Loading, Section 17.26.040, Parking Spaces Required*. The following parking ratios were used to determine the required parking:

- Commercial, retail and service uses including shopping centers – *1.0 space per 250 SF of gross floor area*.
- Medical office – *1.0 space per 200 SF of gross floor area*.

As mentioned previously, at completion of the proposed Project, Los Alamitos Center Plaza will provide 30,809 SF (i.e. 28,909 SF of commercial space and 1,900 SF of medical office space). Direct application of the City's code to the proposed Project results in a total code parking requirement of **126 spaces** (i.e. 116 spaces + 10 spaces). With a proposed parking supply of 106 spaces, a theoretical parking deficiency of 20 spaces is forecast. However, the City code parking requirement overstates the amount of parking that will be needed to accommodate the mix of uses within the project since

there is a significant opportunity to share parking spaces based on the utilization profile of each land use component.

PARKING SURVEY DATA ANALYSIS

To determine the current parking demand of the existing uses at Los Alamitos Center Plaza, parking surveys were conducted on two weekdays and one weekend day by Transportation Studies, Inc. (TSI). The parking surveys were performed at one-hour intervals between 8:00 AM and 10:00 PM on Thursday October 1, 2015, Friday October 2, 2015 and Saturday October 3, 2015. The parking surveys consisted of counting the number of parked vehicles for the entire mixed-use center site.

As requested by City of Los Alamitos staff, supplemental parking surveys were conducted on Thursday December 10, 2015 between 4:00 PM and 7:00 PM and on Friday December 11, 2015 between 1:00 PM and 4:00 PM by TSI. The purpose of the supplemental parking surveys was to determine if any of the center's patrons were taking up two spaces due to larger autos encroaching on adjacent spaces when parking within the compact parking fields or whether any of the center's patrons were parking along Los Alamitos Boulevard or Serpentine Drive and walking into the shopping center. *Appendix A* contains a summary of the supplemental parking surveys.

The results of the weekday (Thursday and Friday) and weekend day (Saturday) parking surveys, inclusive of the supplemental parking surveys are summarized in *Table 1*. As requested by City of Los Alamitos staff, this table includes additional occupied parking spaces to account for any center patrons taking up two spaces when parking on site and any center patrons parking along Los Alamitos Boulevard/Serpentine Drive and walking into the shopping center. As shown in *Table 1*, the study site experienced a weekday (Thursday) peak parking demand of 78 vehicles (74% utilization) within the entire site at 6:00 PM, a weekday (Friday) peak parking demand of 89 vehicles (84% utilization) within the entire site at 1:00 PM and a weekend day (Saturday) peak parking demand of 75 vehicles (71% utilization) within the entire site at 2:00 PM.

Survey Data Shared Parking Demand Analysis and Results

In order to determine the most appropriate peak-parking requirement for the proposed Los Alamitos Center Plaza, utilization of the survey data for the existing land uses is combined with the parking demand within the ULI shared parking model for the proposed conversion of 1,900 SF of vacant retail space to medical/dental office space and the re-occupancy of the remaining vacant retail square-footage. This methodology reflects the most accurate peak parking demand for this development

because the shopping center is currently 87% occupied, such that the current peak parking demand can be easily measured by conducting parking surveys while the parking demand for the converted and vacant uses can be forecasted using the *ULI Shared Parking* methodology.

The hourly parking demand profiles (expressed in percent of peak demand) utilized in this study and applied to the converted use (i.e. proposed medical/dental office space) are based on profiles developed by the Urban Land Institute (ULI) and published in *Shared Parking, 2nd Edition*. These factors present a profile of parking demand over time and have been used directly in the analysis of the converted use. Specifically, the profile for medical/dental office use was utilized and its characteristics are described below.

- For medical/dental office uses, peak demand occurs between 10:00 AM to 12:00 PM and 2:00 PM to 4:00 PM on weekdays and between 10:00 AM to 12:00 PM on weekends. The hourly factors shown for medical/dental office uses are taken directly from ULI. The medical/dental office demand profile was applied to the proposed medical/dental office suite (i.e. 1,900 SF). The City's parking code requirement of 1 space per 200 SF was utilized for medical office.

As directed by City of Los Alamitos staff, the hourly profile established by the existing parking surveys was applied to the remaining vacant retail space (i.e. 2,000 SF). It should be noted that these percentages were normalized as recommended by ULI. The City's parking code requirement of 1 space per 250 SF was utilized for general retail. Refer to *Appendix B* for details on development of the hourly profiles.

Tables 2 and 3 present an approach, which applies the City code parking requirement and site-specific time of day parking profiles to the re-occupancy of the remaining vacant retail and to the proposed conversion of 1,900 SF of vacant retail space to medical/dental office space for the weekday (Thursday and Friday, respectively) time frame while directly applying the parking survey data results as a time of day parking profile for the occupied square-footage within the existing Los Alamitos Center Plaza. In addition, *Table 4* presents an approach, which applies the City code parking requirement and site-specific time of day parking profiles to the re-occupancy of the remaining vacant retail and to the proposed conversion of 1,900 SF of vacant retail space to medical/dental office space for the weekend day (Saturday) time frame while directly applying the parking survey data results as a time of day parking profile for the occupied square-footage within the existing Los Alamitos Center Plaza.

Appendix C contains the weekday and weekend day shared parking analysis calculation worksheets for the vacant retail uses and proposed medical/dental office.

As shown in *Table 2*, the peak parking requirement for Los Alamitos Center Plaza during a typical weekday (Thursday) totals *93 parking spaces* and occurs at 1:00 PM. In addition, as shown in *Table 3*, the peak parking requirement for Los Alamitos Center Plaza during a non-typical weekday (Friday) totals *105 parking spaces* and occurs at 1:00 PM. Finally, as shown in *Table 4*, the peak parking requirement for Los Alamitos Center Plaza during a weekend day (Saturday) totals *83 parking spaces* and occurs at 10:00 AM and 2:00 PM.

As a result, based on a review of *Tables 2, 3 and 4*, the peak parking survey data shared parking demand for Los Alamitos Center Plaza is *105 parking spaces* and occurs at 1:00 PM on a Friday. With an on-site parking supply of 106 parking spaces, a minimum *parking surplus of 1 space* is forecast for the entire site. It should be noted that Los Alamitos Center Plaza will have a minimum parking surplus of 1 space during only one hour of the three survey days. During all other hours of the three survey days, Los Alamitos Center Plaza will have a minimum parking surplus of 11 spaces. Consequently, the parking survey data shared parking demand analysis indicates that there is adequate parking to accommodate Los Alamitos Center Plaza with the proposed conversion of 1,900 SF of vacant retail space to medical/dental office space and the re-occupation of the remaining existing vacant retail space (i.e. 2,000 SF).

SUMMARY OF FINDINGS AND CONCLUSIONS

1. Los Alamitos Center Plaza is located on the southeast corner of Los Alamitos Boulevard and Serpentine Drive in the City of Los Alamitos, California. Los Alamitos Center Plaza is an existing mixed-use 30,809 square foot (SF) shopping center with a current retail vacancy of 3,900 SF and an existing parking supply of 106 parking spaces. The proposed Project consists of the conversion of 1,900 SF of vacant retail space to medical/dental office space. At completion of the proposed conversion, Los Alamitos Center Plaza will continue to provide 30,809 SF.
2. Direct application of the City's code to the proposed Project results in a total code parking requirement of *126 spaces*. With a proposed parking supply of 106 spaces, a *theoretical parking deficiency of 20 spaces* is forecast.
3. The Survey Data Shared Parking Demand Analysis indicates that the peak parking requirement for Los Alamitos Center Plaza during a typical weekday (Thursday) totals *93 parking spaces* and occurs at 1:00 PM (*Table 2*). In addition, the peak parking requirement for Los Alamitos Center Plaza during a non-typical weekday (Friday) totals *105 parking spaces* and occurs at 1:00 PM (*Table 3*). Finally, the

peak parking requirement for Los Alamitos Center Plaza during a weekend day (Saturday) totals **83 parking spaces** and occurs at 10:00 AM and 2:00 PM (Table 4). As a result, the peak parking survey data shared parking demand for Los Alamitos Center Plaza is **105 parking spaces** and occurs at 1:00 PM on a Friday. With a proposed on-site parking supply of 106 parking spaces, a minimum **parking surplus of 1 space** is forecast for the entire site. It should be noted that Los Alamitos Center Plaza will have a minimum parking surplus of 1 space during only one hour of the three survey days. During all other hours of the three survey days, Los Alamitos Center Plaza will have a minimum parking surplus of 11 spaces.

Consequently, the parking survey data shared parking demand analysis indicates that there is adequate parking to accommodate Los Alamitos Center Plaza with the proposed conversion of 1,900 SF of vacant retail space to medical/dental office space and the re-occupation of the remaining existing vacant retail space (i.e. 2,000 SF).

We appreciate the opportunity to prepare this analysis for Yavitz Companies. Should you have any questions or need additional assistance, please do not hesitate to call us at (949) 825-6175.

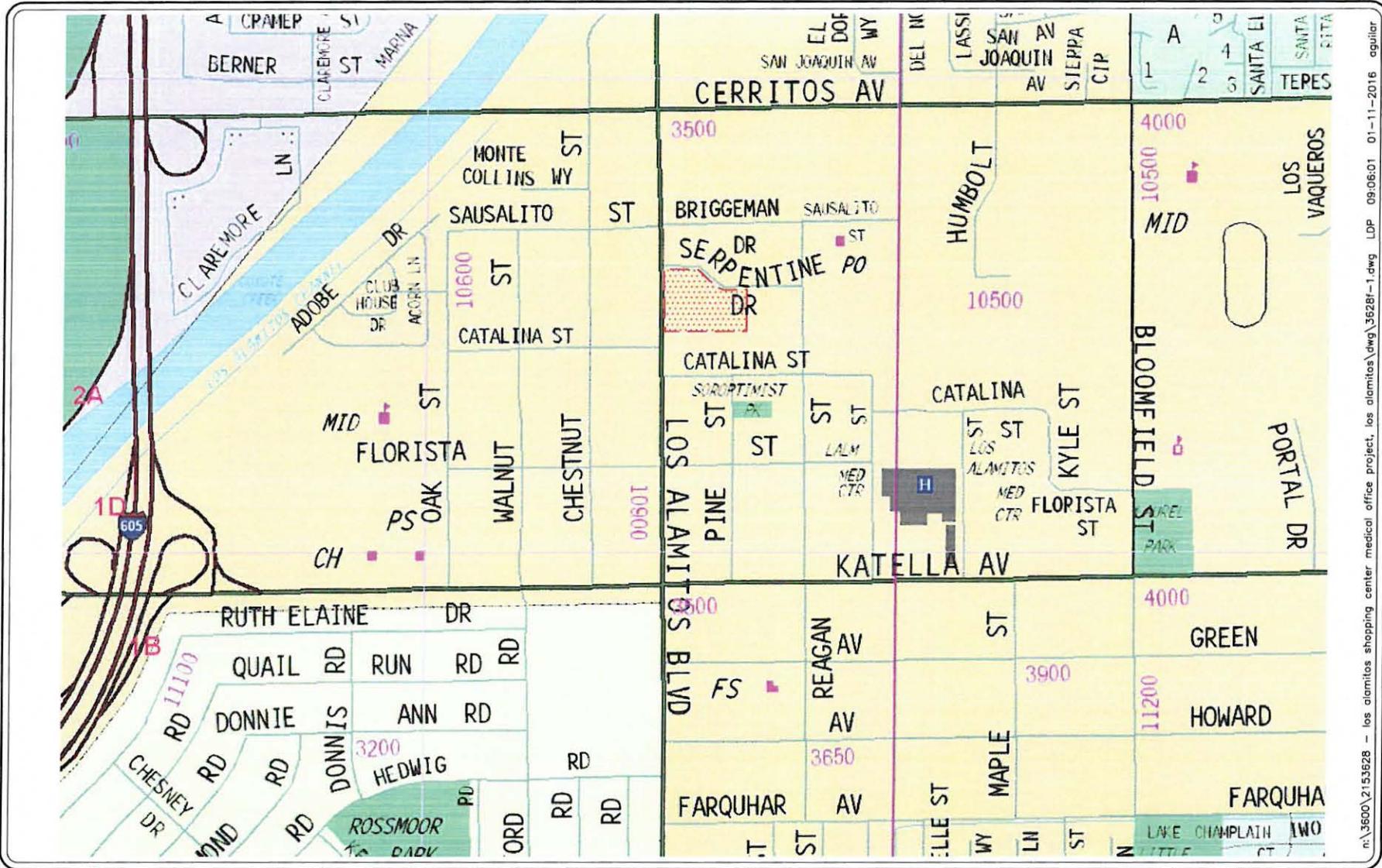
Very truly yours,
Linscott, Law & Greenspan, Engineers



Daniel A. Kloos, P.E.
Senior Transportation Engineer

Attachments





n:\3600\2153628 - los alamitos shopping center medical office project, los alamitos\dwg\3628f-1.dwg LDP 09.06.01 01-11-2016 aguilar

LINSCOTT
LAW &
GREENSPAN

NO SCALE

SOURCE: THOMAS BROS.

KEY

= PROJECT SITE

FIGURE 1

VICINITY MAP
LOS ALAMITOS CENTER PLAZA, LOS ALAMITOS

TABLE 1
PARKING COUNTS
Los Alamitos Center Plaza, Los Alamitos

Time Began	Thursday 10-1-15		Friday 10-2-15		Saturday 10-3-15	
	Supply = 106		Supply = 106		Supply = 106	
	Parking Counts [a]	Percent Utilization	Parking Counts [b]	Percent Utilization	Parking Counts	Percent Utilization
8:00 AM	19	18%	27	25%	22	21%
9:00 AM	33	31%	43	41%	46	43%
10:00 AM	50	47%	73	69%	66	62%
11:00 AM	71	67%	72	68%	65	61%
12:00 PM	77	73%	83	78%	61	58%
1:00 PM	77	73%	89	84%	65	61%
2:00 PM	69	65%	79	75%	75	71%
3:00 PM	54	51%	74	70%	63	59%
4:00 PM	76	72%	74	70%	63	59%
5:00 PM	74	70%	77	73%	56	53%
6:00 PM	78	74%	81	76%	59	56%
7:00 PM	75	71%	79	75%	62	58%
8:00 PM	71	67%	65	61%	51	48%
9:00 PM	42	40%	46	43%	23	22%
10:00 PM	14	13%	20	19%	9	8%

Notes:

[a] = The parking counts include the supplemental counts conducted on Thursday 12-10-15 between 4:00 PM and 7:00 PM.

Refer to Appendix A for the supplemental count details.

[b] = The parking counts include the supplemental counts conducted on Friday 12-11-15 between 1:00 PM and 4:00 PM.

Refer to Appendix A for the supplemental count details.

TABLE 2
SURVEY BASED WEEKDAY (THURSDAY) SHARED PARKING DEMAND ANALYSIS [1]
Los Alamitos Center Plaza, Los Alamitos

Land Use	Existing Occupied	Vacant Retail	Medical/Dental Office	Total Spaces = 18 Shared Parking Demand	Comparison w/ Parking Supply 106 Spaces Surplus (Deficiency)
Size	Los Alamitos Center Plaza - 26,909 SF [2]	2,000 KSF 4 /KSF 8 Spc.	1,900 KSF [3] 5 /KSF 10 Spc.		
Gross Spaces	Observed Hourly Parking Demand	Number of Spaces	Number of Spaces		
Time of Day					
6:00 AM	6	0	0	6	100
7:00 AM	11	0	0	11	95
8:00 AM	19	2	8	29	77
9:00 AM	33	3	9	45	61
10:00 AM	50	5	10	65	41
11:00 AM	71	7	10	88	18
12:00 PM	77	7	5	89	17
1:00 PM	77	7	9	93	13
2:00 PM	69	6	10	85	21
3:00 PM	54	5	10	69	37
4:00 PM	76	7	9	92	14
5:00 PM	74	7	9	90	16
6:00 PM	78	7	7	92	14
7:00 PM	75	7	3	85	21
8:00 PM	71	7	1	79	27
9:00 PM	42	4	0	46	60
10:00 PM	14	1	0	15	91
11:00 PM	9	1	0	10	96
12:00 AM	3	0	0	3	103

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.

[2] During the on-site parking surveys, there were 3,900 SF of retail vacancies.

[3] The proposed project consists of a 1,900 SF dentist office.

TABLE 3
SURVEY BASED WEEKDAY (FRIDAY) SHARED PARKING DEMAND ANALYSIS [1]
Los Alamitos Center Plaza, Los Alamitos

Land Use	Existing Occupied	Vacant Retail	Medical/Dental Office	Total Spaces = 18 Shared Parking Demand	Comparison w/ Parking Supply 106 Spaces Surplus (Deficiency)
Size	Los Alamitos Center Plaza - 26,909 SF [2]	2,000 KSF 4 /KSF	1,900 KSF [3] 5 /KSF		
Gross Spaces	Observed Hourly Parking Demand	8 Spc.	10 Spc.		
Time of Day		Number of Spaces	Number of Spaces		
6:00 AM	9	0	0	9	97
7:00 AM	15	0	0	15	91
8:00 AM	27	2	8	37	69
9:00 AM	43	4	9	56	50
10:00 AM	73	6	10	89	17
11:00 AM	72	6	10	88	18
12:00 PM	83	7	5	95	11
1:00 PM	89	7	9	105	1
2:00 PM	79	6	10	95	11
3:00 PM	74	6	10	90	16
4:00 PM	74	6	9	89	17
5:00 PM	77	6	9	92	14
6:00 PM	81	7	7	95	11
7:00 PM	79	6	3	88	18
8:00 PM	65	5	1	71	35
9:00 PM	46	4	0	50	56
10:00 PM	20	2	0	22	84
11:00 PM	13	1	0	14	92
12:00 AM	4	0	0	4	102

Notes:

- [1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.
 [2] During the on-site parking surveys, there were 3,900 SF of retail vacancies.
 [3] The proposed project consists of a 1,900 SF dentist office.

TABLE 4
SURVEY BASED WEEKEND (SATURDAY) SHARED PARKING DEMAND ANALYSIS [1]
Los Alamitos Center Plaza, Los Alamitos

Land Use	Existing Occupied	Vacant Retail	Medical/Dental Office	Total Spaces = 18 Shared Parking Demand	Comparison w/ Parking Supply 106 Spaces Surplus (Deficiency)
Size	Los Alamitos Center Plaza - 26,909 SF [2]	2,000 KSF 4 /KSF 8 Spc.	1,900 KSF [3] 5 /KSF 10 Spc.		
Gross Spaces	Observed Hourly Parking Demand	Number of Spaces	Number of Spaces		
Time of Day					
6:00 AM	14	0	0	14	92
7:00 AM	15	0	0	15	91
8:00 AM	22	2	8	32	74
9:00 AM	46	5	9	60	46
10:00 AM	66	7	10	83	23
11:00 AM	65	7	10	82	24
12:00 PM	61	6	5	72	34
1:00 PM	65	7	0	72	34
2:00 PM	75	8	0	83	23
3:00 PM	63	7	0	70	36
4:00 PM	63	7	0	70	36
5:00 PM	56	6	0	62	44
6:00 PM	59	6	0	65	41
7:00 PM	62	7	0	69	37
8:00 PM	51	5	0	56	50
9:00 PM	23	2	0	25	81
10:00 PM	9	1	0	10	96
11:00 PM	7	1	0	8	98
12:00 AM	4	0	0	4	102

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.

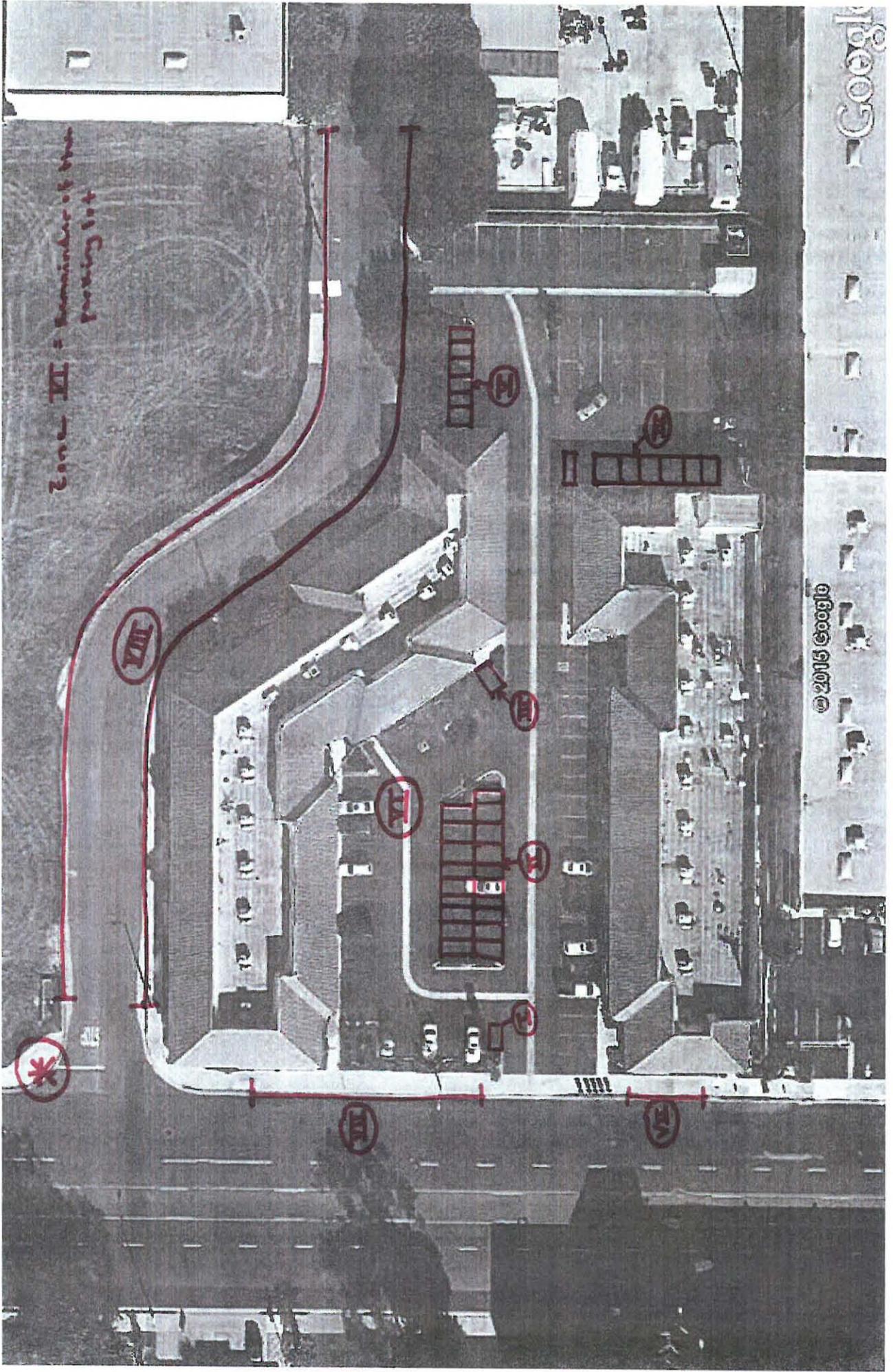
[2] During the on-site parking surveys, there were 3,900 SF of retail vacancies.

[3] The proposed project consists of a 1,900 SF dentist office.

APPENDIX A
SUPPLEMENTAL PARKING SURVEYS

Supplemental Parking Surveys
 Los Alamitos Center Plaza, Los Alamitos
 Friday December 11, 2015

Time	Occupied Spaces												Total	
	Zone I		Zone II		Zone III		Zone IV		Zone V		Zone VI	Zone VII		Zone VIII
	Spaces	Taking More Than One Space	Spaces	Taking More Than One Space	Spaces	Taking More Than One Space	Spaces	Taking More Than One Space	Spaces	Taking More Than One Space	Total	Los Alamitos Blvd Park On-Street and Walk-In		Serpentine Drive Park On-Street and Walk-In
1:00 PM	1	11	2	13	1	4	5	0	5	0	5	3	1	89
2:00 PM	1	10	1	11	1	4	4	0	5	0	5	0	2	79
3:00 PM	0	12	0	12	1	3	3	0	4	0	4	0	2	74
4:00 PM	1	11	1	12	1	5	5	0	4	0	4	1	0	74



Zone VII = Remainder of this lot to acquire parking lot

*

VIII

III

VI

II

V

IV

III

II

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Google

APPENDIX B

DEVELOPMENT OF RETAIL HOURLY PROFILES

DEVELOPMENT OF RETAIL PROFILES
Los Alamitos Center Plaza, Los Alamitos

Time Began	Thursday				Friday				Saturday			
	Parking Counts	Utilization Profile	ULI Normalization Factor (2.9/3.2)	Final Utilization Profile	Parking Counts	Utilization Profile	ULI Normalization Factor (2.9/3.2)	Final Utilization Profile	Parking Counts	Utilization Profile	ULI Normalization Factor (3.2/3.2)	Final Utilization Profile
8:00 AM	19	24%	0.90625	22%	27	30%	0.90625	27%	22	29%	1.00	29%
9:00 AM	33	42%	0.90625	38%	43	48%	0.90625	44%	46	61%	1.00	61%
10:00 AM	50	64%	0.90625	58%	73	82%	0.90625	74%	66	88%	1.00	88%
11:00 AM	71	91%	0.90625	82%	72	81%	0.90625	73%	65	87%	1.00	87%
12:00 PM	77	99%	0.90625	90%	83	93%	0.90625	84%	61	81%	1.00	81%
1:00 PM	77	99%	0.90625	90%	89	100%	0.90625	91%	65	87%	1.00	87%
2:00 PM	69	88%	0.90625	80%	79	89%	0.90625	81%	75	100%	1.00	100%
3:00 PM	54	69%	0.90625	63%	74	83%	0.90625	75%	63	84%	1.00	84%
4:00 PM	76	97%	0.90625	88%	74	83%	0.90625	75%	63	84%	1.00	84%
5:00 PM	74	95%	0.90625	86%	77	87%	0.90625	79%	56	75%	1.00	75%
6:00 PM	78	100%	0.90625	91%	81	91%	0.90625	82%	59	79%	1.00	79%
7:00 PM	75	96%	0.90625	87%	79	89%	0.90625	81%	62	83%	1.00	83%
8:00 PM	71	91%	0.90625	82%	65	73%	0.90625	66%	51	68%	1.00	68%
9:00 PM	42	54%	0.90625	49%	46	52%	0.90625	47%	23	31%	1.00	31%
10:00 PM	14	18%	0.90625	16%	20	22%	0.90625	20%	9	12%	1.00	12%

APPENDIX C

ULI SHARED PARKING ANALYSIS WORKSHEETS

Appendix C-1

SHOPPING CENTER (TYPICAL DAYS)
 WEEKDAY (THURSDAY) SHARED PARKING DEMAND ANALYSIS
 Los Alamitos Center Plaza, Los Alamitos

Land Use	Shopping Center (Typical Days)				
Size	2,000 KSF				Shared Parking Demand
Pkg Rate	4.0 /KSF				
Gross Spaces	8 Spaces				
	8 Guest and Emp. Spc.				
Time of Day	% Of Peak [1]	# Of Spaces	% Of Peak	# Of Spaces	
6:00 AM	1%	0	0%	0	0
7:00 AM	5%	0	0%	0	0
8:00 AM	22%	2	0%	0	2
9:00 AM	38%	3	0%	0	3
10:00 AM	58%	5	0%	0	5
11:00 AM	82%	7	0%	0	7
12:00 PM	90%	7	0%	0	7
1:00 PM	90%	7	0%	0	7
2:00 PM	80%	6	0%	0	6
3:00 PM	63%	5	0%	0	5
4:00 PM	88%	7	0%	0	7
5:00 PM	86%	7	0%	0	7
6:00 PM	91%	7	0%	0	7
7:00 PM	87%	7	0%	0	7
8:00 PM	82%	7	0%	0	7
9:00 PM	49%	4	0%	0	4
10:00 PM	16%	1	0%	0	1
11:00 PM	9%	1	0%	0	1
12:00 AM	0%	0	0%	0	0

Notes:

[1] The profile is based on the existing parking counts. The percentages were normalized per UL1 to express absolute peak demand ratios

Appendix C-2

SHOPPING CENTER (TYPICAL DAYS)
WEEKDAY (FRIDAY) SHARED PARKING DEMAND ANALYSIS
Los Alamitos Center Plaza, Los Alamitos

Land Use	Shopping Center (Typical Days)				
Size	2,000 KSF				Shared Parking Demand
Pkg Rate	4.0 /KSF				
Gross Spaces	8 Spaces				
	8 Guest and Emp. Spc.				
Time of Day	% Of Peak [1]	# Of Spaces	% Of Peak	# Of Spaces	
6:00 AM	1%	0	0%	0	0
7:00 AM	5%	0	0%	0	0
8:00 AM	27%	2	0%	0	2
9:00 AM	44%	4	0%	0	4
10:00 AM	74%	6	0%	0	6
11:00 AM	73%	6	0%	0	6
12:00 PM	84%	7	0%	0	7
1:00 PM	91%	7	0%	0	7
2:00 PM	81%	6	0%	0	6
3:00 PM	75%	6	0%	0	6
4:00 PM	75%	6	0%	0	6
5:00 PM	79%	6	0%	0	6
6:00 PM	82%	7	0%	0	7
7:00 PM	81%	6	0%	0	6
8:00 PM	66%	5	0%	0	5
9:00 PM	47%	4	0%	0	4
10:00 PM	20%	2	0%	0	2
11:00 PM	9%	1	0%	0	1
12:00 AM	0%	0	0%	0	0

Notes:

[1] The profile is based on the existing parking counts. The percentages were normalized per ULI to express absolute peak demand ratios.

Appendix C-3

SHOPPING CENTER (TYPICAL DAYS)
 WEEKEND (SATURDAY) SHARED PARKING DEMAND ANALYSIS
 Los Alamitos Center Plaza, Los Alamitos

Land Use	Shopping Center (Typical Days)				Shared Parking Demand
Size	2,000 KSF				
Pkg Rate	4.0 /KSF				
Gross Spaces	8 Spaces				
	8 Guest and Emp. Spc.				
Time of Day	% Of Peak [1]	# Of Spaces	% Of Peak	# Of Spaces	
6:00 AM	1%	0	0%	0	0
7:00 AM	5%	0	0%	0	0
8:00 AM	29%	2	0%	0	2
9:00 AM	61%	5	0%	0	5
10:00 AM	88%	7	0%	0	7
11:00 AM	87%	7	0%	0	7
12:00 PM	81%	6	0%	0	6
1:00 PM	82%	7	0%	0	7
2:00 PM	100%	8	0%	0	8
3:00 PM	81%	7	0%	0	7
4:00 PM	84%	7	0%	0	7
5:00 PM	75%	6	0%	0	6
6:00 PM	79%	6	0%	0	6
7:00 PM	83%	7	0%	0	7
8:00 PM	68%	5	0%	0	5
9:00 PM	31%	2	0%	0	2
10:00 PM	12%	1	0%	0	1
11:00 PM	15%	1	0%	0	1
12:00 AM	0%	0	0%	0	0

Notes:

[1] The profile is based on the existing parking counts. The percentages were normalized per ULI to express absolute peak demand ratios.

Appendix C-4

MEDICAL/DENTAL OFFICE
 WEEKDAY SHARED PARKING DEMAND ANALYSIS [1]
 Los Alamitos Center Plaza, Los Alamitos

Land Use	Medical/Dental Office				
Size	1,900 KSF				Shared Parking Demand
Pkg Rate[2]	5 /KSF				
Gross Spaces	10 Spaces				
	7 Visitor Spc.		3 Emp. Spc.		
Time of Day	% Of Peak [3]	# Of Spaces	% Of Peak [3]	# Of Spaces	
6:00 AM	0%	0	0%	0	0
7:00 AM	0%	0	0%	0	0
8:00 AM	90%	6	60%	2	8
9:00 AM	90%	6	100%	3	9
10:00 AM	100%	7	100%	3	10
11:00 AM	100%	7	100%	3	10
12:00 PM	30%	2	100%	3	5
1:00 PM	90%	6	100%	3	9
2:00 PM	100%	7	100%	3	10
3:00 PM	100%	7	100%	3	10
4:00 PM	90%	6	100%	3	9
5:00 PM	80%	6	100%	3	9
6:00 PM	67%	5	67%	2	7
7:00 PM	30%	2	30%	1	3
8:00 PM	15%	1	15%	0	1
9:00 PM	0%	0	0%	0	0
10:00 PM	0%	0	0%	0	0
11:00 PM	0%	0	0%	0	0
12:00 AM	0%	0	0%	0	0

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005

[2] Parking rates for all land uses based on ULI procedure normalized to express percentage in terms of absolute peak demand ratios. Breakdown of guest vs. employee parking provided by ULI.

[3] Percentage of peak parking demand factors reflect relationships between weekday parking demand ratios and peak parking demand ratios, as summarized in Table 2-2 of the "Shared Parking" manual.

Appendix C-5

MEDICAL/DENTAL OFFICE
 WEEKEND SHARED PARKING DEMAND ANALYSIS [1]
 Los Alamitos Center Plaza, Los Alamitos

Land Use	Medical/Dental Office				Shared Parking Demand
Size	1,900 KSF				
Pkg Rate[2]	5 /KSF				
Gross Spaces	10 Spaces				
Time of Day	% Of Peak [3]	# Of Spaces	% Of Peak [3]	# Of Spaces	
6:00 AM	0%	0	0%	0	0
7:00 AM	0%	0	0%	0	0
8:00 AM	90%	6	60%	2	8
9:00 AM	90%	6	100%	3	9
10:00 AM	100%	7	100%	3	10
11:00 AM	100%	7	100%	3	10
12:00 PM	30%	2	100%	3	5
1:00 PM	0%	0	0%	0	0
2:00 PM	0%	0	0%	0	0
3:00 PM	0%	0	0%	0	0
4:00 PM	0%	0	0%	0	0
5:00 PM	0%	0	0%	0	0
6:00 PM	0%	0	0%	0	0
7:00 PM	0%	0	0%	0	0
8:00 PM	0%	0	0%	0	0
9:00 PM	0%	0	0%	0	0
10:00 PM	0%	0	0%	0	0
11:00 PM	0%	0	0%	0	0
12:00 AM	0%	0	0%	0	0

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking." Second Edition, 2005.

[2] Parking rates for all land uses based on ULI procedure normalized to express percentage in terms of absolute peak demand ratios. Breakdown of guest vs. employee parking provided by ULI.

[3] Percentage of peak parking demand factors reflect relationships between weekday parking demand ratios and peak parking demand ratios, as summarized in Table 2-2 of the "Shared Parking" manual.

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

March 23, 2016
Item No: 7C

To: Chair Culty and Members of the Planning Commission

Via: Steven Mendoza, Development Services Director

From: Tom Oliver, Associate Planner

Subject: Conditional Use Permit (CUP) 16-02
Outdoor Storage in the Planned Light Industrial (P-M) Zone

Summary: Consideration of a Conditional Use Permit (CUP 16-02) to permit an unpermitted 4,554 square foot outside storage area at a 18,808 square foot Industrial Building (Trend Offset) located at 10631 Humbolt Street (APN 242-242-25) in the Planned Light Industrial (P-M) Zoning District (Applicant: Kristie Nelsen, of Kardent Design).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Determine that the proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to a CEQA guidelines Class 1 Categorical Exemption, Section 15301(e)(2)(b) – Existing Facilities, will be prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is on a property with an existing building, the project is less than 10,000 square feet, and is located in an area that is not environmentally sensitive.
3. ADOPT RESOLUTION NO. 16-05, ENTITLED, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP 16-02) TO RETROACTIVELY APPROVE A 4,531 SQUARE FOOT METAL CANOPY-COVERED STRUCTURE, OUTDOOR STORAGE AREA, ATTACHED TO AN EXISTING 18,808 SQUARE FOOT BUILDING ON A 1.05 ACRE PARCEL AT 10631 HUMBOLT STREET (APN NO. 242-242-25) IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: KRISTIE NELSEN, KARDENT DESIGN, ON BEHALF OF TREND OFFSET PRINTING)."

Applicant: Kristie Nelsen, Kardent Design on behalf of Trend Offset Printing

Location: 10631 Humbolt Street, Planned Light Industrial (P-M) Zone

Environmental: A Class 1 Categorical Exemption, pursuant to Section 15301(e)(2)(b) – Existing Facilities, will be prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is on a property with an existing building, the project is less than 10,000 square feet, and is located in an area that is not environmentally sensitive.

Noticing: Notices announcing the Public Hearing for March 23, 2016, were mailed to all property owners within 500 feet of the proposed location on March 9, 2016. A Public Hearing notice regarding this meeting was also published in the News Enterprise on March 9, 2016.

Approval Criteria: Los Alamitos Municipal Code (LAMC), Section 17.26.020, Table 2-04 (Allowed Uses and Permit Requirements for the Commercial/Industrial Zoning Districts) requires Planning Commission approval of a Conditional Use Permit to allow an outdoor storage use in the P-M Zoning District.



Background

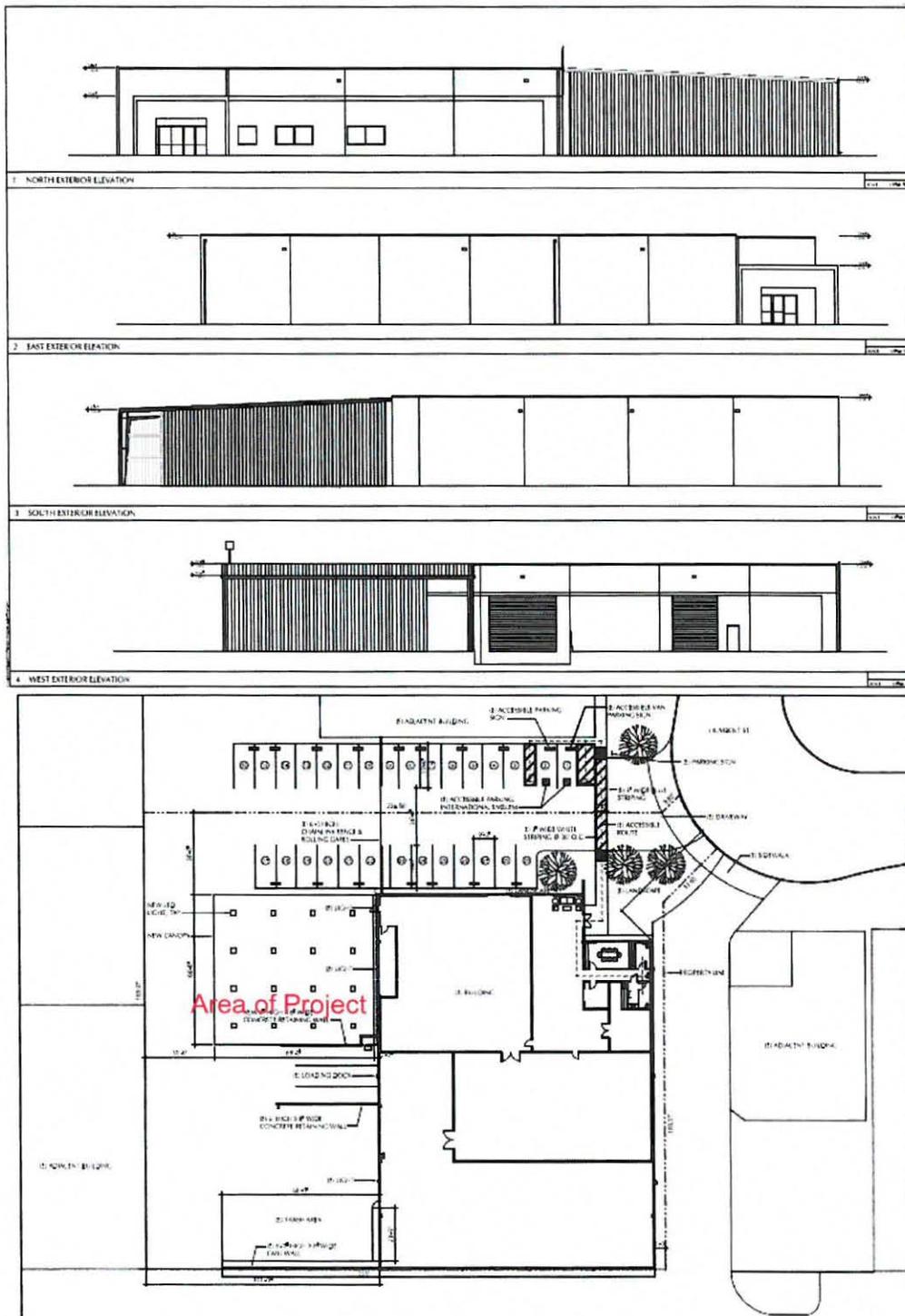
An application has been filed by Kristie Nelsen of Kardent Design, on behalf of Trend Offset Printing, for a Conditional Use Permit to permit an unpermitted 4,531 square foot outdoor storage area in the Planned Light Industrial (P-M) zone, behind an 18,808 square foot industrial building occupied by Trend Offset Printing. However, since the time when this application was submitted, Trend has gone ahead and constructed the outside storage canopy without building permits or any kind of approval from the City. This said, the project meets development standards for a project of this kind, and the growth of this business, as demonstrated by the need for this project, will continue to be an important economic engine for the City.



This storage area provides covered storage at one of Trend Offset's many buildings in the area. As the picture above demonstrates, Trend was already using the outside of its building for storage. The conditional use permit will authorize the enclosed space which provides storage for paper supplies for this busy part of the printing company. Below, is a photograph of the paper supply rolls.



The site currently slopes down from west to east. The project consisted of the sitework to provide a level base for the outside storage which consists of a new 66' x 69' metal canopy (4,554 square feet) with metal curtain walls, LED overhead lighting, and fire sprinklers along the west side of the building. The material used to cover the roof and walls is a standing-seam metal product called PBR.



Discussion

Trend Offset needs the new storage because a portion of the existing warehouse will now be storing digital printer equipment which will take up 11,000 square feet. The additional storage area holds their large rolls of printer paper that have been displaced for the printer equipment. This will be storage only, not an area where people will be working. The pallets that are currently there will not be stored outside of this canopy once it has been constructed. Staff has conditioned that all exterior storage items must be placed under the footprint of the new canopy (condition #10).

Location

The adjacent properties are all developed with industrial buildings and businesses in the Planned Light Industrial (P-M) zoning district.



Development Standards

Outdoor Storage area standards are regulated through Municipal Code Section (LAMC) 17.38.120 *Outdoor storage*. This section of the code provides standards for the establishment of outdoor storage areas where allowed in compliance with Division 2 (Zoning Districts, Allowable Uses, and Development Regulations).

The first requirement that pertains to this industrial structure is that the storage area is to be screened from adjoining properties and public rights-of-way by decorative walls, fences, and/or landscaping. The screening shall be provided to a height of at least one foot above the approved height of the materials being stored. This requirement is met by the metal curtain walls that surround the canopy. The storage cannot be seen from the public right-of-way.

Outdoor storage areas may not encroach into required setback areas. In zoning districts where no setback area is required, such as described by this area, the outdoor storage area needs to be set back a minimum of ten (10) feet from adjoining property lines -- which this storage area meets.

Parking

Section 17.26.040 of the Municipal Code requires 1 parking space for every 500 square feet for light industrial businesses. While the building is underparked by current standards, it is a legal non-conforming use. As outdoor storage does not require any additional parking, the parking is satisfactory as is.

Landscaping

Section 17.20.020B of the Municipal Code provides as follows: "When additions to structures are made that are greater than twenty-five (25) percent of the existing floor area, landscaping shall be provided in compliance with the requirements of this chapter. In the case of an existing use, if the required landscaping cannot be accommodated because of existing physical constraints on the site, (e.g., structures, parking circulation, etc.) the applicant shall provide whatever additional landscaping the site can accommodate towards meeting the landscape area requirements of this chapter."

As the proposed storage area will be approximately 24% of that existing space at 4,531, the development need not comply with the existing code requirement of 15% landscaping. Since this was already a barren parking lot, there will be no landscaping added or removed. There is 1,960 square feet of existing landscaping, which is approximately 4% of the parcel. This property has virtually no street frontage and therefore it is virtually impossible to add any landscaping where it would be seen by anyone other than employees of Trend.

Recommendation

Staff has received one email from a property owner concerning this project. That letter is attached to this report.

Although the Applicant built the structure to contain this outside storage without permits or approvals, Staff recommends approval of CUP 16-02 and adoption of Resolution 16-05 with conditions, unless additional or contrary information is received during the meeting and based upon the evidence submitted to the Commission, including the evidence presented in this Staff report, and any oral and written evidence presented at the Public Hearing. The project meets development standards for a project of this kind, and the growth of this business will continue to be an important economic engine for the City.

Attachments: 1) *Resolution No. PC 16-05*
2) *Site Plans*
3) *Email from Candy DeWitt Drucker*

RESOLUTION NO. 16-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP 16-02) TO RETROACTIVELY APPROVE A 4,531 SQUARE FOOT METAL CANOPY-COVERED STRUCTURE, OUTDOOR STORAGE AREA, ATTACHED TO AN EXISTING 18,808 SQUARE FOOT BUILDING ON A 1.05 ACRE PARCEL AT 10631 HUMBOLT STREET (APN NO. 242-242-25) IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: KRISTIE NELSEN, KARDENT DESIGN, ON BEHALF OF TREND OFFSET PRINTING).

WHEREAS, the application is for a Conditional Use Permit to allow 4,531 square feet of outside, metal canopy-covered storage structure attached to an existing industrial building at 10631 Humbolt Street in the Planned Light Industrial (P-M) Zoning District; and,

WHEREAS, the application constitutes a request under Section 17.42.040 (Conditional Use Permits - Application Filing) of the Los Alamitos Municipal Code (LAMC); and,

WHEREAS, the Applicant has already constructed the storage structure and asks for retroactive approval; and,

WHEREAS, the Planning Commission considered said application at a duly noticed Public Hearing on March 23, 2016; and,

WHEREAS, at this Public Hearing, the Applicant, Applicant's representatives, and members of the public were provided the opportunity to present written and oral testimony.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are true and correct.

SECTION 2. Conditional Use Permit 16-02 is hereby approved for 4,531 square feet of outside, canopy-covered storage attached to an existing industrial building at 10631 Humbolt Street in the Planned Light Industrial (P-M) Zoning District. This approval is based upon the following Conditional Use Permit findings and subject to the conditions set forth in Section 4:

1. The 4,531 square feet of outside, canopy-covered storage attached to an existing industrial building at 10631 Humbolt Street in the Planned Light Industrial (P-M) Zoning District will not endanger the public health or general welfare. The use will not foster circumstances that tend to

generate a nuisance as storage is an expected land use of the industrial area, and there are no non-industrial uses nearby.

2. The 4,531 square feet of outside, canopy-covered storage attached to an existing industrial building at 10631 Humbolt Street is for the benefit of a light industrial use in the Planned Light Industrial (P-M) Zone. Outdoor storage is a conditionally permitted use within this zoning district. This is an industrial property surrounded by industrial uses on all sides, and outdoor storage uses are specifically allowed in this zone if approved with a Conditional Use Permit (CUP).
3. The 4,531 square feet of outside, canopy-covered storage attached to an existing industrial building at 10631 Humbolt Street in the Planned Light Industrial (P-M) Zoning District will be compatible with other uses located in the P-M Zoning District. This use will not in any way be inconsistent with the General Plan. It helps to preserve a business in the Industrial area.
4. The decision to approve the Conditional Use Permit is based on review by the Planning Commission of the plans and specifications submitted for the proposed project and on testimony given at the Public Hearing before the Planning Commission.
5. A Class 1 Categorical Exemption, pursuant to Section 15301(e)(2)(b) – Existing Facilities, will be prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is on a property with an existing building, the project is less than 10,000 square feet, and is located in an area that is not environmentally sensitive.

SECTION 3. The following conditions shall apply to this project:

Planning Department

1. Approval of this application is to allow 4,531 square feet of outside, canopy-covered storage attached to an existing industrial building at 10631 Humbolt Street in the Planned Light Industrial (P-M) Zoning District with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of CUP 16-02 noted thereon, and on file in the Community Development Department (Exhibit A). Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of this use, a request for an amendment of this approval must be submitted to the Development Services Director. If the Development Services Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the

amendment may be approved by the Development Services Director without requiring a public meeting.

2. Any signs shall comply with the provisions under Chapter 17.28 of the Los Alamitos Municipal Code or the Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Development Services Director.
3. Failure to satisfy and/or comply with the conditions herein may result in revocation by the Planning Commission and/or City Council of this approval.
4. The Applicant and the Applicant's successors, in interest, shall be fully responsible for knowing and complying with all conditions of approval.
5. California Government Section 66020(d)(1) requires that the project Applicant be notified of all fees, dedications, reservations and other exactions imposed on the development for purposes of defraying all or a portion of the cost of public facilities related to development. Fees for regulatory approvals, including Planning processing fees, building permit fees and park development fees, are not included under this noticing requirement.

Pursuant to Government Code Section 66020(d)(1), the Applicant is hereby notified that fees, dedications, reservations and other exactions imposed upon the development, which are subject to notification, are as follows:

Fees:	N/A
Dedications:	N/A
Reservations:	N/A
Other Exactions:	N/A

6. The Applicant has 90 days from the date of adoption of this Resolution to protest the impositions described above. The Applicant is also notified of the 180-day period from the date of this notice during which time any suit to protest impositions must be filed, and that timely filing of a protest within the 90-day period is a prerequisite.
7. The Applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers of the subject application. The City will promptly notify the Applicant of any such claim, action or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City. Notwithstanding the foregoing, the City retains the right to settle or

abandon the matter without the Applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

8. The Property Owner/Applicant shall file an Acknowledgment of Conditions of Approval with the Community Development Department. The Property Owner/Applicant shall be required to record the Acknowledgment of these conditions of approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department prior to issuance of any permits.
9. Applicant shall comply with applicable City, County, and/or State regulations.
10. The Applicant shall ensure that all exterior storage items are placed under the footprint of the new canopy.

Building Department

11. The Applicant shall obtain proper City permits and inspections for all aspects of the completed structure, even if that requires some dismantling to parts of the structure.

Orange County Fire Authority

12. The OCFA has reviewed the proposed project and there do not appear to be any issues associated with this proposal that would require further submittals to the OCFA should the City approve the CUP. This application is a request for outdoor storage at one of Trend Offset's buildings. 20 feet of emergency access shall remain around the storage and access to the building shall be maintained. All exits from the building shall be maintained and accessible and shall not be impacted or obstructed by the storage area.

SECTION 4. The Secretary of the Planning Commission shall forward a copy of this Resolution to the Applicant and any person requesting the same, and Staff shall file a Notice of Exemption with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 23rd day of March, 2016.

Chair Cuijty

ATTEST:

Steven Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

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

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 23rd day of March, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven Mendoza, Secretary

Tom Oliver

From: Steven Mendoza
Sent: Monday, March 14, 2016 12:43 PM
To: Tom Oliver
Subject: FW: CUP 16-02

-----Original Message-----

From: candycnsoccr@aol.com [<mailto:candycnsoccr@aol.com>]
Sent: Friday, February 12, 2016 9:08 AM
To: Steven Mendoza
Cc: Troy@troyedgar.com; dean@eventmedical.net; Dean Grose Contact; RDMurphy24@gmail.com; wendy@eventmedical.net; diknbev@yahoo.com
Subject: CUP 16-02

Sent from my iPad

Hey Steve,

Thanks for your quick response to my phone call. I'm so glad that I spoke to you regarding the CUP 16-02 and the outdoor storage area on 10631 Humbolt. As you know, I've always had concerns about the industrial noise from Trend Printing and how it affects mine and surrounding neighborhoods. Now, Trend is looking to store massive rolls of paper on an outside facility on Humbolt. The noise pollution from the beeping of trucks and equipment at night is already a nuisance, and let's not forget the constant humming of the presses. And now Trend wants to create more noise with large trucks on Cerritos and Humbolt making deliveries at all hours of the night and the constant moving of large bales of paper from the storage lot to the appropriate facility for printing. I appreciate the business and jobs Trend brings to Los Alamitos, but our town is too small for such an ever growing business.

The home owners in this neighborhood of Los Alamitos need more information on the amount of truck traffic and the environmental impact they will have on our air quality, noise pollution and safety of our school children. Please put more information in the next public notice regarding this conditional use permit.

Thanks,
Candy DeWitt (Drucker)
562 431-0271 home
310 600-8735 cell

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

March 23, 2016
Item No: 7D

To: Chair Cuiilty and Members of the Planning Commission

From: Steven A. Mendoza, Development Services Director

Subject: Zoning Ordinance Amendment (ZOA) 16-05
Review of Uses in the Planned Light Industrial Zone (Citywide) (City initiated)

Summary: The City Council has directed the Planning Commission to review the land use table for the Industrial Zone (other zones to follow) and consider a Zoning Ordinance Amendment to implement those uses supported by the Commission within the Planned Light Industrial (P-M) Zone and its overlay zones (Citywide) (City initiated).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Direct Staff to complete the draft ordinance incorporating amendments that are agreed upon by the Commissioners during tonight's discussion; and,
3. Determine that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) under the general rule that CEQA does not apply to activities which can be seen with certainty to have no effect on the environment; and,
4. Adoption of Resolution No. 16-07, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING ORDINANCE AMENDMENT (ZOA) 16-05 MAKING CHANGES TO THE TABLE OF ALLOWED USES IN SECTION 17.10.020, TABLE 2-04, AND DEFINITIONS IN CHAPTER 17.76, OF THE LOS ALAMITOS MUNICIPAL CODE (CITY INITIATED)."

Applicant: City Council Initiated

Location: Planned Light Industrial (P-M) Zoning District

Approval Criteria: Section 17.70.020 of the Los Alamitos Municipal Code (LAMC) requires that any proposed amendment be recommended by the Planning Commission through a resolution to the City Council.

Noticing: Notice was published in the News Enterprise as a 1/8 page notice on Wednesday, March 9, 2016, and notices mailed out to all property owners and tenants within -- and 500 feet outside of -- the Planned Light Industrial Zone on that same date. The Notice included all properties in the proposed Limited Industrial Zone that the Planning Commission recommended for adoption at the last meeting.

Environmental Determine that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) under the general rule that CEQA does not apply to activities which can be seen with certainty to have no effect on the environment.

Background

On March 1, 2016, the Los Alamitos City Council adopted Resolution No. 2016-04 entitled:

A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, TO DIRECT THE PLANNING COMMISSION TO CONSIDER CODE AMENDMENTS REGARDING ALL USES IN ALL ZONES AND BRING BACK SUGGESTED CODE CHANGES TO THE CITY COUNCIL

This consideration of Land Uses in all zones will proceed one zone at a time, beginning tonight with the Planned Light Industrial (P-M) Zone (and its overlay zones and proposed Limited Industrial zone) uses. Staff has mailed notices to all owners of and occupants of the Planned Light Industrial properties, and those within 500 feet of the zone, to ensure that the Commission has freedom to discuss the P-M zone section of the Land Use table.

Discussion

The assignment given to the Planning Commission is to select the land uses best suited for each specified zone – in this case the Planned Light Industrial Zone and its overlay zones -- as defined in the Los Alamitos Municipal Code chapter 17.76, and the proposed Limited Industrial zone. There is also the opportunity to bring more specificity

to the Use Table by defining new uses or determining that more solidified definitions may be appropriate for the names of uses.

Possible Zoning Code Changes

To accomplish any changes to the Zoning Code regarding this subject, Staff has identified some ways that the Los Alamitos Municipal Code (LAMC) could be amended to make these changes:

- Delete or add uses to the Land Use table (LAMC 17.10.020, Table 2-04) as shown in section 1 of attachment 2; as the Planning Commission already made some recommended changes last month with its action on the Limited Industrial zone, that draft Table is what is attached.
- Amend definitions of certain uses within Code Section 17.76.020 to provide wider descriptions that would encompass more uses.

Recommendation

Staff recommends that the Planning Commission conduct a Public Hearing to discuss this subject, and then direct Staff to make agreed upon changes to the table and definitions, after which, the Planning Commission recommends approval of this ordinance to the City Council.

As a reminder, there are two overlay zones in the Planned Light Industrial (P-M) zoning district. The uses allowed in the **medical (-MOZ) overlay zoning district** shall be those uses listed under the designation of "Medical Services" in Table 2-04 in the same manner that such uses are permitted or conditionally permitted in the Commercial Office (C-O) zoning district, as well as all uses permitted or conditionally permitted in the underlying zoning district. The uses allowed in the **Retail (-ROZ) Vverlay 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. And the Planning Commission has recommended approval of the Limited Industrial zone which amended the uses allowed in the P-M zone and set forth the uses allowed in the L-I zone as shown on the attached table.

Attachments:

- 1) Resolution 16-07
- 2) Ordinance No. TBD, including Use Table
- 3) Section 17.76.020 Definitions of Specialized Terms and Phrases

RESOLUTION NO. 16-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONING ORDINANCE AMENDMENT (ZOA) 16-05 THEREBY MAKING CHANGES TO THE TABLE OF ALLOWED USES IN SECTION 17.10.020, TABLE 2-04, AND DEFINITIONS IN CHAPTER 17.76, OF THE LOS ALAMITOS MUNICIPAL CODE (CITY INITIATED)

WHEREAS, the City Council is interested in reevaluating Chapter 17 of the Los Alamitos Municipal Code as it relates to uses in all zones; and,

WHEREAS, Los Alamitos Municipal Code Section 17.70.020 requires that the City Council begin this process through adopting a Resolution of Intention; and,

WHEREAS, the City Council considered this item on March 1, 2016 and resolved to initiate consideration of a City-initiated Zoning Ordinance Amendment incorporating code changes concerning All Uses in All Zones and will direct the Planning Commission to begin wording of the amendments; and,

WHEREAS, the Planning Commission opened a duly noticed Public Hearing concerning this Amendment on March 23, 2016; and,

WHEREAS, the Planning Commission considered all applicable Staff reports and all public testimony and evidence presented at the Public Hearing.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission hereby recommends that the City Council adopt Ordinance No. TBD (ZOA 16-05), attached hereto.

SECTION 2. In making this recommendation the Planning Commission makes the following findings:

1. The proposed amendment ensures and maintains internal consistency with the actions, goals, objectives, and policies of the general plan, and would not create any inconsistencies with this zoning code, in the case of a zoning code amendment; General Plan Goal 3 asks that the City strive for Commercial, office, and industrial opportunities that maintain compatibility with surrounding neighborhoods, businesses, and public facilities, and these changes may serve to improve that compatibility; and,
2. The proposed amendment would not be detrimental to the public convenience, health, interest, safety, or welfare of the City. The exercise

of creating these amendments to the code is intended to improve the convenience, health, interest, safety, and welfare of the City; and,

3. It has been determined that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) under the general rule that CEQA does not apply to activities which can be seen with certainty to have no effect on the environment.
- 4.

PASSED, APPROVED, AND ADOPTED this 23rd day of March, 2016.

Chair Mary Anne Cuiilty

ATTEST:

Steven Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

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

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 23rd day of March, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven Mendoza, Secretary

DRAFT ORDINANCE NO. TBD

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 16-05 THEREBY MAKING CHANGES TO THE TABLE OF ALLOWED USES IN SECTION 17.10.020, TABLE 2-04, AND DEFINITIONS IN CHAPTER 17.76, OF THE LOS ALAMITOS MUNICIPAL CODE (CITY INITIATED)

WHEREAS, the City Council is interested in reevaluating Chapter 17 of the Los Alamitos Municipal Code as it relates to uses in all zones; and,

WHEREAS, Los Alamitos Municipal Code Section 17.70.020 requires that the City Council begin this process through adopting a Resolution of Intention; and,

WHEREAS, the City Council considered this item on March 1, 2016 and resolved to initiate consideration of a City-initiated Zoning Ordinance Amendment incorporating code changes concerning All Uses in All Zones and will direct the Planning Commission to begin wording of the amendments; and,

WHEREAS, the Planning Commission considered all applicable Staff reports, all public testimony, and evidence presented at a duly noticed Public Hearing concerning this Amendment on March 23, 2016; and,

WHEREAS, at that meeting the Planning Commission approved a recommendation of this ordinance to the City Council; and,

WHEREAS, after consideration of all applicable Staff reports and all public testimony and evidence presented at the Public Hearings, the City Council does hereby make the following findings for a Zoning Ordinance Amendment to modify Los Alamitos Municipal Code Section 17.10.020, Table 2-04 as required by Los Alamitos Municipal Code Section 17.70.050:

1. The proposed amendment ensures and maintains internal consistency with the actions, goals, objectives, and policies of the general plan, and would not create any inconsistencies with this zoning code, in the case of a zoning code amendment; General Plan Goal 3 asks that the City strive for Commercial, office, and industrial opportunities that maintain compatibility with surrounding neighborhoods, businesses, and public facilities, and these changes may serve to improve that compatibility; and,
2. The proposed amendment would not be detrimental to the public convenience, health, interest, safety, or welfare of the City. The exercise of creating these amendments to the code is intended to improve the convenience, health, interest, safety, and welfare of the City; and,

3. It has been determined that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) under the general rule that CEQA does not apply to activities which can be seen with certainty to have no effect on the environment.

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

SECTION 1. Los Alamitos Municipal Code Section 17.10.020, Table 2-04, is hereby amended as shown below:

**Table 2-04
Allowed Uses and Permit Requirements for
Commercial / Industrial Zoning Districts (see Parking Requirements, Chapter 17.26)**

LAND USE	PERMIT REQUIRED BY ZONING DISTRICT				Specific Use Regulations
	C-O	C-G	P-M	L-I	
Legend: P Permitted use CUP Conditional use permit required — Use not allowed TUP Temporary use permit					
AGRICULTURE AND OPEN SPACE					
Agriculture, exclusive of livestock	—	—	CUP	CUP	
BUSINESS AND PROFESSIONAL USES					
Banks/financial institutions (without drive-through facilities)	P	P	—	—	
Offices, administrative or professional	P	P ⁽⁶⁾	C ^{(20) (21)}	C ^{(20) (21)}	
Offices, incidental to an allowed primary use	P	P	P	P	
Public utility commercial office	P	P/CUP ⁽⁵⁾	P	P	
EATING AND DRINKING					
Bars/nightclubs	CUP	CUP	CUP	CUP	
Employee's cafeteria/coffee shop	—	—	P	P	
Restaurants, with drive-through facilities	CUP	CUP	CUP	CUP	
Restaurants, full service	P	P	CUP ⁽¹³⁾	CUP ⁽¹³⁾	
Restaurants, take-out	P	P	CUP	CUP	
Restaurants, with outside seating areas	CUP	CUP	—	—	
EDUCATION, PUBLIC ASSEMBLY, ECREATION AND FITNESS					
Adult entertainment businesses	—	—	P	P	17.48

**Table 2-04
Allowed Uses and Permit Requirements for
Commercial / Industrial Zoning Districts (see Parking Requirements, Chapter 17.26)**

LAND USE	PERMIT REQUIRED BY ZONING DISTRICT				Specific Use Regulations
	C-O	C-G	P-M	L-I	
	P Permitted use CUP Conditional use permit required — Use not allowed TUP Temporary use permit				
Arcades	CUP	CUP	----	----	17.38.060
Auditoriums, meeting halls, and theaters	CUP	—	----	----	
Bingo	P	P	P	P	5.16
Commercial recreation establishments, Indoors	CUP	CUP	—	CUP	
Commercial recreation establishments, Outdoors	—	—	—	CUP	
Health/fitness facilities	—	CUP	----	CUP	
Industrial training center	—	—	P	P	
Libraries and reading rooms	P	—	----	----	
Live entertainment, incidental to an allowed use	CUP ⁽³⁾	CUP ⁽³⁾	----	----	
Museums	—	P	----	----	
Religious facilities	CUP	—	----	----	
Schools, commercial - small	P ⁽¹⁾	P ⁽¹⁾	----	CUP ⁽²³⁾	
Schools, commercial - large	CUP ⁽²⁾	CUP ⁽²⁾	----	CUP ⁽²³⁾	
INDUSTRY, MANUFACTURING, AND PROCESSING USES					
Aircraft and related aircraft accessories manufacturing	—	—	P	P	
Carpet cleaning and dyeing plants	—	—	P	P	
Ceramics manufacturing	—	—	P	P	
Clothing manufacturing	—	—	P	P	
Contractor's storage yards—new materials only	—	—	CUP ⁽¹⁴⁾	CUP ⁽¹⁴⁾	
Construction equipment rental/sales, with incidental repair and service	—	—	CUP	CUP	
Cutlery and handtool manufacturing	—	—	P	P	
Food products manufacturing	—	—	P ⁽⁷⁾	P ⁽⁷⁾	
Frozen food locker	—	—	P	P	
Furniture and fixtures manufacturing, cabinet shops, and woodworking shops (wholesale only)	—	—	P	P	
Hazardous waste facility, off-site	—	—	CUP	CUP	17.36

**Table 2-04
Allowed Uses and Permit Requirements for
Commercial / Industrial Zoning Districts (see Parking Requirements, Chapter 17.26)**

LAND USE	PERMIT REQUIRED BY ZONING DISTRICT				Specific Use Regulations
	C-O	C-G	P-M	L-I	
Ice and cold storage plant	—	—	P	P	
Laboratories					
Biological and x-ray	P	P ⁽⁵⁾	P	P	
Medical and dental	P	P ⁽⁵⁾	P	P	
Film processing	—	—	P	P	
Laundries and dry cleaning plants	—	P	P	P	
Machine shop	—	—	P	P	
Metal plating	—	—	P	P	
Metal working, light fabrication	—	—	P	P	
Motor vehicle/transportation equipment manufacturing and assembly	—	—	P	P	
Paint mixing	—	—	P ⁽⁹⁾	P ⁽⁹⁾	
Paper product fabrication	—	—	P	P	
Plastic products fabrication	—	—	P	P	
Pottery manufacturing	—	—	CUP	CUP	
Printing and publishing	—	—	P	P	
Recycling facilities	P	P	P	P	17.38.140
Rubber products	—	—	P ⁽¹¹⁾	P ⁽¹¹⁾	
Sign manufacturing	—	—	P	P	
Textile manufacturing	—	—	P	P	
Underground bulk storage of petroleum or gas	—	—	CUP	CUP	
Upholstery shops	—	—	P	P	
Welding services	—	—	P	P	
Warehousing	—	—	P	P	
Wholesaling & distribution	—	—	P	P	

RESIDENTIAL USES

Caretaker or employee housing	—	—	P ⁽¹⁹⁾	P ⁽¹⁹⁾	
Emergency shelters—up to 20 beds	CUP	—	P	P	17.38.170
Emergency shelters—more than 20 beds	CUP	—	CUP	CUP	17.38.170
Mixed-use projects, residential and commercial	—	CUP	—	—	
Residential care facilities	CUP	—	—	—	
Senior residential housing projects	CUP	CUP	—	—	17.38.160

**Table 2-04
Allowed Uses and Permit Requirements for
Commercial / Industrial Zoning Districts (see Parking Requirements, Chapter 17.26)**

LAND USE	PERMIT REQUIRED BY ZONING DISTRICT				Specific Use Regulations
	C-O	C-G	P-M	L-I	
Single room occupancy unit	—	—	CUP	CUP	17.38.180
Supportive housing	CUP	—	—	—	
Transitional housing	CUP	—	—	—	
RETAIL TRADE ⁽⁴⁾					
Alcoholic beverage sales, on- or off-site consumption, in conjunction with an allowed use	CUP	CUP	—	—	
Alcoholic beverage sales, off-site consumption	—	—	CUP	CUP	17.38.050
Antiques, art, collectibles, and gifts	P	P	—	—	
Art and art supplies stores	—	P	P	P	
Bakeries, retail	—	P	P	P	
Bakeries, retail and wholesale	—	—	P	P	
Book, stationery, newspaper, and magazine stores ⁽²⁾	P	P	—	—	
Building material yard (new materials)	—	—	CUP ⁽¹²⁾	CUP ⁽¹²⁾	
Confectionery shops	P	P	—	—	
Convenience store/mini-mart	CUP	CUP	CUP	CUP	
Drive-in and drive-thru sales	CUP	CUP	—	—	
Electrical supply stores	—	—	P	P	
Farmer's market	CUP	CUP	CUP	CUP	
Florists	P	P	P	P	
Gas/fueling stations	CUP	CUP	CUP ⁽¹³⁾	CUP ⁽¹³⁾	
Gift shops, specialty shops	P	P	P for specified locations; otherwise prohibited ⁽²²⁾	P for specified locations; otherwise prohibited ⁽²²⁾	

**Table 2-04
Allowed Uses and Permit Requirements for
Commercial / Industrial Zoning Districts (see Parking Requirements, Chapter 17.26)**

LAND USE	PERMIT REQUIRED BY ZONING DISTRICT				Specific Use Regulations
	C-O	C-G	P-M	L-I	
Grocery stores/food markets	P	P	P for specified locations; otherwise prohibited ⁽²²⁾	P for specified locations; otherwise prohibited ⁽²²⁾	
Hardware stores	—	P	P for specified locations; otherwise prohibited ⁽²²⁾	P for specified locations; otherwise prohibited ⁽²²⁾	
Jewelry stores	—	P	P for specified locations; otherwise prohibited ⁽²²⁾	P for specified locations; otherwise prohibited ⁽²²⁾	
Lumber yards, planing mills excluded	—	—	P	P	
Medical equipment and supplies	P	P ⁽⁵⁾	—	—	
Motor vehicle parts stores, incidental installation and repair	—	CUP	P	P	
Motor vehicle parts stores, no installation or repair on-site	—	P	P	P	
Motor vehicle sales, leasing, and rental with or without incidental servicing	CUP	CUP	P	P	
Office supply stores	P	P	—	—	
Outdoor retail sales and activities	—	CUP	—	—	17.38.110
Outdoor retail sales, temporary	—	CUP/SEP	—	—	17.54.050(E)
Pawn shops	CUP	CUP	—	—	
Pet stores	—	P	CUP ⁽¹⁵⁾	CUP ⁽¹⁵⁾	
Pharmacies, drug stores ⁽¹³⁾	P	P	P	P	
Plant nurseries	—	P	—	—	
Retail sales, general	CUP	P	P for specified locations;	P for specified locations;	

**Table 2-04
Allowed Uses and Permit Requirements for
Commercial / Industrial Zoning Districts (see Parking Requirements, Chapter 17.26)**

	P	Permitted use			
	CUP	Conditional use permit required			
	—	Use not allowed			
	TUP	Temporary use permit			
LAND USE	PERMIT REQUIRED BY ZONING DISTRICT				Specific Use
	C-O	C-G	P-M	L-I	Regulations
			otherwise prohibited ⁽²²⁾	otherwise prohibited ⁽²²⁾	
Secondhand/consignment shops	CUP	CUP	—	—	
Warehouse retail store (big box retail)	P	P	CUP	CUP	

SERVICES⁽⁴⁾

Animal services					
Animal hospital	—	—	CUP ⁽¹⁵⁾	CUP ⁽¹⁵⁾	
Animal hospital – small animal	CUP	—	CUP ⁽¹⁵⁾	CUP ⁽¹⁵⁾	
Grooming services	—	—	CUP ⁽¹⁵⁾	CUP ⁽¹⁵⁾	
Kennels	—	—	CUP ⁽¹⁵⁾	CUP ⁽¹⁵⁾	
Veterinary clinic	—	—	CUP ⁽¹⁵⁾	CUP ⁽¹⁵⁾	
Business support services	P	P	P	P	
Call centers	P	—	P	P	
Catering services	—	—	P	P	
Check cashing services	P	—	—	—	
Child day care centers	CUP	CUP	CUP ⁽¹⁸⁾	CUP ⁽¹⁸⁾	17.38.090
Copying, printing, and mailing services	P	P	P	P	
Drive-thru establishments	CUP	CUP	—	—	
Dry cleaning establishments – no on-site processing	P	P ⁽⁵⁾	—	—	
Fortunetelling/palm reading/psychic reading	P	P	—	—	
Hotels/motels	CUP	CUP	CUP	CUP	
Internet cafés	CUP	CUP	—	—	
Laundry (commercial)	—	—	P	P	
Locksmith	P	P	P	P	
Massage establishment	P	P	—	—	LAMC 5.32
Medical services (state-licensed)					
Ambulance services	CUP	—	CUP	CUP	
Clinics and offices	P	P ⁽⁵⁾	P ⁽⁸⁾	P ⁽⁸⁾	
Extended care facilities	CUP	—	—	—	
Health facilities, therapy and rehabilitation	P	P ⁽⁵⁾	—	—	
Hospitals, including convalescent	CUP	—	P ⁽⁸⁾	P ⁽⁸⁾	

Table 2-04
Allowed Uses and Permit Requirements for
Commercial / Industrial Zoning Districts (see Parking Requirements, Chapter 17.26)

LAND USE	PERMIT REQUIRED BY ZONING DISTRICT				Specific Use Regulations
	C-O	C-G	P-M	L-I	
Mortuaries	CUP	—	—	—	
Motor vehicle services					
Car washes	—	CUP	—	—	
Impound yards – no dismantling or wrecking	—	—	CUP ⁽¹⁷⁾	CUP ⁽¹⁷⁾	
Repair	—	—	CUP	CUP	17.38.070
Repair incidental to motor vehicle sales, leasing, and rental	CUP	CUP	CUP	CUP	17.38.070
Service station	CUP	CUP	CUP ⁽¹³⁾	CUP ⁽¹³⁾	17.38.070
Moving companies, storage allowed	—	—	CUP	CUP	
Personal services	P	P	P ⁽⁸⁾	P ⁽⁸⁾	
Photofinishing shops	—	P	—	—	
Photography studios	P	P	—	—	
Plumbing services	—	—	P ⁽¹⁰⁾	P ⁽¹⁰⁾	
Property maintenance service	—	—	P	P	
Repair services, excluding motor vehicles	—	—	P	P	
Social service facilities	CUP	—	—	—	
Storage					
Outdoor	—	—	CUP	CUP	17.38.120
Personal storage facility	—	—	CUP ⁽¹⁶⁾	CUP ⁽¹⁶⁾	
Travel agencies	P	P	—	—	
Video and disc rental services	P	P	—	—	
TRANSPORTATION AND COMMUNICATION USES					
Antennas	P	P	P	P	17.18
Parking lots	CUP	P	P	P	
Parking structures	CUP	CUP	CUP	CUP	
Studios—motion picture, radio, or television	—	—	P	P	
Vehicle and freight terminal	—	—	CUP	CUP	
Wireless communications facilities					
Major	CUP	CUP	CUP	CUP	17.30
Minor	P	P	P	P	17.30
OTHER USES					

**Table 2-04
Allowed Uses and Permit Requirements for
Commercial / Industrial Zoning Districts (see Parking Requirements, Chapter 17.26)**

LAND USE	PERMIT REQUIRED BY ZONING DISTRICT				Specific Use Regulations
	C-O	C-G	P-M	L-I	
Other uses that the commission determines by resolution to be similar in character	CUP	CUP	CUP	CUP	17.10.020(H)
Temporary uses/activities	TUP	TUP	TUP	TUP	17.54
Utility facilities, public	—	CUP	P	P	17.16.160

- (1) Twenty (20) students or fewer per class, and two thousand five hundred (2,500) square feet or less in net structure area.
- (2) Twenty (20) students or more per class, or greater than two thousand five hundred (2,500) in net building area.
- (3) Excluding those uses that are regulated under Section 17.48 (Adult Zoning Regulations).
- (4) CUP required for retail sales or service establishments that operate between the hours of ten p.m. to six a.m., in the C-O and C-G zoning districts.
- (5) On properties with non-arterial street frontage, CUP on properties with arterial street frontage.
- (6) In multi-story structures, offices may occupy up to one hundred (100) percent of the gross floor area in the second and higher stories, and up to fifteen (15) percent of the ground floor upon verification of the square footage by the director. In single-story structures located in shopping centers, up to fifteen (15) percent of the gross floor area of the center is allowed for office uses upon verification of the square footage by the director.
- (7) Excluding fish and meat products, sauerkraut, vinegar, yeast and the rendering or refining of fats and oils.
- (8) Incidental to an allowed industrial use.
- (9) No boiling process employed, no aboveground tank farm or surface storage is allowed except above surface thinner storage – which cannot exceed two hundred (200) gallons.
- (10) All storage of supplies and equipment shall be within a structure or enclosed area.
- (11) Provided that no rubber is melted, that an internal mixer is used and that the residue is collected in compliance with applicable law.
- (12) Located at least three hundred (300) feet away from Single-Family Residential (R-1), Limited Multiple-Family Residential (R-2), Multiple-Family Residential (R-3), and Community Facilities (C-F) Zoning Districts.
- (13) Commission shall make additional finding that this use is primarily dependent upon activities generated by the industrial uses allowed in the Planned Light Industrial (P-M) or Limited Industrial (L-I) zoning districts.
- (14) Located at least three hundred (300) feet from any residential or community facilities zoning districts.
- (15) All operations are conducted completely within a masonry structure.
- (16) Provided that outdoor storage uses are entirely and effectively sight-screened from adjacent public rights-of-way or private property by masonry walls (limited to a maximum height of eight feet), building walls, or view-obscuring landscaping.

- (17) Storage and activities shall be conducted within an enclosed structure or an area enclosed by solid, decorative masonry walls with solid gates not less than six feet in height. Walls and gates shall be maintained in a sound and aesthetically pleasing fashion. Vehicles shall be screened from public view and shall not be stacked higher than the block wall. Vehicles may not be stored outside the enclosed yard area. Storage areas shall be paved and landscaped in compliance with applicable standards.
- (18) Provided for employees of the primary use. CC&Rs may be required limiting adjacent uses in the same complex to those that are compatible with a (child) day care center.
- (19) Dwelling, single where used exclusively by a caretaker or superintendent of an allowed Planned Light Industrial (P-M) or Limited Industrial (L-I) use and their family.
- (20) Nonmedical office shall not exceed thirty (30) percent of each Planned Light Industrial (P-M) or Limited Industrial (L-I) zoned parcel.
- (21) Excludes medical office.
- (22) "Specified locations" are those storefronts facing Katella Avenue, Los Alamitos Boulevard, and Cerritos Avenue only. Retail requires a CUP to locate any other unit of the Planned Light Industrial (P-M) or Limited Industrial (L-I) zone.
- (23) Does not include academic schools.

SECTION 2. Los Alamitos Municipal Code Chapter 17.76 Definitions is hereby amended as shown below:

[Definition changes will be determined at tonight's meeting]

SECTION 3. 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 4. This Ordinance shall take effect thirty days after approval as provided in Government Code Section 36937.

SECTION 5. Staff is hereby directed to file a Categorical Exemption from CEQA with the County Clerk's office.

PASSED, APPROVED AND ADOPTED THIS ___th DAY OF _____, 2016.

Richard D. Murphy, Mayor

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. 2016-TBD was duly introduced and placed upon its first reading at a regular meeting of the City Council on the ___th day of _____, 2016, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the ___ day of _____, 2016, by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Windmera Quintanar, City Clerk, CMC

17.76.020 Definitions of specialized terms and phrases.

The following definitions are in alphabetical order.

“Abutting” means two or more parcels of land sharing a common boundary line, or two or more objects in contact with each other.

“Access” means the place, means, or way by which pedestrians and vehicles shall have safe, adequate, and usable ingress and egress to a property and/or use.

Accessory Structure. See “Structure, accessory.”

Accessory Living Quarters. See “Second residential unit.”

Accessory Use. See “Use, accessory.”

“Addition” means the result of work that increases the volume of an existing structure or replaces a demolished portion.

“Adjacent” means two or more parcels of land separated only by an alley, street, highway or recorded easement, or two or more objects that lie near or close to each other.

Administrative Office. See “Office, administrative.”

“Adult entertainment business” means as defined in the Los Alamitos Municipal Code.

“Agent” means a person authorized in writing by the property owner to represent and act for a property owner in contacts with city employees, committees, commissions, and the council, regarding matters regulated by this zoning code.

“Agriculture” means the use of land to produce agricultural products, including private greenhouses, horticultural collections, flower and vegetable gardens, and fruit trees. This use may also include the sale of the agricultural products grown on the same premises.

“Agricultural experimental facility” means an establishment engaged in the development of agricultural products and improvements in farm operations, including investigations into soil preparation, planting, harvesting, and management methods. May provide physical, chemical, or other analytical testing services.

“Aircraft and related aircraft accessories manufacturing” means establishments engaged in one or more of the following: (1) manufacturing or assembling complete aircraft; (2) developing and making aircraft prototypes; (3) aircraft conversion (i.e., major

modifications to systems); and (4) complete aircraft overhaul and rebuilding (i.e., periodic restoration of aircraft to original design specifications).

“Alcoholic beverage sales” means the retail sale of beer, wine, and/or other alcoholic beverages for on- or off-premises consumption.

“Alley” means a roadway, generally not more than twenty (20) feet wide, that provides vehicular access to the rear or side of parcels having other public street frontage and that is not intended for general traffic circulation.

“Allowed use” means land uses that are listed as allowed or conditionally allowed in Division 2 (Zoning Districts, Allowable Uses, and Development Regulations), subject to compliance with applicable provisions of this zoning code.

“Alteration” means an exterior change or modification, through public or private action, to the character-defining or significant physical features of a local landmark. Changes may include modification of the structure, architectural details or visual characteristics, surface paving, addition of new structures, cutting or removal of trees and other natural features, disturbance of archeological sites or areas, or the placement or removal of significant objects such as signs, plaques, light fixtures, walls, fences, steps, plantings, and landscape accessories affecting the visual or historical qualities of the property. Alteration shall not mean routine maintenance that does not require a building permit; landscaping, including sprinkler system work; flat concrete work; and replacement of existing screens, awnings, or windows with the same materials, where the purpose or effect of maintenance work is:

1. To correct deterioration of or minor damage to a structure or part of it and to restore it to its condition prior to the occurrence of the deterioration or damage.
2. Does not result to any addition to the structure.

“Ambient noise level” means the all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excluding the alleged offensive noise, at the location and approximate time at which a comparison with the alleged offensive noise is to be made.

Ambulance Service. See “Medical services—ambulance services.”

Amusement and Recreation Establishments, Indoor. “Indoor amusement and recreation establishments” means:

1. Bowling alleys;
2. Billiard parlors/poolhalls;
3. Dance halls;

4. Ice rinks;
5. Laser tag;
6. Nightclubs;
7. Skating and roller hockey rinks;
8. Theaters.

Amusement and Recreation Establishments, Outdoor. See also, "Outdoor commercial recreation facilities" and "Parks and playgrounds." "Outdoor amusement and recreation establishments" means:

1. Bike trails;
2. Country clubs;
3. Equestrian trails;
4. Golf courses;
5. Parks, public;
6. Pedestrian trails;
7. Playgrounds.

Animal Hospital. See "Animal services."

Animal Services.

1. "Animal hospital" means an establishment where domestic animals or household pets are given medical or surgical treatment and are cared for during the time of treatment. The use of the premises as a kennel or a place where animals or pets are boarded for remuneration may be allowed only when incidental to the primary use.

2. "Grooming services" means an establishment for the washing, brushing, trimming, and other associated activities for cleaning up the appearance of domestic animals or household pets.

3. "Kennel" means premises where four or more dogs or cats, at least four months of age, are kept, boarded, or trained, whether in special structures, runways, or other quarters.

4. Kennels, Breeding. "Breeding kennels" means premises where four or more dogs, cats, or other animals or fowl are maintained for breeding purposes.

5. "Shelter" means a facility used to house or contain stray, homeless, abandoned, or unwanted animals and owned, operated, or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals.

6. "Veterinary clinic" means premises used for treatment of animals, but not including boarding or hospitalization.

"Antenna" means a device used in communications which transmits or receives radio signals, including the following:

1. Antenna, Amateur Radio. "Amateur radio antenna" means an antenna used to receive or transmit radio signals on the amateur radio bandwidth, as designated by the Federal Communications Commission.

2. Antenna, Dish. "Dish antenna" means a dish-like antenna used to link communication sites together by wireless transmissions of voice or data. Also called microwave dish antenna.

3. Antenna, Panel. "Panel antenna" means an antenna or array of antennas that are flat and rectangular and are designed to concentrate a radio signal in a particular area. Also referred to as a directional antenna.

4. Antenna, Satellite. "Satellite antenna" means an antenna for the home, business, or institutional reception of television, data, and other telecommunications broadcasts from orbiting satellites.

5. Antenna, Whip. "Whip antenna" means an antenna that transmits signals in three hundred sixty (360) degrees. These are typically cylindrical in shape and are less than six inches in diameter. Also called omnidirectional, stick or pipe antennas.

"Antiques, art, collectibles, and gifts" means retail sales uses including art galleries, antique shops, curio, gift, and souvenir shops, and the sales of collectible items including sports cards and comic books. Does not include secondhand stores ("Secondhand/consignment store"). See also "Retail sales, general."

"Apartment" means a self-contained housing unit made up of a room or a suite of two or more rooms that occupies only part of a structure, occupied or suitable for occupancy as a residence for one individual or a family. See "Dwelling, multiple-family."

"Approval" means and includes both approval and approval with conditions.

“Arcade” means places that have four or more amusement devices, games or activities requiring skill or chance on the premises (e.g., pinball, video games, computer games or virtual reality devices, etc.). These games may be operated by a form of payment or rented for periods of time. See also “Amusement and recreation centers, indoor.”

“Armed Forces Reserve Center” means and includes the National Guard training facility, limited military airfield operations, disaster support area, and related maintenance and support facilities.

“Art and art supply store” means an establishment engaged in selling supplies for producing art, including paint, clay, paper, fabric, materials for framing or displaying artwork, and other related merchandise.

“Assisted living facility” means a type of residential care facility that provides a combination of housing, meals, supportive services, personalized assistance, and health care that responds to the individual requirements of those who need assistance with the activities of daily living, but who do not need twenty-four (24) hour skilled medical care. Other services such as transportation may also be provided.

“Association” means the organization of persons who own parcels, areas, airspace, or rights of exclusive occupancy in units of condominiums or other developments or tracts and who may have interests in the control of common areas of a project.

“Attached structure” means a structure having at least five lineal feet of wall serving as a common wall with the structure to which it is attached, or connected to by a continuous roof of at least eight feet wide.

“Auditoriums, meeting halls, and theaters” means indoor facilities for public assembly and group entertainment, other than sporting events, including:

1. Civic theaters, meeting halls and facilities for “live” theater and events;
2. Exhibition and convention halls;
3. Meeting halls and banquet facilities for rent;
4. Motion picture theaters;
5. Public and semi-public auditoriums;
6. Similar public assembly uses.

“Automated teller machine (ATM)” means computerized, self-service machine used by banking customers for financial transactions (e.g., deposits, withdrawals and

fund transfers, etc.) without need of financial institution personnel. The machine may be located at or within banks, or in other locations.

“Automobile accessories and installation facility” means an establishment in the commercial business of installing “after-market” parts and accessories into motor vehicles (e.g., lift kits, upholstery work, alarms, stereo equipment, or cellular telephones).

Automobile Dismantling. See “Recycling facilities—Scrap and dismantling yards.”

Automobile Repair. See “Motor vehicle services.”

“Auto parts store” means a retail establishment that sells new automobile parts, tires, and accessories. May also install minor parts. Does not include major repair/bodywork or minor repair/maintenance. See “Motor vehicle services.”

“Awning” means a canopy made of fabric to shelter people or things from rain or sun or as decoration (supported entirely from the exterior wall of a structure).

Bakery, Retail. “Retail bakery” means an establishment engaged in the retail sale of baked products for consumption off-site. The products may be prepared either on or off site. May include incidental food service. See “Retail sales, general.”

Bakery, Wholesale. “Wholesale bakery” means an establishment engaged in wholesaling baked goods and related products.

“Banks and financial services” means financial institutions including:

1. Banks and trust companies;
2. Credit agencies;
3. Holding (but not primarily operating) companies;
4. Lending and thrift institutions;
5. Other investment companies;
6. Securities/commodity contract brokers and dealers;
7. Security and commodity exchanges;
8. Vehicle finance (equity) leasing agencies.

“Bar/nightclub” means an establishment serving and selling alcoholic beverages to the public where the beverages are intended to be consumed on the premises.

“Bingo” means a game of chance in which prizes are awarded on the basis of designated numbers or symbols that are marked or covered by the player on a tangible card in the player’s possession and that conform to numbers or symbols, selected at random and announced by a live caller, as further defined by Penal Code Section 326.5(o), as the same may be amended from time to time.

“Bingo, remote caller” means a game of bingo as defined herein in which the numbers or symbols on randomly drawn plastic balls are announced by a natural person present at the site at which the live game is conducted, and the organization conducting the bingo game uses audio and video technology to link any of its in-state facilities for the purpose of transmitting the remote calling of a live bingo game from a single location to multiple locations owned, leased, or rented by that organization, as further defined by Penal Code Section 326.3(u)(1), as the same may be amended from time to time.

“Boarding house” means a dwelling other than a hotel where lodging and meals for three or more persons are provided for compensation.

Building. See “Structure.”

“Building materials store” means a retail establishment selling lumber and other large building materials, where most display and sales occur indoors. Includes paint, wallpaper, glass, fixtures, nursery stock, and lawn and garden supplies (which may also be sold in hardware stores, included under the definition of “Retail sales, general”). Includes establishments selling to the general public, even if contractor sales account for a major proportion of total sales. Includes incidental retail ready-mix concrete operations, except where excluded by a specific zoning district. Establishments primarily selling electrical, plumbing, heating, and air conditioning equipment and supplies are classified in “Warehousing and distribution.” Hardware stores are listed in the definition of “Retail sales, general” even if they sell some building materials. Also see “Lumber yards, retail and wholesale.”

Business, Retail. See “Retail sales, general.”

“Business support services” means establishments within structures, providing other businesses with services (e.g., maintenance, repair, service, testing, rental, etc.) and includes:

1. Blueprinting;
2. Business equipment repair services (excluding motor vehicles, see “Motor vehicle services”);
3. Commercial art and design (production);
4. Computer-related services (rental, repair);

5. Copying and quick-printing;
6. Equipment rental businesses within buildings (rental yards are under “Equipment rental”);
7. Film processing laboratories;
8. Light equipment repair (on-site);
9. Janitorial services;
10. Mail advertising services (reproduction and shipping);
11. Photocopying;
12. Photofinishing;
13. Protective/security services;
14. Window cleaning.

Business, Wholesale. See “Wholesaling and distribution.”

Cabinet Shop. See “Furniture and fixtures manufacturing, cabinet shops, and woodworking shops.”

“California Environmental Quality Act (CEQA)” means state law (California Public Resources Code Sections 21000 et seq.) requiring public agencies to document and consider the environmental effects of a proposed action, before allowing the action to occur.

“California Public Utilities Commission (CPUC)” means the governmental agency which regulates the terms and conditions of public utilities in the state.

“Call center” means an establishment designed and equipped to handle a large volume of telephone calls (especially for taking orders or serving customers).

“Caretaker or employee housing” means a temporary or permanent residence that is accessory and incidental to a nonresidential primary use of the site, where needed for security or twenty-four (24) hour care or supervision. Does not include living quarters within a single-family

dwelling for domestic employees. See “Dwelling, single-family” and “Secondary residential unit.”

“Carpet cleaning and dyeing plants” means establishments primarily engaged in cleaning and dyeing rugs, carpets, and upholstery.

Carport. See “Garage or carport.”

“Catering service” means an establishment that prepares and delivers food and beverages for off-site consumption. A catering service may contain kitchen facilities and may also provide dining supplies (e.g., beverage dispensers, place settings, tablecloths, etc.).

“Cemetery” means a facility used, or intended to be used, for the burial of the dead and dedicated for that purpose, including columbariums, crematoriums, mausoleums, and mortuaries when operated in conjunction with, and within the boundaries of, the subject premises.

“Ceramics manufacturing” means establishments primarily engaged in shaping, molding, baking, burning, or hardening ceramic tile, porcelain parts, structural clay tile, brick, and other structural clay building materials.

“Check cashing service” means an establishment that cashes checks for a fee and that may also provide services such as electronic bill paying or pay advance.

“Child day care facilities” means facilities that provide care and supervision of minor children for periods of less than twenty-four (24) hours. These facilities include the following, which are required to be licensed by the California State Department of Social Services:

1. Child Day Care Home, Large. “Large child day care home” means a day care facility located in a single-family residence where an occupant of the residence provides care and supervision for nine to fourteen (14) children. Children under the age of ten (10) years who reside in the home count as children served by the day care facility.

2. Child Day Care Home, Small. “Small child day care home” means a day care facility located in a single-family residence where an occupant of the residence provides care and supervision for eight or fewer children. Children under the age of ten (10) years who reside in the home count as children served by the day care facility.

3. “Child day care center” means a commercial or nonprofit child day care facility with a capacity of more than twelve (12) children (unless licensed as a large family day care home allowing up to fourteen (14) children). Day care centers include day nurseries, extended day care facilities, infant centers, nursery schools, and preschools. This type of facility provides non-medical care, on a less than twenty-four (24) hour basis, to persons less than eighteen (18) years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living

or for the protection of the individual. These may be operated in conjunction with a business, school, or religious facility, or as an independent land use.

Church. See “Religious facilities.”

“City” means the city of Los Alamitos, state of California, referred to in this zoning code as the “city.”

“City Council” means the Los Alamitos city council, referred to in this zoning code as the “council.”

Clinic. See “Medical services—Clinics, offices and laboratories.”

“Clothing manufacturing” means manufacturing establishments producing clothing, and fabricating draperies and other related products by cutting and sewing purchased textile fabrics, and related materials including furs, leather, plastics, and rubberized fabrics. Custom tailors and dressmakers not operating as a factory and not located on the site of a clothing store (“Retail sales, general”) are instead included under “Personal services.”

“Clubs, lodges, private meeting halls” means permanent, headquarters-type or meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, including facilities for:

1. Business associations;
2. Civic, social and fraternal organizations;
3. Labor unions and similar organizations;
4. Political organizations;
5. Professional membership organizations;
6. Other membership organizations;
7. Yacht clubs.

“Columbarium” means a structure substantially exposed above ground intended to be used for the interment of the cremated remains of a deceased person. See also “Cemetery.”

“Commission” means the Los Alamitos planning commission, referred to in this zoning code as the “commission.”

“Common area or property” means a portion of land within a development, together with improvements on the land, that is not individually owned or dedicated for public use and that is intended for the common use or enjoyment of all property owners within the development.

“Common use” means the utilization of common areas by the owners of condominium interests within a condominium or the lot owners or residents of a development or a tract.

“Commercial” means an enterprise that is carried on for profit by the owner, lessee, or licensee.

“Commercial property” means a parcel of real property that is developed and used either in part or in whole for commercial purposes (e.g., retail and wholesale businesses, professional offices, etc.).

“Community care facility” means any state licensed facility, place, or building that is maintained and operated to provide non-medical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children. (Reference Health and Safety Code Section 1502.)

“Community/cultural center” means multipurpose meeting and recreational facility typically consisting of one or more meeting or multipurpose rooms, kitchen, and/or outdoor barbecue facilities that are available for use by various groups for activities such as meetings, parties, receptions, dances, etc.

“Completely enclosed structure” means a structure enclosed by a permanent roof and by solid exterior walls pierced only by windows and customary entrances and exit doors.

Consignment Store. See “Secondhand/consignment stores.”

“Conditional use” means a use of land identified by Division 2 (Zoning Districts, Allowable Land Uses and Development Regulations) as being allowed in a particular zoning district subject to a conditional use permit approval in compliance with Chapter 17.42 (Conditional Use Permits).

“Condominium” means a condominium project as defined in Section 1350 of the Civil Code, containing two or more condominiums, as defined in Section 783 of the Civil Code; a community apartment project, as defined in Section 11004 of the Business and Professions Code, containing two or more rights of exclusive occupancy; stock cooperative, as defined in Section 11003.2 of the Business and Professions Code,

containing two or more rights of exclusive occupancy or another project as defined by law. See, “Dwellings, multiple-family.”

Condominium, Industrial. “Industrial condominium” means a structure or structures proposed for construction or conversion, comprising a project in which an undivided interest in the land is coupled with the right to the exclusive occupancy of a designated industrial or manufacturing space and accompanying facilities.

Condominium, Office. “Office condominium” means a structure or structures proposed for construction or conversion, comprising a project in which an undivided interest in the land is coupled with the rights to the exclusive occupancy of a designated interior office space and accompanying facilities.

“Confectionery shop” means a retail business engaged in selling candy and other similar sweets primarily for off-site consumption.

Congregate Care Facility. See “Residential care facilities.”

“Construction equipment rental/sales” means a retail establishment engaged in selling or renting heavy construction equipment, including cranes, earth moving equipment, heavy trucks, etc.

“Contractor’s storage yard” means a base facility for contract construction services (building, electrical, plumbing, etc.), including administrative offices, and the storage of new, used or discarded lumber, building materials, equipment, scrap metals, and other items associated with the building trades, whether or not for purposes of sale.

Convalescent Home. See “Medical services—Extended care.”

“Convenience store” means a retail establishment engaged in selling a variety of items generally oriented toward convenience or travelers’ and motorists’ shopping needs. These stores may be part of a service station or an independent facility.

Corner Cut-Off. See “Sight-safety triangle.”

Corner Lot. See “Lot, corner.”

“Corporation yard” means base facility for city construction and property maintenance services including administrative offices, mechanical equipment, motor vehicles, trucks, and other items associated with the care, repair, and maintenance of city-owned real and personal property. Not open to the public.

“County” means the county of Orange, California.

“Court” means a space, open and unobstructed to the sky, bounded on three or more sides by walls of a structure or structures. An inner court is a court entirely enclosed within the exterior walls of a structure. Other courts are outer courts.

Coverage. See “Site coverage.”

“Crematorium” means an establishment containing properly installed and certified apparatus intended for use in the act of cremation. See also “Cemetery.”

Cul-de-Sac Lot. See “Lot, cul-de-sac.”

“Cumulative period” means an additive period of time composed of individual time segments that may be continuous or interrupted.

“Cutlery and handtool manufacturing” means establishments primarily engaged in one or more of the following: (1) manufacturing metal cutlery, flatware; kitchen utensils, pots and pans; or (2) manufacturing nonpowered hand and edge tools.

“Decibel (dB)” means a unit which denotes the ratio between two quantities which are proportional to power: the number of decibels corresponding to the ratio of two amounts of power is ten (10) times the logarithm to the base ten (10) of this ratio.

“Density” means the number of dwelling units that may be constructed per acre, unless otherwise calculated. This definition of density does not preclude the requirements of other property development standards (e.g., maintenance of required yard setbacks, maximum site coverage, off-street parking, outdoor living space, structure height, structure intensity, vehicular access, etc.).

“Density bonus” means an increase in the number of dwelling units normally allowed on a parcel by the applicable zoning district, granted by the city in compliance with Section 17.38.040 (Affordable housing).

“Department” means the Los Alamitos community development department, referred to in this zoning code as the “department.”

“Developer” means and includes individuals, firms or corporations that buy land in order to build on it or to sell it to others who want to build on it.

“Director” means the city of Los Alamitos community development director, referred to in this zoning code as the “director.”

“Domestic animals” or “household pets” means various animals customarily kept as household pets (e.g., dogs, cats, rabbits, etc.).

“Drive-in/drive-thru sales” means facilities where motorists may purchase food or other products without leaving their vehicles (e.g., fast-food restaurants, drive-thru

coffee, dairy, photo services, etc.). See also “Restaurant, drive-thru” and “Restaurant, fast-food.”

“Drive-in/drive thru services” means facilities where motorists may obtain services without leaving their vehicles (e.g., drive-up bank teller windows, drive-up ATMs, dry cleaners, etc.). Does not include car washes or service stations, which are defined under “Motor vehicle services.”

“Driveway” means a paved portion of a parcel located between the public right-of-way and the garage or carport designed and intended as an access-way between the public right-of-way and the garage or carport.

“Drought-tolerant plant material” means plants that tolerate heavy clay to sandy soil with use of limited supplemental water. These plants are able to thrive with deep infrequent watering once their root systems are established (nine to twelve (12) months). These plants include those that grow naturally in areas of limited natural water supply and are adaptable to weather and soil conditions prevalent in Los Alamitos.

Dry Cleaning Establishments. See “Laundries and drycleaning plants” or “Personal services.”

“Duplex” means a residential structure under single ownership containing two dwelling units designed exclusively for occupancy by two families living independently of each other. See “Dwelling, multiple-family.”

“Dwelling” means a structure designed or used for the shelter or housing of one or more persons, including single-family and multiple-family dwellings, but not including hotels, boarding houses, or rooming houses.

Dwelling, Single-Family. “Single-family dwelling” means a detached residential unit, other than a mobilehome, designed for and occupied by one family only.

Dwelling, Multiple-Family. “Multiple-family dwelling” means a structure or a portion of a structure used and/or designed as residences for three or more families living independently of each other. Includes: triplexes, fourplexes (buildings under one ownership with three or four dwelling units, respectively, in the same structure) and apartments (five or more units under one ownership in a single building); townhouse development (three or more attached single-family dwellings where no unit is located over another unit); and senior citizen multiple-family housing. See “Apartment,” “Condominium,” “Duplex,” “Senior residential housing projects,” and “Townhouse.”

“Dwelling unit” means a structure designed or used for the shelter or housing of one or more persons.

Educational and Research Institutions. See “Schools.”

“Electrical supply store” means an establishment engaged in selling electrical supplies, wiring, and equipment.

“Emergency machinery, vehicle, or alarm” means machinery, vehicle, or alarm that is used, employed, performed, or operated in an effort to protect, provide, or restore safe conditions in the community or for the citizenry, or work by private or public utilities when restoring utility service.

“Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. (Reference Health and Safety Code Section 50801(e).)

“Emergency work” means work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

“Employee cafeteria/coffee shop” means an establishment that is located within another primary use (e.g., health care, hotel, office, or industrial complex, etc.) for the purpose of serving employees or customers food and beverages that are prepared, served, and consumed within that primary use.

“Enlargement of use” means the expansion of a land use activity on a site or within a structure so that the use or activity occupies more floor or site area than before the expansion.

“Exaction” means a contribution or payment required as an authorized precondition for receiving a development permit.

Extended Care. See “Medical facilities—Extended care.”

“Family” means one or more persons occupying a premises and living as a single nonprofit housekeeping unit, as distinguished from a group occupying a boarding or lodging house, hotel, club, or similar dwelling for group use. A family shall be deemed to include domestic help employed by the family.

Family Day Care Homes, Large (Seven or More Clients). “Large family day care home” means a state-authorized, certified, or licensed facility, place, or structure which is maintained and operated to provide nonmedical care, day treatment, or day care for less than twenty-four (24) hours-a-day to seven or more mentally impaired persons, incompetent persons, physically disabled persons, or the elderly. Does not include child day care homes, small or large (“Child day care facilities”) or facilities that provide twenty-four (24)-hour-a-day nonmedical care (“Residential care homes”).

Family Day Care Homes, Small (Six or Fewer Clients). "Small family day care home" means a state-authorized, certified, or licensed facility, place, or structure which is maintained and operated to provide nonmedical care, day treatment, or day care for less than twenty-four (24) hours a day to six or fewer mentally impaired persons, incompetent persons, physically disabled persons, or the elderly. Does not include child day care homes, small or large ("Child day care facilities") or facilities that provide twenty-four (24)-hour-a-day nonmedical care ("Residential care facilities").

"Farmer's market" means an open-air market that offers for sale fresh agricultural products directly to the consumer and where the vendors are generally the individuals who have raised the vegetables or produce.

"Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

"Fence" means a freestanding structure made of a combination of metal, masonry or wood that rests on or is partially buried in the ground and rises above ground level; used for confinement, privacy, protection, screening, or partition purposes.

"Fixed noise source" means a stationary device that creates sounds while fixed or motionless, including but not limited to, industrial and commercial machinery and equipment, pumps, fans, compressors, generators, air conditioners and refrigeration equipment.

"Flood control facility" means a structure designed and constructed to control floodwaters.

"Florist" means a retail establishment engaged in selling cut flowers, floral arrangements, and potted plants purchased from others. These establishments customarily prepare the arrangements they sell.

"Food products manufacturing" means manufacturing establishments producing or processing foods and beverages for human consumption, and certain related products. Includes:

1. Bakeries;
2. Bottling plants;
3. Breweries;
4. Candy, sugar and confectionery products manufacturing;
5. Coffee roasting;

6. Dairy products manufacturing;
7. Gelatin processing, packaging or treating;
8. Fruit and vegetable canning, preserving, related processing;
9. Juice processing, packaging or treating;
10. Grain mill products and by-products;
11. Meat, poultry, and seafood canning, curing, byproduct processing;
12. Soft drink production;
13. Miscellaneous food item preparation from raw products.

May include incidental tasting and accessory retail sales of products produced on-site.

“Fortunetelling/palm reading/psychic readers” means the telling of fortunes, forecasting of future events or furnishing of information not otherwise obtainable by the ordinary process of knowledge, by means of occult or psychic power, faculty or force, including, but not limited to, clairvoyance, clairaudience, cartomancy, phrenology, spirits, tea leaves or other such reading, mediumship, seership, prophecy, astrology, palmistry, necromancy, mind-reading, telepathy, or other craft, art, cards, talisman, charm, potion, magnetism, magnetized article or substance, crystal gazing, or magic, of a kind or nature for a form of consideration.

Fraternalities and Sororities. See “Organizational houses.”

Front Yard. See “Yard, front.”

“Frozen food locker” means refrigerated warehousing and storage facilities. The services provided by these establishments include blast freezing, tempering, and modified atmosphere storage services.

“Furniture and fixtures manufacturing, cabinet shops, and woodworking shops” means manufacturing establishments that produce wood and metal household furniture and appliances; bedsprings and mattresses; office furniture and partitions, lockers, shelving and store furniture; and miscellaneous drapery, hardware, window blinds, and shades. Also includes wood and cabinet shops, but not sawmills or planing mills.

“Furniture, furnishings, and appliance stores” means stores engaged in selling the following products and related services, including incidental repair services:

1. Draperies;
2. Floor coverings;
3. Furniture;
4. Glass and chinaware;
5. Home appliances;
6. Home furnishings;
7. Home sound systems;
8. Interior decorating materials and services;
9. Large musical instruments;
10. Lawn furniture;
11. Movable spas and hot tubs;
12. Office furniture;
13. Other household electrical and gas appliances;
14. Outdoor furniture;
15. Refrigerators;
16. Stoves;
17. Televisions.

“Gas/fueling station” means retail sales facility for the fueling of gasoline-powered and electric vehicles. Facilities where other vehicle services are also provided are classified under “Motor vehicle services, service stations.”

“Garage or carport” means parking space and shelter for automobiles or other motor vehicles, where the size of the parking space complies with the provisions of Chapter 17.26 (Off-Street Parking and Loading).

1. A garage is an attached or detached accessory structure with a door, enclosed on at least three sides.

2. A carport is an attached or detached accessory structure enclosed on no more than two sides.

Garage, Public. See "Parking structure."

"Garage sale" means a temporary event, generally only one or two days held for the sale or offering for sale, to the general public, of over five items of personal property on a portion of a parcel in a residential zoning district, whether within or outside a structure.

"General plan" means a comprehensive declaration of goals, policies, and programs for the development of the city and including, where applicable, diagrams, maps and text identifying objectives, principles, standards, and other features, and which has been adopted by the council.

"Gift shops and specialty shops" means an establishment engaged in retailing new gifts, novelty merchandise, souvenirs, greeting cards, seasonal and holiday decorations, and curios.

"Golf courses/country clubs" means golf courses, and accessory facilities and uses including: clubhouses with bar and restaurant, locker and shower facilities; driving ranges; "pro shops"

for on-site sales of golfing equipment; and golf cart storage and sales facilities.

"Government facility" means a structure owned, operated, or occupied by governmental agency to provide a governmental service to the public.

"Grade" means the average level of the finished surface of the ground adjacent to the exterior walls of the structure.

"Grading" means excavating or filling of earth material, or any combination conducted to prepare the site for construction or the placement of the improvements on the site.

"Granny flat" means a residential unit that was approved in accordance with Government Code Section 65852.1 and is grandfathered under state law.

"Grocery store" means a retail establishment where the majority of the floor area open to the public is occupied by food products packaged for preparation and consumption away from the site of the store.

Grooming Services. See "Animal services."

“Gross floor area” means the total horizontal area of the floor of a structure included within the surrounding walls, exclusive of vent-shafts and courts.

“Guest house” means a detached structure, incidental to and located on the same premises as the main structure, that provides living quarters to temporary guests of the occupant(s) of the main structure, has no kitchen facilities, and is not rented or otherwise used as a separate dwelling unit.

“Hazardous waste” means refuse, or discarded materials which because of their quantity, concentration, toxicity, corrosiveness, mutagenicity, flammability, or physical, chemical, or infectious characteristics may: (1) cause, or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

Hazardous Waste Facility, Off-Site. “Off-site hazardous waste facility” means a facility that serves more than one producer of hazardous waste and is used for the treatment, transfer, storage, resource recovery, disposal, or recycling of hazardous waste including but not limited to:

1. Incineration facility (e.g., rotary kiln, fluid bed, etc.);
2. Residual repository (receives only residuals from hazardous waste treatment facilities);
3. Stabilization/solidification facilities;
4. Chemical oxidation facilities;
5. Neutralization/precipitation facilities; or
6. Transfer/storage facilities.

“Health/fitness facilities/spas” means fitness centers, gymnasiums, health and athletic clubs including indoor sauna, spa or hot tub facilities; indoor tennis, handball, racquetball, and other indoor sports activities.

“Height (of structures)” means the vertical distance from the top of the nearest curb to the highest point of the roof.

“Historical landmark” means an individual structure or group of structures having a special historical, architectural, cultural, or aesthetic value.

“Home occupation” means the use of a residence as a receiving “telephone office” of a primary business and where there are no advertising signs, displays, stocks

of merchandise or commodities sold or stored on the premises and no employees other than the occupants of the residence.

Hospital. See “Medical services—Hospitals.”

“Hotel” means guest rooms or suites rented to the general public for overnight or other temporary lodging (usually up to thirty (30) days). Accesses to individual guest rooms within a hotel are generally from an interior hallway. A full service hotel is able to provide meeting rooms, and banquet facilities. Also may include accessory guest facilities (including accessory retail uses, elevators, indoor athletic facilities, swimming pools, and tennis courts). Also see, “Motel.”

“Hydrozone” means a portion of the landscaped area having plants with similar water needs that are served by a valve or a set of valves with the same schedule. A hydrozone may be irrigated or nonirrigated, e.g. a naturalized area planted with native vegetation that will not need supplemental irrigation once established in a nonirrigated hydrozone.

“Ice and cold storage plant” means a warehouse facility or a location for food processing operations that may be available to rent or lease for processing inventories of other companies. These facilities may also produce ice.

“Impact noise” means the noise produced by the collision of one mass in motion with a second mass that may be either in motion or at rest.

Impound Yard. See “Motor vehicle services, impound yard.”

Industrial Condominium. See, “Condominium, industrial.”

“Industrial property” means a parcel of real property that is developed and used either in part or in whole for manufacturing purposes including research and development uses.

“Industrial training center” means a facility for on-site specialized technical education of personnel in industrial professions (e.g., engineering, electronic, mechanical, communication). Facility may provide office space, classrooms and laboratories.

Improvement. An improvement adds to the value of a facility, prolongs its useful life, or adapts it to new uses. Improvements are distinguished from repairs. Repairs keep facilities in good operating condition, do not materially add to the value of the facility, and do not substantially extend the life of the facility.

“Intensification of use” means a change in the use of a structure or site, where the new use is required by Chapter 17.26 (Off-Street Parking and Loading) to have more off-street parking spaces than the former use; or a change in the operating characteristics of a use (for example, hours of operation), which generate more activity on the site.

Interior Lot. See “Lot, interior.”

“Internet café” means a place where one can use a computer with internet access for a fee, often per hour or minute; sometimes one can have unmetered access with a pass for a day or month, etc. The establishment may or may not also serve as a café.

“Jewelry store” means an establishment that sells new merchandise primarily and some used merchandise from estate sales or that reconstitute precious metals into jewelry forms that are sold at retail on the premises.

Junk or Salvage Yard. See “Recycling facilities—Scrap and dismantling yards.”

Kennel. See “Animal services.”

Kennel, Breeding. See “Animal services.”

“Kitchen” or “kitchenette” means an area designed and/or used for the preparation of food, which includes three of the following features:

1. Cooking or food heating equipment, including a hot plate, microwave, oven, or range;
2. A refrigerator or other device for cold storage;
3. Cabinets, shelves, or other facilities for storage of food and/or utensils; or
4. A sink and water supply.

Laboratory, Biological and X-ray. “Biological and x-ray laboratory” means an establishment providing analytical, experimental, photographic, research, or testing (e.g., chemical, physical, etc.) services.

Laboratory, Medical and Dental. “Medical and dental laboratory” means an establishment providing medical or dental laboratory services. See also “Medical services – clinics, offices and laboratories.”

Laboratory, Film Processing. “Film processing laboratory” means an establishment engaged in developing film and/or making photographic slides, prints,

and enlargements. Does not include “one-hour” photofinishing shops. See “Photofinishing shops.”

“Landscaping” means the planting and maintenance of some combination of trees, shrubs, vines, groundcovers, flowers, or lawns. In addition, the combination or design may include natural features such as rock and stone, and structural features, including but not limited to fountains, reflecting pools, works of art, screen walls, fences and benches. For purposes of this title, crops shall not be considered landscaping.

“Landscaping screen” means the planting and continued maintenance of a compact screen of evergreen shrubbery forming a physical barrier or enclosure not less than six feet in height.

“Land use permit” means authority granted by the city to use a specified site for a particular purpose, including conditional use permits, home occupation permits, planned development permits, temporary use permits, variances and minor exceptions, wireless communications facilities permit, site plan review and zoning clearances, as established by Division 5 (Land Use/Development Review Procedures) of this zoning code.

“Laundries and drycleaning plants” means establishments engaged in high volume laundry and garment cleaning services, including: power laundries; garment pressing and dry cleaning; linen supply; diaper service; industrial laundries; carpet and upholstery cleaners. Does not include coin-operated laundries (“laundromat”) or dry cleaning drop-off/pick-up stores (“personal services”) without dry cleaning equipment.

“Laundromat” means an establishment engaged in operating facilities with coin-operated or similar self-service laundry and drycleaning equipment for customer use on the premises.

“Library and reading room” means collections of books, manuscripts, and similar materials for study and reading. Does not include facilities primarily devoted to meetings or public assembly (“Clubs, lodges, and private meeting halls,” “Religious facilities,” or “Auditoriums, meeting halls, and theaters”).

“Live entertainment” means a musical act (including karaoke), theatrical act (including stand-up comedy), play, revue, scene, dance act, or combination, performed by one or more persons, whether or not they are compensated for the performance, in a privately owned premises that is open to the public, whether or not admission is charged.

“Loading space/area” means an off-street space or berth on the same parcel with a main structure, or contiguous to a group of structures, for the temporary parking of commercial vehicles while loading or unloading. The space shall not abut a street, alley, or other appropriate means of ingress or egress.

“Local landmark” means a designated structure, natural or manmade feature having a historic character or historic, cultural, architectural, or aesthetic value relating to the heritage of the City that is shown to merit preservation, restoration, and/or protection.

“Locksmith” means an establishment that can install and repairs locks; make or sell locks and keys; or open locks when keys are lost, misplaced, or stolen.

“Lot or parcel” means a recorded lot or parcel of real property under single ownership, lawfully created as required by the Subdivision Map Act and city ordinances, including this zoning code. Types of parcels include the following. See Figure 7-01 (Lot Types).

1. “Corner lot” means a parcel located at the intersection of two or more streets. A parcel abutting a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side parcel lines to the foremost point of the parcel meet at an interior angle of less than one hundred thirty-five (135) degrees.
2. Lot, Cul-de-Sac. “Cul-de-sac lot” means a pie-shaped parcel at the end of a street with no exit.
3. “Flag lot” means a parcel having access from the structure site to a public street by means of private right-of-way strip that is owned in fee.
4. “Interior lot” means a parcel abutting only one street.
5. “Key lot” means an interior parcel, the front of which adjoins the side property line of a corner parcel.
6. “Reverse corner” means a corner parcel, the rear of which abuts the side of another parcel.
7. “Through lot” means a parcel having a frontage on two parallel or approximately parallel dedicated streets, not including a corner or reversed corner parcel.

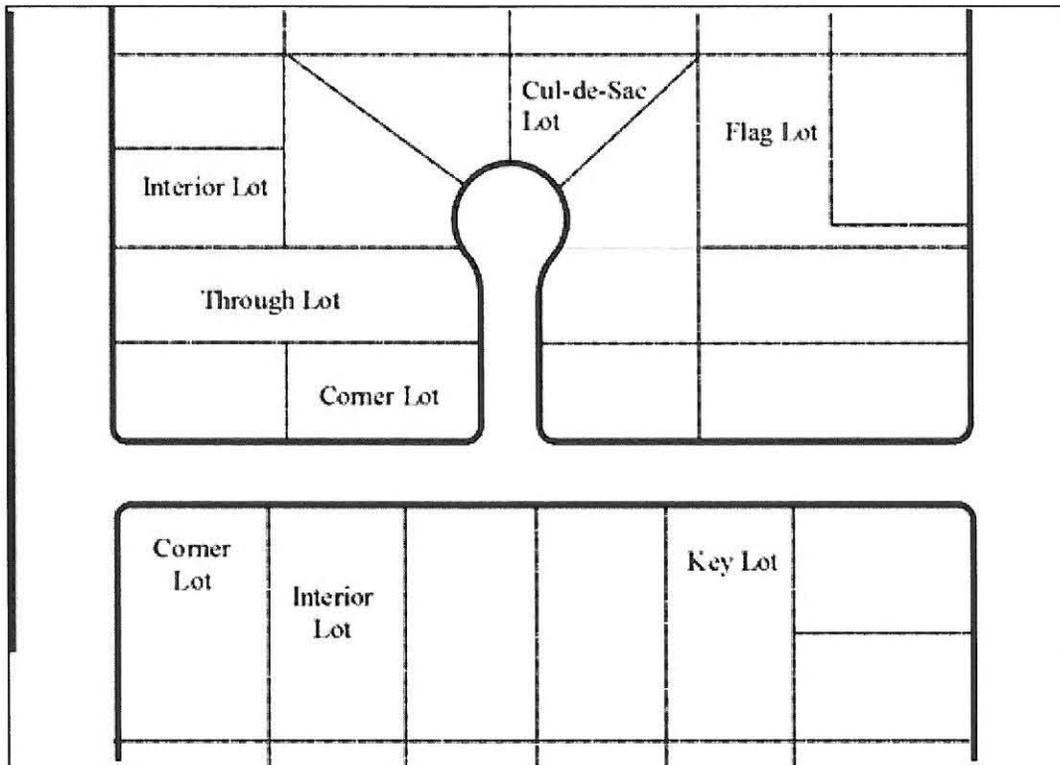


Figure 7-01

Lot Types

“Lot area” means the computed area contained within the parcel lines. If there is a recorded subdivision or parcel map, “lot lines” as defined in this chapter shall be located as shown on the map. See Figure 7-02 (Lot Features).

Lot Coverage. See “Site coverage.”

“Lot depth” means the average linear distance between the front and the rear parcel lines or the intersection of the two side parcel lines if there is no rear line. See Figure 7-02 (Lot Features). The Director shall determine parcel depth for parcels of irregular configuration.

“Lot frontage” means the boundary of a parcel adjacent to a public street right-of-way.

“Lot line” or “property line” means a recorded boundary of a parcel. Types of parcel lines are as follows. See Figure 7-02 (Lot Features).

1. Common. A parcel line, except the front line of the parcel or the parcel line of a corner parcel that abuts the side street, or a parcel line separated from another parcel line by a dedicated alley.

2. Front. In the case of an interior parcel, a line separating the parcel from the street; in the case of a corner parcel, the line separating the narrowest street frontage of the parcel from the street. (If the parcel lines of a corner parcel are equal in length, the front parcel line shall be determined by the Director.) On a through parcel, both parcel lines are front lot lines and the parcel is considered to have no rear parcel line.

3. Interior. A parcel line not abutting a street

4. Rear. A parcel line that is not abutting a street and that is opposite and most distant from the front parcel line.

5. Side. A parcel line that is not a front or rear parcel line

“Lot width” means the horizontal distance between the side parcel lines, measured at right angles to the parcel depth at a point midway between the front and rear parcel lines. See Figure 7-02 (Lot Features). The director shall determine parcel width for parcels of irregular shape.

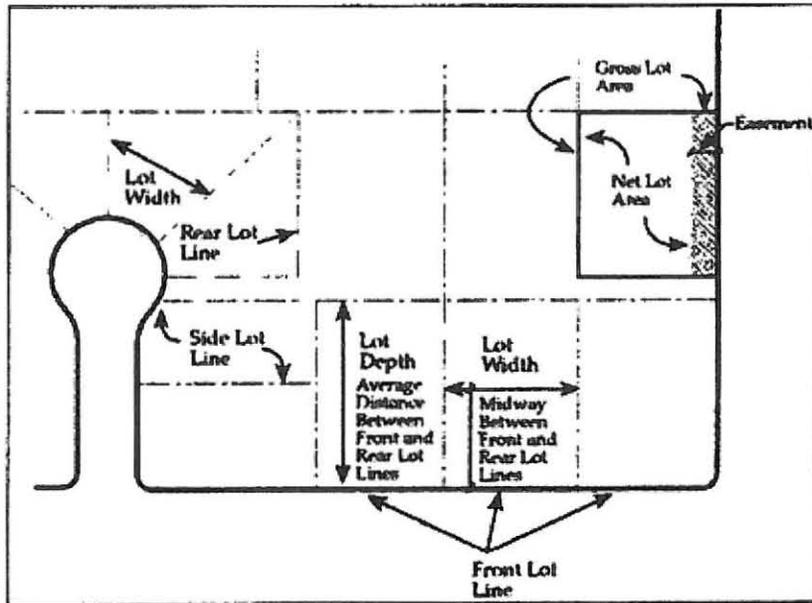


Figure 7-02

Lot Features

“Low- and very low-income households” mean persons and families of incomes as defined by Sections 50093 and 50105 of the California Health and Safety Code.

“Low water flow irrigation” means a system of watering plant material using drip or other reduced water emitting devices that restrict the amount of water in gallons per minute to allow for deep percolation into the soil.

Lumber Yards, Retail and Wholesale. “Retail and wholesale lumber yards” mean establishments engaged in selling lumber and other building materials (e.g., brick, tile, cement, insulation, roofing materials, etc.). Other building materials such as plumbing supplies, electrical supplies, paint, glass, hardware, and wallpaper are allowed but are considered incidental to lumber yard sales. See also “Building materials stores” and “Outdoor retail sales and activities.”

“Machine shop” means an establishment engaged in machining metal parts on a job or order basis. Generally machine shop jobs are low volume and use machine tools, such as lathes (including computer numerically controlled); automatic screw machines;

and machines for boring, grinding, and milling. See also "Metalworking/fabrication."

"Manufactured home" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, or forty (40) body feet or more in length, or, when erected onsite, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating, air conditioning, and electrical systems. The term shall include a structure that meets the requirements of this definition, except the size requirements, and whose manufacturer has voluntarily filed a certification and has complied with the standards established under Health and Safety Code Sections 18000 through 18040.5 (Part 2 of Division 13) "Manufactured home" includes a mobilehome subject to the National Manufactured Housing construction and Safety Act of 1974 (42 U.S.C. Section 5401, et seq.). (California Health and Safety Code Section 18007.)

A manufactured home is not the same as a commercial coach, as defined in Health and Safety Code (HSC) Section 18001.8, factory-built housing, as defined in HSC Section 19971, or a recreational vehicle, including a park trailer, as defined in HSC Sections 18010 and 18009.3, which may look similar from their exterior appearances. A factory-built home most closely resembles a manufactured home, but is constructed to the California Building Standards Code, in CCR, Title 24.

"Manufacturing" means establishments engaged in the mechanical, physical, or chemical conversion of substances, components, or raw materials to a product. Does not include industrial facilities that are separately defined within this code.

"Massage" shall have the same meaning as set forth in Chapter 5.32.

"Massage establishment" shall mean a location where massages are provided.

Materials Storage Yard. See "Contractor's storage yard."

"Mausoleum" means a structure containing aboveground tombs. See also "Cemetery."

Medical Services.

1. "Ambulance service" means facilities from which emergency personnel and transportation are dispatched to emergencies. Including incidental storage and maintenance of vehicles.

2. "Clinics and offices" mean facilities primarily engaged in furnishing outpatient medical, mental health, surgical and other personal health services, but which are separate from hospitals, including:

- a. Medical, dental and psychiatric offices;
- b. Out-patient care facilities;
- c. Other allied health services;
- d. Urgent care services.

3. "Extended care" means residential facilities providing in-patient nursing and health-related care as a primary use for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services, including:

- a. Skilled nursing facilities;
- b. Convalescent homes;
- c. Hospices;
- d. Rest homes.

4. Health Facilities—Therapy and Rehabilitation. "Therapy and rehabilitation health facilities" mean establishments of independent health practitioners primarily engaged in one of the following:

a. "Therapy" means administering medically prescribed physical therapy treatment for patients suffering from injuries or muscle, nerve, joint, and bone disease;

b. "Rehabilitation" means planning and administering educational, recreational, and social activities designed to help patients or individuals with disabilities, regain physical or mental functioning or to adapt to their disabilities; and

c. "Specialized sensory treatments" mean diagnosing and treating speech, language, or hearing problems. These practitioners operated private

or group practices in their own offices (e.g., centers, clinics) or in the facilities of others (e.g., hospitals, HMO medical centers).

5. "Hospitals" means institutions designed and primarily engaged in providing diagnostic services and extensive medical treatment, including surgery. These establishments have an organized medical staff, in-patient beds, and equipment and facilities to provide complete health care. May include on-site accessory clinics and laboratories, accessory retail uses and emergency heliports.

"Messenger service" means establishments primarily engaged in providing local messenger and delivery services of small items within a single metropolitan area or

within an urban center. These establishments generally provide point-to-point pickup and delivery and do not operate as part of an intercity courier network.

“Metal plating” means and includes: chromium plating, electroplating and galvanizing. Establishments primarily engaged in one or more of the following:

1. Hot Dip Galvanizing. Coating (iron or steel) with zinc;
2. Powder Coating. Coating metals and metal products by means of a polymeric coating deposited via electrostatic attraction;
3. Covering Metal. Mechanically, chemically, or electrically covering metal with an adherent layer; or
4. Other Surfacing. Providing other metal surfacing services for the trade.

“Metal working/fabrication” means an establishment engaged in the assembly and/or fabrication of metal parts, including blacksmith and welding shops, machine shops, sheet metal shops, and boiler shops, that produce metal duct work, cabinets and enclosures, metal doors and gates, tanks, towers, and similar products. Also see “Machine shop” and “Welding service.”

Mixed-Use Project, Residential and Commercial. “Residential and commercial mixed-use project” means a development project, containing both residential and commercial floor space, which is conceived and designed as a single integrated environment and in which both residential and commercial amenities are provided. A residential and commercial mixed-use development project shall be contained within one structure or on one site.

“Mobile noise source” means a noise source other than a fixed noise source.

“Mobilehome” means a trailer, transportable in one or more sections, that is certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, which is over eight feet in width and forty (40) feet in length, with or without a permanent foundation and not including recreational vehicle, commercial coach or factory-built housing. A mobilehome on a permanent foundation is included under the definition of “Single-family dwellings.”

“Mobilehome park” means an area or tract of land where two or more mobilehome lots are rented or leased, held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate manufactured homes or mobilehomes used for human habitation. The rental paid for a manufactured home or mobilehome shall be deemed to include rental for the parcel it occupies.

“Mobilehome space” means the portion of a mobilehome park set aside and designated for the occupancy of a mobilehome or a manufactured home, including the area set aside for parking or structures which are accessory to the mobilehome (e.g., awnings, cabanas, armadas, etc.).

“Mortuary” means an establishment where the deceased are prepared for burial or cremation, and funeral services may be conducted. Includes funeral homes, funeral parlors, and crematoriums.

“Motel” means guest rooms or suites, provided with or without meals or kitchen facilities, rented to the general public for overnight or other temporary lodging (for up to thirty (30) days). Accesses to the individual guest rooms within a motel are generally from an exterior walkway. Also may include accessory guest facilities (including accessory retail uses, elevators, indoor athletic facilities, swimming pools, and tennis courts). Also see, “Hotel.”

“Motor vehicle sales, leasing, and rental” means retail establishments selling, leasing, and/or renting automobiles, trucks, and vans. May also include incidental repair shops and the sales of parts and accessories incidental to vehicle dealerships. Does not include: the sale of auto parts/accessories separate from a vehicle dealership (see “Auto parts sales”); tire recapping establishments (see “Motor vehicle services”); businesses dealing exclusively in used parts, (see “Recycling facilities—Scrap and dismantling yards”); or “Service stations,” which are separately defined.

“Motor vehicle services” means the repair, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats, and other motor vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This use includes the following categories.

1. “Car wash” means permanent, self-service, or attended car washing establishments, including fully mechanized facilities. May include detailing services. Temporary car washes are fund-raising activities, typically conducted at a service station or other automotive-related business, where volunteers wash vehicles by hand, and the duration of the event is generally limited to one day. See “Use, temporary.”

2. “Impound yard” means a facility that provides temporary outdoor storage for vehicles waiting to be claimed by titleholders or their agents.

3. “Repair/maintenance” means establishments that specialize in limited aspects of repair and maintenance including oil change and lubrication, tire and brake replacement, smog certification shops, and electrical equipment installation. May also rebuild engines and transmissions; perform muffler and upholstery work, radiator repair, collision repair, chassis work, other bodywork, and painting services.

4. “Service station” means a retail establishment selling gasoline or other motor vehicle fuels that also provides other vehicle services. These secondary services

may include vehicle engine maintenance and repair, towing and trailer rental services. Does not include the storage or repair of wrecked or abandoned vehicles, vehicle painting, bodywork, fender work, or the rental of vehicle storage or parking spaces ("Parking structure" and "Parking lot"). See also "Gas/fueling Stations."

"Motor vehicle/transportation equipment manufacturing and assembly" means establishments primarily engaged in manufacturing or assembling complete equipment for transporting people and goods. Includes: passenger automobiles, trucks, commercial cars and buses, special purpose motor vehicles (e.g., auto trailers, campers, recreational vehicles, etc.), chassis or passenger car bodies, boat building, motorcycle building, and related incidental parts manufacturing.

"Moving company" means an establishment that moves the possessions of a family or business from one site to another. The company may also provide storage, or incidental sales of moving supplies.

"Mulch" means shredded or chipped wood from tree branches and trunks and from uncontaminated wood products or lumber; this matter is often mixed with leaves and grass clippings for optimal effect.

Multiple-Family Dwelling. See "Dwelling, multiple-family."

"Museum" means a facility for the preservation and exhibition of objects of permanent interest in the arts, nature, and science. Includes aquariums, arboretums, art exhibitions, botanical gardens, historic sites and exhibits, and planetariums. Does not include facilities primarily devoted to meetings or public assembly ("Clubs, lodges, and private meeting halls," "Religious facilities," or "Auditoriums, meeting halls, and theaters").

Nightclub. See "Bar/nightclub."

"Noise level" means the "A" weighted sound pressure level in decibels obtained by using a sound level meter at slow response with a reference pressure of twenty (20) micropascals (micronewtons per square meter). The unit of measurement shall be designated as dB(A).

"Nonconforming lot" means a legal parcel of land having less area, frontage, or dimensions than required in the zoning district where it is located.

"Nonconforming structure" means a structure or a portion of a structure that was designed, and erected or structurally altered before the effective date of these regulations or subsequent amendments, and which, at the time it was constructed or altered, was in compliance with applicable building and zoning codes but no longer complies due to changes or amendments.

“Nonconforming use” means a use of a structure (either conforming or nonconforming) or land that was legally established and maintained before the adoption of this zoning code and that does not conform to current code provisions governing allowable land uses for the zoning district where the use is located.

Nursery School. See “Child day care facilities—Commercial child day care center.”

Nursing Home. See “Medical services—Extended care.”

Office, Administrative. “Administrative office” means a workplace for the rendering of a service or general management of a business.

Office, Professional. “Professional office” means a room, a suite of rooms or a portion of a structure used to conduct a business having limited conduct with the public (e.g., accountant, architect, attorney, chiropractor, optician, engineer, surveyor, drafting office, dentist, doctor, physical therapist or similar profession, etc.). Merchandise shall not be sold on the premises, except as are incidental or accessory to the primary allowed use. See also “Medical services - clinics, offices and laboratories.”

Office, Public Utility Commercial. “Public utility commercial office” means a workplace for a government establishment engaged in the administration, regulation, licensing, and inspection of utilities, such as communications, electric power (including fossil, nuclear, solar, water, and wind), gas and water supply, and sewerage.

Office Condominium. See “Condominium, office.”

“Office supply store” means an establishment engaged in selling new stationery, school supplies, and office supplies. May also sell new office equipment and furniture.

“Open space” means the area of a parcel that is not occupied by structures, parking lots, or driveways and that is open to the sky.

Open Space, Private. “Private open space” means an enclosed area located outside and adjacent to a dwelling unit and which is designated for private use by the residents of the dwelling unit.

“Organizational houses” means residential lodging houses operated by educational and religious institutions and/or membership organizations for their members and not open to the general public. Includes fraternity and sorority houses, convents, monasteries, and religious residential retreats. Does not include living quarters for ministers and staff serving a religious facility.

“Outdoor commercial recreation facilities” means privately owned facilities for various outdoor spectator or participant sports and types of recreation where a fee is

charged for use. See also "Amusement and recreation establishments, outdoor," and "Parks and playgrounds."

1. Amphitheaters;
2. Amusement parks;
3. Batting cages;
4. Bocce ball;
5. Drive-in theaters;
6. Go-cart and miniature auto race tracks;
7. Golf driving ranges (separate from golf courses);
8. Miniature golf courses;
9. Motorcycle racing and drag strips;
10. Race tracks;
11. Shooting ranges;
12. Skateboard parks;
13. Stadiums and coliseums;
14. Swim and tennis clubs;
15. Swimming pools;
16. Tennis courts;
17. Water slides;
18. Zoos.

"Outdoor retail sales and activities" means permanent outdoor sales and rental establishments including auction yards, lumber and other material sales yards, newsstands, outdoor facilities for the sale or rental of other vehicles/equipment, and other uses where the business is not conducted entirely within a structure. Does not include the sale of motor vehicles. See "Motor vehicle sales/rentals."

Outdoor Retail Sales, Temporary. "Temporary outdoor retail sales" means temporary outdoor retail operations including:

1. Christmas trees, pumpkins or the sale of other seasonal items;
2. Farmers markets;
3. Semiannual sales of art/handcrafted items in conjunction with community festivals or art shows;
4. Sidewalk or parking lot sales.

"Outside storage area" means a space not within the primary structure that is used for the keeping of goods or materials and that is not fully enclosed by solid walls and a roof.

"Paint mixing" means establishments primarily engaged in mixing pigments, solvents, and binders into paints and other coatings, such as stains, varnishes, lacquers, enamels, shellacs, and water repellent coatings for concrete and masonry.

"Paper product fabrication" means establishments primarily engaged in converting paper or paperboard without manufacturing the paper or paperboard. Includes: envelope manufacturing, converted paper products, paper coating and glazing, paper bags, assembly of paperboard boxes, wallpaper. Includes paper bags, boxes, envelopes, wallpaper, etc.

Parcel. See "Lot or parcel."

"Parks and playgrounds" means public parks, play lots, playgrounds, and athletic fields for non-commercial neighborhood or community use, including tennis courts. If privately owned, the same facilities are included under the definition of "Outdoor commercial recreation facilities." See also "Amusement and recreation establishments, outdoor."

"Parking" means the act of stopping and leaving a vehicle; usually with the intention of leaving it for some time.

"Parking lot" means a ground level, outdoor area where operative cars, buses, recreational vehicles, trucks, vans, and other motor vehicles are stored for clients.

"Parking structure" means a structure for the temporary indoor storing of operative cars, buses, recreational vehicles, trucks, vans, and other motor vehicles are stored for clients.

"Patio" means typically, a paved outdoor area on the site of a dwelling that is used for lounging, dining, etc.

“Pawn shop” means indoor retail establishments that accept personal property as collateral for loans, and offer the property for sale to the public. See also “Secondhand/consignment store.”

“Pedestrian amenities/orientation” means a use that is intended to encourage walk-in customers and which generally does not limit the number of customers by requiring appointments or otherwise excluding the general public. A pedestrian oriented use provides spontaneous draw from sidewalk and street due to intense and surprising visual interest, high customer turnover and intense social interaction. Physical structures or places with design qualities and elements that contribute to an active, inviting and pleasant place for pedestrians including:

1. Design amenities related to the street level such as awnings, paseos, arcades;
2. Continuity of structure facades along the street with few interruptions in the progression of structures and stores;
3. Continuity of the sidewalk with a minimum of intrusions into pedestrian right-of-way;
4. Highly articulated facades at the street level with interesting uses of material, color, and architectural detailing;
5. Landscaping;
6. Signage oriented and scaled to the pedestrian rather than the motorist;
7. Street furniture;
8. Visibility into structures at the street level.

“Person” means an individual, partnership, corporation, or other legal entity.

“Personal services” means establishments providing nonmedical services to individuals as a primary use, including:

1. Acupressure;
2. Barber and beauty shops;
3. Clothing rental;
4. Dry cleaning drop-off/pick-up stores;
5. Electrolysis;

6. Hair cutting/styling;
7. Home electronics repair;
8. Laundromats/self-service laundries;
9. Licensed physical therapists;
10. Nail salons;
11. Shoe repair/shine;
12. Tailors and dressmakers;
13. Tanning salons;
14. Watch repair shop.

These uses may also include accessory retail sales of products related to the services provided.

“Pet store” means an establishment that sells birds, cats, dogs, fish, and other common household pets, including supplies for the care and feeding of the animals sold. This use may include pet grooming, but not the boarding of animals other than those for sale.

“Pharmacy/drug store” means an establishment where a licensed pharmacist prepares prescription medicines for sale, which may also sell over-the-counter medicines, personal care products, and other miscellaneous products.

“Photofinishing shop” means an establishment, whether known as “one-hour” photofinishing labs or not, primarily engaged in developing film and/or making photographic slides, prints, and enlargements.

“Photography studio” means an establishment engaged in providing still, video, or digital portrait photography services or an establishment engaged in providing commercial photography services, generally for advertising agencies, publishers, and other business and industrial users.

“Planned development” means as defined by California Civil Code Section 1351(k), a development (other than a community apartment project, condominium, or stock cooperative) having either or both of the following features:

1. The common area is owned either by an association or in common by the owners of the separate interests who possess appurtenant rights to the beneficial use and enjoyment of the common area; and/or

2. A power exists in the association to enforce an obligation of an owner of a separate interest with respect to the beneficial use and enjoyment of the common area by means of an assessment which may become a lien upon the separately owned parcel, or area in compliance with California Civil Code Section 1367.

“Plant nursery, other than wholesale nursery” means an establishment that sells articles related to gardening (e.g., plants, shrubs, trees, packaged fertilizers, soils, chemicals, etc.). The bulk sale or bulk storage of fertilizers, soils, chemicals, and other garden supplies shall be within a completely enclosed structure.

Plant Nursery, Wholesale. “Wholesale plant nursery” means an establishment that grows, stores, and sells garden plants, shrubs, trees, or vines intended for resale, including incidental retail sales.

“Plastic products fabrication” means establishments primarily engaged in processing new or spent (i.e., recycled) plastics resins into miscellaneous intermediate or final plastic products or engaged in foam plastics fabrication, using such processes as compression molding; extrusion molding; injection molding; blow molding; and casting.

“Plumbing service” means an establishment engaged in installing and servicing plumbing, heating, and air-conditioning equipment. Contractors in this industry may provide both parts and labor when performing work.

“Pool” means a structure used for swimming, bathing, or wading or used as a fishpond or similar use.

“Post office” means a facility that houses service windows for mailing letters and packages, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for mail.

“Pottery manufacturing” means establishments primarily engaged in manufacturing china and earthenware table and kitchen articles, bathroom accessories (e.g., faucet handles, towel bars, and soap dishes, etc.), plumbing fixtures, art and ornamental items, and similar vitreous china, fine earthenware, stoneware, coarse earthenware, and pottery products.

“Predominant tone noise” means a noise characterized by a predominant frequency or frequencies so that other frequencies cannot be readily distinguished.

Primary Use. See “Use, primary.”

“Printing and publishing” means establishments engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying; and other establishments serving the printing trade, including bookbinding, typesetting, engraving, photoengraving and electrotyping. This use also includes establishments

that publish newspapers, books, and periodicals; establishments manufacturing business forms and binding devices. "Quick printing" services are included in the definition of "Business support services."

"Property line" means a boundary line separating parcels of real property having separate legal descriptions.

"Property maintenance service" means an establishment engaged in cleaning structure interiors and/or windows, ensuring trash removal, maintaining landscaping, etc.

"Public facility" means a facility or structure including outdoor recreation areas owned by a local, regional, state or federal agency.

"Public right-of-way" means an area of land, not on a parcel, that is dedicated for public use to accommodate a transportation system and necessary public utility infrastructure (e.g., water lines, sewer lines, power lines, and gas lines.)

"Public safety facility" means a facility operated by a public agency including fire stations, other fire prevention, and fire fighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities.

Public Utility Commercial Office. See "Office, public utility commercial."

Rear yard. See "Yard, rear."

"Reception window" means the area within the direct line between a satellite antenna and those orbiting communications satellites carrying available programming.

"Recreational vehicle (RV)" means a motor home, travel trailer, truck camper, or camping trailer, with or without motive power, originally designed for human habitation for recreational, emergency, or other occupancy, which meets all of the following criteria:

1. It contains less than three hundred twenty (320) square feet of internal living room area, excluding built-in equipment, including wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms;
2. It contains four hundred (400) square feet or less of gross area measured at maximum horizontal projections;
3. It is built on a single chassis; and
4. It is self-propelled, truck-mounted, or permanently towable on the highways without a towing permit.

“Recyclable materials” means those materials separated from solid waste and designated as recyclable under City sponsored recycling programs or source-separated, individual solid waste materials (e.g., paper, cardboard, glass, plastics or metals).

“Recycling area” means the space allocated in a development project for collecting and loading of recyclable materials. If source separation of recyclable materials is required, this area shall accommodate the necessary receptacles for the recyclable materials. Recycling areas shall be accessible and convenient to deposit recyclable materials, and for the collection of recyclable materials.

Recycling Facilities. This land use type includes a variety of facilities involved with the collection, sorting, and processing of recyclable materials.

1. “Collection facility” means a center where the public may donate, redeem or sell recyclable materials, which may include the following:

- a. Reverse vending machine(s);
- b. Small collection facilities that occupy an area of five hundred (500) square feet or less and may include:
 - i. A mobile unit,
 - ii. Bulk reverse vending machines or a grouping of reverse vending machines occupying more than fifty (50) square feet, and
 - iii. Kiosk-type units that may include permanent structures;
- c. Large collection facilities that occupy an area of more than five hundred (500) square feet and/or include permanent structures.

2. “Mobile recycling unit” means an automobile, truck, trailer, or van used for the collection of recyclable materials, carrying bins, boxes, or other containers.

3. “Processing facility” means a structure or enclosed space used for the collection and processing of recyclable materials for shipment, or to an end-user’s specifications, by such means as baling, briquetting, cleaning, compacting, crushing, flattening, grinding, mechanical sorting, remanufacturing and shredding. Processing facilities include the following types, both of which are included under the definition of “Recycling facilities—Scrap and dismantling yards:”

- a. Light processing facility occupies an area of under forty-five thousand (45,000) square feet of collection, processing and storage area, and averages two outbound truck shipments each day. Light processing facilities are limited to baling, briquetting, compacting, crushing, grinding, shredding and sorting of source separated

recyclable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers; and

b. A heavy processing facility is a processing facility other than a light processing facility.

4. "Recycling facility" means a center for the collection and/or processing of recyclable materials. A "certified" recycling or processing facility is certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers located on a residentially, commercially or industrially designated site used solely for the recycling of material generated on the site. See "Collection facility" above.

5. "Recycling or recyclable material" means reusable domestic containers and other materials that can be reconstituted, remanufactured, or reused in an altered form, including glass, metals, paper, and plastic. Recyclable material does not include refuse or hazardous materials.

6. "Reverse vending machine" means an automated mechanical device which accepts at least one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value, as determined by state law. These vending machines may accept aluminum cans, glass and plastic bottles, and other containers.

A "bulk reverse vending machine" is a reverse vending machine that is larger than fifty (50) square feet, is designed to accept more than one container at a time, and issues a cash refund based on total weight instead of by container.

7. "Scrap and dismantling yards" means outdoor establishments primarily engaged in assembling, breaking up, sorting, and the temporary storage and distribution of recyclable or reusable scrap and waste materials, including auto wreckers engaged in dismantling automobiles for scrap, and the incidental wholesale or retail sales of parts from those vehicles. Includes light and heavy processing facilities for recycling (see the definitions above). Does not include junk or salvage yards ("Junk and salvage yards"); places where these activities are conducted entirely within structures; pawnshops ("Pawnshops") and other secondhand stores ("Secondhand/consignment stores"); the sale of operative used cars; or landfills or other waste disposal sites.

"Rehabilitated landscape" means a relandscaping project that requires a building or discretionary permit.

"Religious facilities" means religious facilities operated by organizations for worship or the promotion of religious activities, including churches, mosques, synagogues, temples, etc., and religious schools; and accessory uses on the same site,

including living quarters for ministers and staff, and child day care facilities where authorized by the same type of land use permit required for the religious organization itself. Other establishments maintained by religious organizations, including full-time educational institutions, hospitals and other potentially related operations (i.e., a recreational camp) are classified according to their respective activities.

“Religious (use)” means activities conducted by religious organizations.

“Repair/maintenance, consumer products” means an establishment providing services for the repair and/or maintenance of consumer products including:

1. Appliance repair;
2. Computers;
3. Electronic equipment repair;
4. Product service centers;
5. Radio/television repair.

Does not include auto and other motor vehicle repair services (“Motor vehicle services”).

“Research and development” means indoor facilities for scientific research, and the design, development and testing of electrical, electronic, magnetic, optical and mechanical components in advance of product manufacturing, that are not associated with a manufacturing facility on the same site. Includes chemical and biotechnology research and development. Does not include computer software companies, soils and other materials testing laboratories, or medical laboratories (see “Medical services - Clinics, offices and laboratories”).

“Resident manager’s unit” means a dwelling unit within a residential housing project or a multiple-family development in which a manager, acting as agent for the owner-lessor(s) of the residential housing project or the multiple-family development, resides.

“Residential care facilities” means state licensed facilities providing twenty-four (24) hour-a-day non-medical residential care to persons residing on the premises in need of assistance, guidance, personal services, protection, supervision, and training essential for sustaining the activities of daily living or for the protection of the individual. These facilities are licensed by the State of California Department of Social Services for non-medical care in compliance with the provisions of the State Community Care Facilities Act or other applicable state law. No medical care shall be provided except incidental medical service as may be allowed, without additional authorization, certification, or licensing for non-medical care in compliance with state law. Note:

Convalescent homes, nursing homes, and similar facilities providing medical care are included under the definition of “Medical services—Extended care.” State licensed facilities providing care on a less than twenty-four (24) hour per day basis are community care facilities as defined by this code and listed under “Child day care facilities,” “Family day care homes” or “Social service facilities.”

“Residential property” means a parcel of real property that is developed and used either in part or in whole for residential purposes, other than transient uses (e.g., hotels and motels).

Rest Home. See “Senior care facilities.” Restaurant, Drive-Thru. “Drive-thru restaurant” means a place or premises serving food, refreshments or beverages designed with a drive-up window that customers use so they do not have to exit their motor vehicles in order to make a purchase.

Restaurant, Fast-Food. “Fast-food restaurant” means an establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to-consume state for the consumption either within the restaurant structure, in outdoor seating areas or off premises.

Restaurant (Full-Service). “Full-service restaurant” means a place that regularly and in a bona fide manner is used and kept open for the serving of meals to customers for compensation. The meals are prepared, served, and primarily eaten on the premises. The establishment shall have suitable kitchen facilities for this purpose, containing conveniences for cooking an assortment of foods that may be required for the meals. In the context of a restaurant establishment, “meals” means the usual assortment of foods commonly ordered at various hours of the day. The service only of foods such as sandwiches or salads shall not be deemed “meals.” “Customers” means persons who, during the hours when meals are regularly served at the establishment, actually order and obtain a meal. (Also see “Restaurant, take-out”; “Restaurant, fast-food.”)

Restaurant, Take-Out. “Take-out restaurant” means an establishment that, by design or physical facilities or by service or packaging procedures, permits the purchase of prepared ready-to-eat foods intended to be consumed off the premises; and where the consumption of food on the premises, whether or not in a motor vehicle, is not allowed.

“Restaurant, with outside seating area” means an area used as a seating area with tables and chairs for the contiguous restaurant. This seating may be in addition to the indoor seating or it may be the only seating available for the restaurant.

1. “Restaurants, with Small Outside Seating Areas.” Outdoor restaurant seating that has a footprint occupying a total of three hundred (300) square feet or less in area.

2. "Restaurants, with Large Outside Seating Areas." Outdoor restaurant seating that has a footprint occupying more than a total of three hundred (300) square feet.

Retail Sales, General. "General retail sales" means stores and shops completely enclosed within a structure, which sell various lines of merchandise for profit. These stores and lines of merchandise may include:

1. Artists supplies;
2. Bakeries (retail only);
3. Bicycles;
4. Books;
5. Cameras and photographic supplies;
6. Clothing and accessories;
7. Department stores;
8. Drug and discount stores;
9. Dry goods;
10. Fabrics and sewing supplies;
11. Florists and houseplant stores (indoor sales only - outdoor sales are "nurseries");
12. Gift shops;
13. Grocery stores;
14. Hardware;
15. Hobby materials;
16. Jewelry;
17. Luggage and leather goods;
18. Musical instruments, parts and accessories;
19. Newsstands;

20. Orthopedic supplies;
21. Religious goods;
22. Small wares;
23. Specialty shops;
24. Sporting goods and equipment;
25. Stationery;
26. Toys and games;
27. Variety stores.

Retirement Home. See "Senior care facilities."

Reverse Corner Lot. See "Lot, reverse corner."

Roominghouse. See "Boardinghouse."

Rubber Products. See "Manufacturing, Heavy."

"Runoff" means water that is not absorbed by the soil or landscape to which it is applied and flows from the area. Usually occurs when water is applied at too great a rate (application rate exceeds infiltration rate) or when there is a severe slope.

"Satellite antenna" means an antenna used to receive and/or transmit radio or television signals from orbiting communication satellites.

Satellite Dish Antenna. See "Antennas."

Schools, Commercial. "Commercial schools" means an establishment that provides on-site instruction for profit. Includes:

1. "Private" means an institution conducting regular academic instruction at kindergarten, elementary, secondary or higher levels operated by a nongovernmental organization and which is not a trade school.

2. "Specialized" means facilities or institutions offering instruction in subjects such as the following:

- a. Art;
- b. Ballet and other dance;

- c. Computers and electronics;
- d. Drama;
- e. Driver education;
- f. Language;
- g. Music.

3. "Trade" means a private school offering instruction in the technical, commercial and/or trade skills, such as real estate schools, business colleges, electronic schools, automotive and aircraft technician schools, and similar commercial establishments.

Also includes facilities, institutions and conference centers that offer specialized programs in personal growth and development, such as fitness, environmental awareness, arts, communications, and management.

"Second residential unit" means a detached or attached dwelling unit that provides complete, independent living facilities for one or more persons and includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary unit.

"Secondhand/consignment store" means and includes any business involving buying, selling, trading, taking in pawn, accepting for sale on consignment, accepting for auctioning, or auctioning secondhand tangible personal property. A secondhand/consignment store does not include a coin dealer or participants at gun shows or events, as defined in Section 478.100 of Title 27 of the Code of Federal Regulations, or its successor, who are not required to be licensed pursuant to Sections 26700 to 26915, inclusive, of the Penal Code, who are acting in compliance with the requirements of Sections 26500 to 26585, inclusive, and 27545 of the Penal Code, and who are not a gun show trader, as described in Sections 16620 and 26525 of the Penal Code.

"Senior care facilities" means residential facilities that provide social and personal care with little or no medical care to persons who are at least sixty-two (62) years of age, or are at least fifty-five (55) years of age and meet the qualifications found in Section 51.3 of the California Civil Code. Facilities may include congregate care facilities or independent living arrangements, but excludes convalescent or nursing homes ("Medical services—Extended care"). This category includes facilities also known as retirement homes and/or rest homes.

"Senior residential housing projects" means a housing development incorporating independent dwelling units that are designed for, and limited to, the occupancy by

persons who are at least sixty-two (62) years of age, or who are at least fifty-five (55) years of age and meet the qualifica-

tions found in Section 51.3 of the California Civil Code. This definition includes senior apartments, retirement communities, retirement homes and homes for the aged. It does not include extended care facilities such as convalescent homes or skilled nursing facilities (“Medical services—Extended care”); assisted living facilities or senior care facilities.

Service Station. See “Motor vehicle services.”

“Setback” means the distance by which a structure, parking area, or other development feature shall be separated from a parcel line, other structure or development feature, or street centerline. Setbacks from private streets are measured from the edge of the easement. Figure 7-03 (Setbacks) shows the location of front, side, street side, rear, and interior setbacks. See also “Yards.”

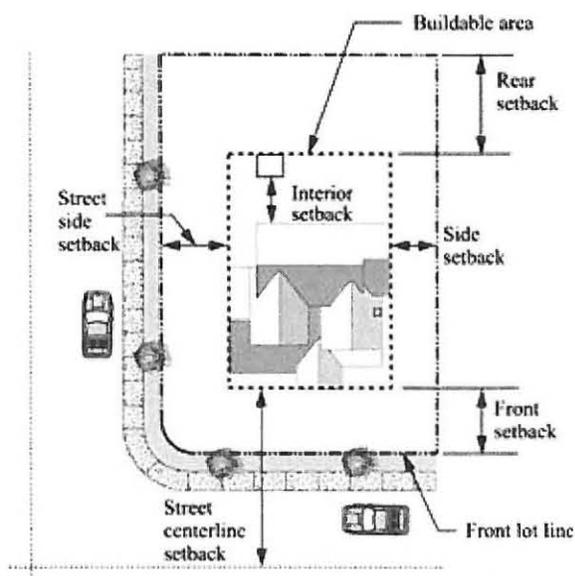


Figure 7-03

Setbacks

“Shopping center” means a group of commercial establishments containing a gross area of thirty thousand (30,000) square feet or more, planned and developed, owned or managed as a unit, with off-street parking and loading provided on the

property, and related in its location, size and type of shops, to the trade area which the unit serves.

Side Yard. See "Yard, side."

"Sight-safety triangle" means the area maintained with adequate and safe visibility for vehicular and pedestrian traffic at intersections of streets, alleys, or private driveways.

"Sign manufacturing" means establishments engaged in manufacturing signs and related displays. Includes production of signs that use electrical power.

Single-Family Dwelling. See "Dwelling, single-family."

"Single room occupancy" means units that are small one-room units occupied by no more than two persons and may either have a shared or private kitchen and shower facilities. SROs are rented on a monthly basis typically without rental deposits, and can provide an entry point into the housing market for extremely low income individuals, formerly homeless and disabled persons.

"Site" means a parcel of land that encompasses the main structures, the accessory structures, and the open spaces as required by this code.

"Site coverage" means the percentage of total site area occupied by structures, including the primary structure, architectural features (e.g., chimneys, balconies, decks above the first floor, porches, stairs, etc.), and by accessory structures (e.g., carports, garages, patio covers, storage sheds, trash dumpster enclosures, etc.). Structure coverage is measured from exterior wall to exterior wall.

"Sober living facilities" means a group home that provides a sober living environment for persons recovering from alcohol and/or drug abuse and may have a meeting room used for assembly purposes, such as Alcoholics Anonymous meetings. A sober living facility is not state licensed and is not a rehabilitation or treatment center. Sober living facilities may have, but are not required to have, on-site resident managers.

"Social service facilities" means residential or nonresidential facilities providing assistance and aid to those persons requiring counseling and/or treatment for psychological problems, addictions, learning disabilities, physical disabilities or to those persons in need of food and/or shelter. May include feeding centers, homeless shelters, and substance abuse recovery and treatment facilities.

"Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, generated in or upon, related to the occupancy or, remaining in or emanating from residential or commercial premises, including recyclable materials, garbage,

trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, manure, vegetable or animal solid or semisolid wastes, and other solid and semisolid wastes, as defined in Public Resources Code Section 40191, excluding liquid wastes, abandoned vehicles and manifested hazardous or medical wastes.

“Sound level meter” means a type of noise monitoring equipment that meets standards established by the American National Standards Institute (i.e., S1.4-1971) for Type 1 or Type 2 sound level meters.

“Sound pressure level” means a sound, in decibels, twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound to a reference pressure, which reference pressure shall be explicitly stated.

Storage, Outdoor. “Outdoor storage” means storage of goods, inventory, vehicles, parts, items, or materials outside of a structure.

“Storage, personal storage facility” means the use of private land or property for the purpose of storing goods, material, equipment, motorized vehicles, or other personal property, where storage areas are rented or leased or where permission is granted by the owner of the private property for the storage of personal property.

1. Personal Storage Facility, Outdoor. “Outdoor personal storage facility” means the use of private property for the purpose of providing the general public with a location for the storage of items that are large and mobile in nature (e.g., boats, trailers, vehicles, etc.). Dismantling or selling of the items is not allowed in an outdoor public storage facility.

2. Personal Storage Facility, Indoor. “Indoor personal storage facility” means a structure or portions of a structure that are used to provide the general public with a covered and enclosed location for the storage of personal property. Dismantling or selling of personal property is not allowed at indoor public storage facilities.

“Street” means a public thoroughfare accepted by the city, that affords a principal means of access to an abutting property, including avenues, places, ways, drives, lanes, boulevards, highways, roads, and other thoroughfares except alleys as defined in this division.

Street, Private. “Private street” means a right-of-way or easement used for vehicular or pedestrian traffic privately owned and maintained.

Street, Public. “Public street” means a right-of-way or easement used for vehicular or pedestrian traffic and maintained by public funds.

“Structure” means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground

including swimming pools and patio covers, but not including paved areas and not including electrical transformers and power poles. See “Buildings.”

Structure, Accessory. “Accessory structure” means a detached subordinate structure, the use of which is customarily incidental to that of the main structure or the main use of the land and which is located on the same parcel with the main structure or use.

Structure, Main. “Main structure” means a structure where the primary use allowed on the parcel is conducted.

Studio, Motion Picture, Radio, and Television. “Motion picture, radio, and television” means space that is used for the creation of film, television, music video, multi-media, or other related activities.

Substance Abuse Treatment Center. See “Social service facilities—Substance abuse recovery/treatment center.”

“Supportive housing” means housing with no limit on length of stay, that is occupied by the target population that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (Reference Health and Safety Code Section 50675.14.)

“Telephone exchange, office, and equipment building” means a structure used exclusively for the transmission and exchange of telephone message, but the term shall not include wireless service towers.

Temporary Use. See “Outdoor retail sales, temporary,” and “Use, temporary.”

“Textile manufacturing” means manufacturing establishments engaged in performing the following operations:

1. Coating, waterproofing, or otherwise treating fabric;
2. Dying and finishing fiber, yarn, fabric, and knit apparel;
3. Manufacture of knit apparel and other finished products from yarn;
4. Manufacture of felt goods, lace goods, non-woven fabrics and miscellaneous textiles;
5. Manufacturing of woven fabric, carpets and rugs from yarn.
6. Preparation of fiber and subsequent manufacturing of yarn, threads, braids, twine cordage.

Through Lot. See "Lot, through."

"Tourist information center" means establishments primarily engaged in marketing and promoting communities and facilities to businesses and leisure travelers through a range of activities, such as assisting organizations in locating meeting and convention sites; providing travel information on area attractions, lodging accommodations, restaurants; providing maps; and organizing group tours of local historical, recreational, and cultural attractions.

"Townhouse" means attached or semi-detached structures, each containing a single dwelling unit and each located or capable of being located on a separate parcel. See "Dwelling, multiple-family."

"Trailer" means a nonautomotive vehicle designed to be pulled by a car, truck or tractor for the purposes of transporting property or serving as a temporary dwelling or place of business.

Trailer, Utility. "Utility trailer" means a trailer used solely for the transportation of personal property.

"Transitional housing" means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. (Reference Health and Safety Code Section 50675.2.)

"Transit station and terminal" means passenger stations for vehicular and rail mass transit systems; also terminal facilities providing maintenance and service for the vehicles operated in the transit system. Includes buses, taxis, railway, etc.

"Transit stop shelter" means a small-scale covered waiting area for buses, taxis, and rail/mass transit stops.

"Travel agency" means an establishment engaged in acting as an agent in selling travel, tour, and accommodation services to the general public and commercial clients.

"Truck terminal" means land and structures used to park trucks or truck-trailers for purposes of maintenance, temporary storage, transfer of freight, and administrative functions in connection with the terminal operation.

"Underground bulk storage" means a storage tank facility designed and constructed to store large quantities of petroleum or gas underground. May be integral part of oil and gas networks and may include oil and gas pipelines, mains, pumping stations, etc.

“Unit” means the element (structure or airspace) of a residential, office, or industrial condominium that is not owned in common with the owners of other condominium interests in the development plus a proportionate share of common areas.

“Upholstery shop” means an establishment engaged in selling upholstery materials and in the craft of covering, padding, and stuffing new or used seating and bedding to individual order on a custom basis.

“Use” means the purpose for which land, premises, or a structure is designed, arranged, intended, occupied, or maintained.

1. Use, Accessory. “Accessory use” means a use customarily incidental to, related to, and clearly subordinate to a primary use established on the same parcel, which does not alter the primary use nor serve property other than the parcel where the primary use is located.

2. Use, Primary. “Primary use” means the main purpose for which a site is developed or used, including the activities that are conducted on the site a majority of the hours during which activities occur.

3. Use, Temporary. “Temporary use” means a use established for a limited time period with the intent to discontinue the use upon expiration of the time period. Also see “Outdoor retail sales, temporary.”

Utility Facilities, Public. “Public utility facilities” means fixed-base structures and facilities serving as junction points for transferring utility services from one transmission voltage to another or to local distribution and service voltages. These uses include the following facilities that are not exempted from land use permit requirements by Government Code Section 53091:

1. Corporation and maintenance yards;
2. Electrical substations and switching stations;
3. Natural gas regulating and distribution facilities;
4. Petroleum pipeline surge tanks and pump stations;
5. Public water system wells, treatment plants and storage;
6. Telephone switching facilities;
7. Wastewater treatment plants, settling ponds and disposal fields;
8. Water storage.

These uses do not include offices, customer service centers, or equipment and material storage yards.

Utility facilities, Semipublic. "Semipublic utility facilities" means privately owned electric, telecommunications, natural gas, water, and transportation companies, in addition to household goods movers and rail safety that are regulated by the California Public Utilities Commission.

"Variance" means a discretionary entitlement that may waive or relax the development standards of this zoning code, in compliance with Chapter 17.56 (Variances).

"Vehicle and freight terminals" means establishments engaged in furnishing services incidental to air, motor freight, and rail transportation including:

1. Freight forwarding services;
2. Freight terminal facilities;
3. Joint terminal and service facilities;
4. Packing, crating, inspection and weighing services;
5. Postal service bulk mailing distribution centers;
6. Transportation arrangement services;
7. Truck stops, including transfer and storage.

Does not include parking (see "Garage, public"), repair shops that are part of a motor vehicle dealership on the same site (see "Motor vehicle sales, leasing, and rental"); automobile service stations (see "Motor vehicle services—Service stations"); or automobile dismantling yards, which are included under "Recycling facilities—Scrap and dismantling yards."

Veterinary Clinic. See "Animal services."

Veterinary Hospital. See "Animal services."

"Video and disc rental service" means an establishment engaged in renting prerecorded video tapes and digital video discs for viewing away from the premises on home electronic equipment.

"Warehouse retail stores" means retail stores that emphasize the packaging and sale of products in large quantities or volumes, some at discounted prices, where products are typically displayed in their original shipping containers. Sites and structures

are usually large and industrial in character. Patrons may or may not be required to pay membership fees. See also “Big box retail.”

“Warehousing” means facilities for the storage of farm products, furniture, household goods, or other commercial goods. Includes cold storage. Does not include: warehouse, storage or mini-storage facilities offered for rent or lease to the general public (see “Storage, personal storage facilities”); warehouse facilities in which the primary purpose of storage is for wholesaling and distribution (see “Wholesaling and distribution”); or terminal facilities for handling freight (see “Vehicle and freight terminals”).

“Water efficient irrigation” means the scheduling and management of an irrigation system to supply moisture to a landscape without excess or waste in compliance with the landscape/irrigation criteria established in Chapter 17.20 (Landscaping).

“Water efficient landscaping” means a landscape that is designed and maintained to function in a healthful and visually pleasing manner in compliance with the standards provided in Chapter 17.20 (Landscaping). This generally involves the strategic use of plants which have minimal water requirements for subsistence, plants native to hot/dry environments (see “Xeriscape”), and hardscape to achieve an overall landscape concept that is water conserving.

“Welding service” means establishment in the business of providing a metal-joining process wherein coalescence is produced by heating to suitable temperatures, with or without the application of pressure, and with or without the use of filler metal. See “Metal products fabrication.”

“Wholesaling and distribution” means establishments engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, or professional business users; or to other wholesalers, acting as agents or brokers in buying merchandise or selling merchandise to persons or companies. Includes:

1. Agents, merchandise or commodity brokers, and commission merchants;
2. Assemblers, buyers and associations engaged in the cooperative marketing of farm products;
3. Merchant wholesalers;
4. Stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment.

“Wireless communications facilities” means a public or private structure that supports antennae, microwave dishes, and other related equipment for sending and/or receiving radio and television signals. These facilities may support a variety of services, including: cellular telephone services; dispatching services; enhanced specialized and

specialized mobile radio (SMR); paging services; personal communication services (PCS); and other wireless communications except for satellite antennas, amateur (ham) radio communication facilities, and citizen band radio antennas which are incidental to the primary use and meet the standards for such uses (Chapter 17.18, Antennas). Does not include telephone, telegraph, and cable television transmission facilities utilizing hard-wired or direct cable connections. Communication facilities shall comply with the standards for wireless communications facilities (Chapter 17.30).

1. "Major facility" means a wireless facility that is either ground-mounted or roof-mounted. However a roof-mounted facility that is completely screened on four sides by solid material that does not exceed the maximum height of the applicable zoning district shall be deemed a minor facility.

2. "Minor facility" means a wireless facility that is either wall-mounted, or utility-mounted or roof-mounted so that the entire facility is screened by solid material on four sides and does not exceed the maximum height of the applicable zoning district.

3. Other Applicable Terms.

"Citizen band (CB) radio service" means a two-way voice communication service that does not require a license from the Federal Communications Commission.

"Collocation" means the locating of wireless communications equipment from more than one service provider on a single ground-mounted, roof-mounted, or structure mounted facility.

"Ground-mounted" means mounted to a pole, monopole, lattice tower or other freestanding structure that is specifically constructed for the purpose of supporting an antenna or microwave dishes.

"Lattice tower" means a structure with three or four steel legs used to support a variety of antennae. These towers normally exceed forty (40) feet in height and are constructed in areas where increased height is needed, microwave antennae are required, or where the weather demands a more structurally-sound design.

"Microwave" means spectrum frequencies from a GHz to 300 GHz; highly directional when used for radio frequency transmissions. Uses relatively low transmitter power levels when compared to other forms of transmission.

"Monopole" means a structure composed of a single spire used to support antennae and related equipment.

"Radio communication" means the transmission and/or reception of impulses, writing, signs, signals, pictures and sounds through space by means of electromagnetic waves.

“Radio frequency radiation (RFR)” means an emission of wireless communication caused by the movement of electromagnetic energy through space, that lies in the frequency range of three kilohertz to three hundred (300) gigahertz. This term is also used interchangeably with electromagnetic fields (EMP).

“Roof-mounted” means antennae and/or equipment mounted above the roof-ridge line of a structure (the line along the top of a roof or top of a structure); typically mounted on the roof of an existing structure.

“Stealth facility” means a communications facility that is designed to blend into the surrounding environment, typically one that is architecturally integrated into a structure or is freestanding (e.g., designed to look like a tree). Also referred to as concealed antennae.

“Structure-mounted” means an antenna that is secured at a fixed and specified location that is designed specifically to support such antenna, and/or appurtenances mounted on the structure or antenna (e.g., a structure, billboard, church steeple, freestanding sign, water tank, etc.).

“Utility-mounted” means mounted to an existing above-ground structure specifically designed and originally installed to support electrical power lines, cable television lines, street lighting or traffic signal equipment.

“Wall-mounted” means mounted on a vertical or nearly vertical surface of a structure that is not specifically constructed for the purpose of supporting an antenna (including the exterior walls of a structure, an existing parapet, the side of a water tank, the face of a church steeple, or the side of a freestanding sign) so that the highest point of the antenna structure is at an elevation equal to or lower than the highest point of the surface on which it is mounted.

“Woodworking shop” means establishments engaged in building, making or carving something using wood. See also “Furniture and fixtures manufacturing, cabinet shops.”

Wrecking Yard. See “Recycling facilities—Scrap and dismantling.”

“Xeriscape” means a combination of landscaping and irrigation techniques that reduce the demand for water required to maintain a given landscape. The primary techniques are:

1. Use of water-conserving plants;
2. Use of appropriate species, quantities and placement of turf;

3. Planning landscape areas with hydrozones, plants grouped based on watering needs using irrigation systems designed to meet the long term needs of each hydrozone in the landscape; and

4. Planting landscape areas based on watering needs, hydrozones.

“Yard” means an area between a parcel line and a setback, unobstructed and unoccupied from the ground upward, except as otherwise provided in this code. See also “Setbacks.”

1. Yard, Front. “Front yard” means an area extending across the full width of the parcel between the front parcel line and the required setback.

2. Yard, Rear. “Rear yard” means an area extending the full width of the parcel between a rear parcel line and the required setback.

3. Yard, Side. “Side yard” means an area extending from the front yard to the rear yard between the nearest side parcel line and the required setback.

“Zoning district” means residential, commercial, industrial, special-purpose, or overlay districts established by Division 2 of this zoning code (Zoning Districts, Allowable Uses, and Development Regulations), where certain land uses are allowed or not allowed, and certain site planning and development standards are established (e.g., setbacks, height limits, site coverage requirements, etc.).

“Zoning map” means the designated official map or maps which show the location and boundaries of the districts established by this code and are referred to as the zoning map and incorporated as a part of this code. The zoning map together with everything shown on it and amendments to it, are as much a part of this code as if fully identified and described in context.

“Zoo” means an area or structures that contain wild animals on exhibition for viewing by the public. See also “Outdoor commercial recreation facilities.” (Ord. 15-12 § 2, 2016; Ord. 15-08 § 5, 2015; Ord. 14-08 § 4, 2014; Ord. 14-03 § 2, 2014; Ord. 13-06 § 3, 2013; Ord. 13-04 § 2, 2013; Ord. 11-06 § 4, 2011; Ord. 688 § 1, 2006)

City of Los Alamitos

Planning Commission

Agenda Report Staff Report

March 23, 2016
Item No: 8A

To: Chair Cuiilty and Members of the Planning Commission

Via: Steven Mendoza, Development Services Director

From: Tom Oliver, Associate Planner

Subject: Update on Recreational Vehicle Issue

Summary: A Staff update to the Planning Commission concerning the zoning code that pertains to Recreational Vehicles (Citywide) (City initiated).

Recommendation:

1. Receive, file, and provide input as needed; or alternatively,
2. Adopt Resolution No. 16-01 entitled, "A RESOLUTION OF INTENTION OF THE PLANNING COMMISSION OF LOS ALAMITOS, CALIFORNIA, TO OPEN A DISCUSSION OF POSSIBLE MUNICIPAL CODE CHANGES CONCERNING THE PARKING AND STORAGE OF RECREATIONAL VEHICLES (ZOA 16-04) (CITYWIDE) (CITY INITIATED)."

Discussion

During the December 16, 2015 Planning Commission meeting, the Commission was approached by a resident of the City with a plea for changes to what she saw as lax code language concerning recreational vehicles (RV's). The resident felt that the apparent RV parking location noted for the front setback was particularly inadequate for making these vehicles inconspicuous. The Commissioners asked Staff to bring back this Resolution of Intention so they may discuss this subject. In that meeting the Commission recommended that Staff refer the issue to the City Prosecutors' office to review the compliance of the recreational vehicle prior to taking on this issue. Tonight the Commission can continue to discuss the issue through a Resolution of Intention or consider the matter to be closed.

Report from City Prosecutor

The City Prosecutor made a visit to the site that the resident had presented as an example to the Commission at the December 2015 meeting. The Prosecutor did not

observe a recreational vehicle parked at the site, and later met with Staff to review photographs and the applicable code sections.

It is the opinion of the Prosecutor concerning the RV parking code that the requirements of LAMC 17.26.060 permit the parking of an operable recreational vehicle on the front driveway at least 5 feet from the adjacent property, albeit in public view. With respect to parking in the side setback, the requirements for an obscuring wall (up to 7') and minimum setback from the property line prevents utilizing the side yard at this particular property. The wooden gate hiding the side yard setback does not alter these requirements.

Code changes would be required to further limit front yard parking on the driveway or to allow side yard parking with the absence of the minimum setback and wall requirements.

Staff has corresponded through email with the resident who brought this subject up at the December meeting and has learned that the owner of the neighboring property in question has not been parking the RV at the home as of late.

Response from the resident who brought the item forward

The resident who brought the item forward in December emailed Staff with the attached code changes she would suggest the Commissioners take a look at in Municipal Code section 17.26.060.

Attachment: 1) *Planning Commission Resolution No. 16-01*
 2) *Suggested Code Changes from a Resident*

RESOLUTION NO. 16-01

A RESOLUTION OF INTENTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, TO OPEN A DISCUSSION OF POSSIBLE MUNICIPAL CODE CHANGES CONCERNING THE PARKING AND STORAGE OF RECREATIONAL VEHICLES (ZOA 16-04) (CITYWIDE) (CITY INITIATED)

WHEREAS, the Planning Commission is interested in reevaluating Chapter 17 of the Los Alamitos Municipal Code as it relates to recreational vehicles; and,

WHEREAS, Los Alamitos Municipal Code Section 17.70.020 requires that the Planning Commission begin this process through adopting a Resolution of Intention; and,

WHEREAS, the Planning Commission considered this item on March 23, 2016.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct.

SECTION 2. The Planning Commission resolves to initiate conversation concerning possible Zoning Ordinance Amendments concerning recreational vehicles and directs Staff to return to the Planning Commission with its thoughts concerning the discussion of this subject.

PASSED, APPROVED, AND ADOPTED this 23rd day of March, 2016.

Chair Mary Anne Cuiilty

ATTEST:

Steven Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

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

I, Steven Mendoza, Planning Commission Secretary of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission held on the 23rd day of March, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven Mendoza, Secretary

Proposed Changes

17.26.060 Residential parking and storage standards.

A. Carports and Garages. Garages and/or carports shall be provided for required parking spaces in residential zoning districts as follows:

1. R-1 Single-Family Zoning Districts. In R-1 single-family zoning districts, required parking spaces for each dwelling unit shall be located in an enclosed garage.

2. R-2 Limited Multiple-Family Zoning Districts. In R-2 limited family zoning districts, one of the required parking spaces for each dwelling unit shall be located in a carport or an enclosed garage.

3. R-3 Multiple-Family Zoning Districts. In R-3 multiple-family zoning districts, one of the required parking spaces for each dwelling unit shall be located in an enclosed garage. Carports are encouraged for additional spaces for dwelling units. Required parking spaces for association or common recreation rooms may be unenclosed.

B. Vehicles or Recreational Items. Recreational vehicles shall not be parked or stored in a front yard area or in front of the main residence of the property unless 1) temporarily parked for prepping for use or cleaning or 2) an administrative review permit has been granted.

1. Vehicle as Residence. Vehicles or recreational items shall not be used either temporarily or permanently for sleeping or living purposes.

2. Location. Vehicles, including recreational vehicles, recreational items, trailers, or utility

Deleted: Vehicles or recreational items shall not be parked, stored, or left standing on or upon an outdoor portion of a residentially zoned district or used parcel, except in compliance with the following standards:¶

trailers shall not project into a public right-of way, or be parked on a parcel as to adversely affect traffic or pedestrian safety by obstructing vision.

3. Front Setback Area and Driveway.

a. Recreational vehicles shall not be parked or stored in a front yard area or in front of the main residence of the property unless 1) temporarily parked for prepping for use or cleaning or 2) an administrative review permit has been granted by the planning commission

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b. In the area between the front setback line and the dwelling unit, including the dwelling's related garage and other accessory structures, vehicles including recreational vehicles, recreational items, trailers, and utility trailers larger than nine feet in height and twenty-two feet in length shall not be parked or left standing unless completely screened from view from the public right-of-way and adjacent property. See Figure 3-01 (Parking Diagram for Vehicles).

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Deleted: . In a front setback area, all vehicles including recreational vehicles, recreational items, trailers, and utility trailers shall be parked or left standing only on a driveway and shall not be parked or left standing on another part of the front setback area. See Figure 3-01 (Parking Diagram for Vehicles).¶

Deleted: only on a driveway unless

c. Vehicles, recreational vehicles, recreational items, trailers, or utility trailers larger than nine feet in height or twenty-two feet in length shall not be parked or left standing within five feet of an adjacent property line in a front setback area, except that operable, currently registered automobiles and light-duty, noncommercial trucks not otherwise prohibited from being parked on residential property may be parked or left standing on a driveway located in any front setback area. See Figure 3-01 (Parking Diagram for Vehicles).

d. Detached parts (e.g., camper shells or bodies, racks or jacks, and similar items) shall not be stored on any portion of a front setback area or driveway. These parts may be stored in a front yard behind the front setback line and in the side setback area if screened from view.

e. Driveways shall lead to a garage or carport, and shall not exceed the width of the garage or carport or fifty (50) percent of the parcel width at the street, whichever is less. A minimum driveway width of twelve (12) feet is required.

f. A minimum turning radius of twenty-eight (28) feet shall be required for garages. A minimum backup distance of twenty-four (24) feet is required behind all ninety (90) degree parking stalls.

g. Covered parking spaces (garages or carports) shall have a minimum measurement of ten (10) feet by twenty (20) feet.

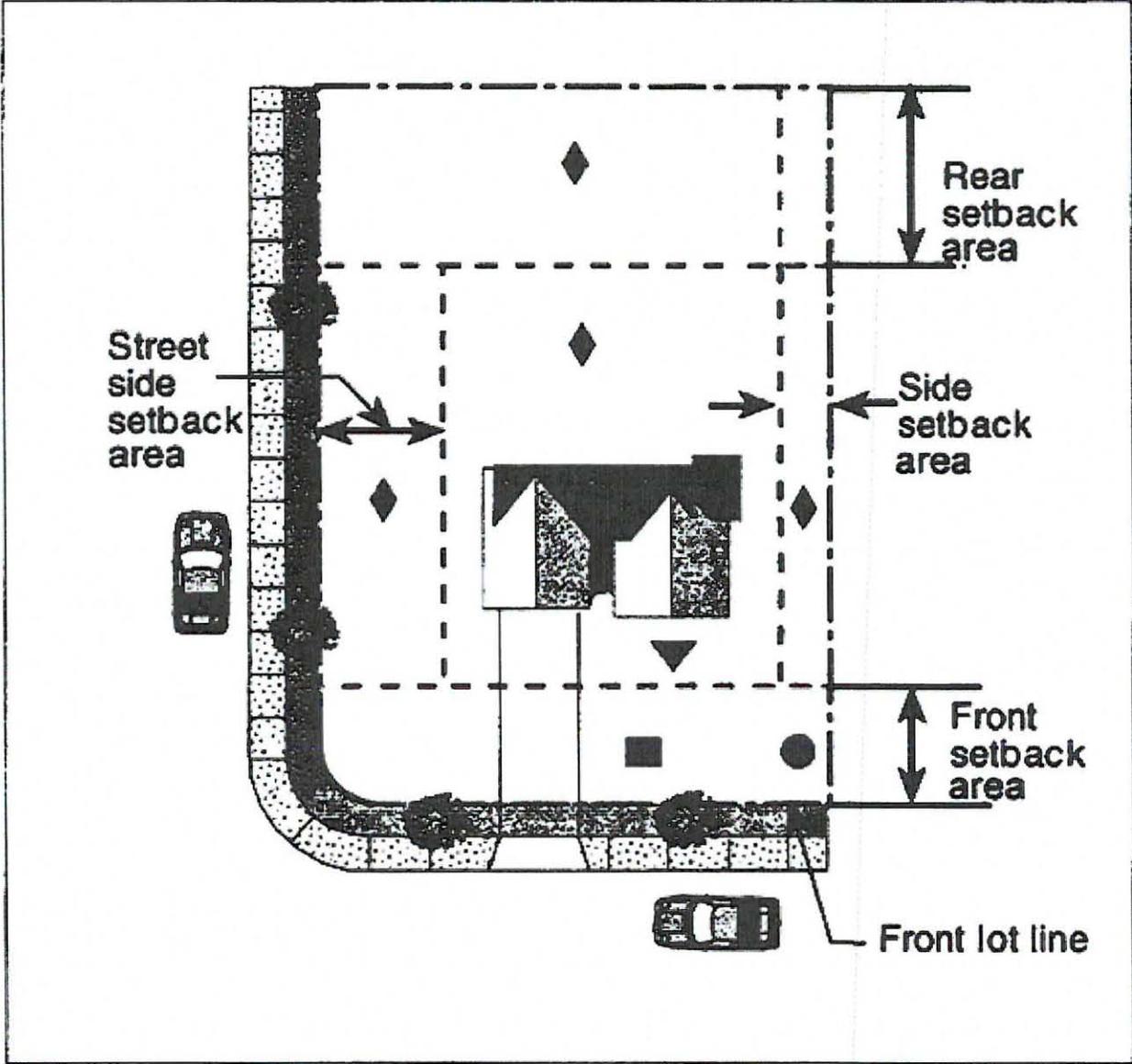
h. Only one curb cut, driveway, and driveway apron shall be allowed for each residential parcel unless a site plan is approved in accordance with Chapter 17.50. Notwithstanding any other provision of this code, this requirement only applies to development of a new residential use, or renovation of an existing residential use which includes modifications to the existing garage or front yard, that occurs after April 15, 2014.

4. Side and Rear Setbacks. Recreational vehicles, recreational items, trailers or utility trailers not exceeding nine feet in height and twenty-two feet in length a total of two in any combination, may be parked or left standing on any portion of a side or rear setback area or the area between the setback line and the dwelling unit, including the dwelling's related garage and other accessory structures, provided that the view to a recreational vehicle, recreational item, trailer or utility trailer from an observer standing at ground level on an adjoining right-of-way or adjoining property is totally obscured with an evergreen screening or a solid fence eight feet high, planted or installed between the vehicle and the

property line. Any recreational vehicle, recreational item, trailer or utility trailer that cannot be totally obscured from view from an adjoining right-of-way or adjoining property in this manner shall also be located a minimum of five feet from all property lines, except that operable, currently registered automobiles and light-duty, noncommercial trucks not otherwise prohibited from being parked on residential property may be parked or left standing on a driveway located in any rear or side setback area or the area between the setback line and the dwelling unit, including the dwelling's related garage or other accessory structures. See Figure 3-01 (Parking Diagram for Vehicles).

Deleted: by a wall not exceeding seven feet in height.

5. Operational Status. Motor vehicles and recreational items on driveways and in front setback areas shall be operational and currently registered (if required).



Legend	
■ = 17.26.060.B.3.a	● = 17.26.060.B.3.c
▼ = 17.26.060.B.3.b	◆ = 17.26.060.D

Figure 3-01

Parking Diagram for Vehicles

C. Commercial Vehicles and Equipment.
Commercial vehicles and equipment shall not be parked, stored, or left standing on or upon an outdoor portion of a residentially zoned district or residentially used parcel, except in compliance with the following standards:

1. Commercial vehicles, not more than twenty-two (22) feet in length nor more than five thousand five hundred (5,500) pounds unladen weight, may be parked on residential properties subject to the same limitations for vehicles including recreational vehicles, trailers and utility trailers and recreational items contained in this chapter.

2. Commercial vehicles exceeding twenty-two (22) feet in length or five thousand five hundred (5,500) pounds unladen weight shall not be parked upon any portion of a property used or zoned for residential purposes except while delivering or picking up materials used in conjunction with construction on the property for which a city building permit has been obtained; or, while delivering or picking up merchandise, goods, or wares necessary or incidental to the residential use.

3. Vehicle length shall be the gross distance between the forward edge of the front bumper and the rear edge of the rear bumper.

4. Construction or maintenance equipment used in the conduct of a business or trade (e.g., concrete mixers, insulation blowers, asphalt mixers, and similar

equipment) shall not be stored on any unenclosed portion of a property used or zoned for residential purposes.

Equipment may be allowed on property used or zoned for residential purposes when used in conjunction with construction or improvements on a property. (Ord. 14-02 § 4, 2014; Ord. 688 § 1, 2006)