

CITY OF LOS ALAMITOS

3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA PLANNING COMMISSION REGULAR MEETING Wednesday, April 27, 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 Cuilty
 - 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 March 23, 2016.
- B. Approve the Minutes for the Special Meeting of April 6, 2016.

6. CONSENT CALENDAR

None.

7. PUBLIC HEARINGS

A. Conditional Use Permit (CUP) 16-01

A Request for a Dentist to Locate in the General Commercial (C-G) Zone
Continued 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 (Applicant: Sandra Yavitz, of Los Alamitos Center Plaza II, LLC).

Recommendation:

1. Continue the Public Hearing; and, if appropriate,
2. Consideration of 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; and,
3. Adopt Resolution No. 16-08, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING 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).”

B. Conditional Use Permit (CUP) 16-06

Secondhand Shop in the General Commercial (C-G) Zoning District

Consideration of Conditional Use Permit CUP 16-06 for a 750 square foot secondhand shop at 3622 Katella Avenue in the General Commercial (C-G) zoning district, APN 222-091-21 (Applicant: Sheyenna Lesser).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Determine that a Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, shall be filed for the proposed project in accordance with the California Environmental Quality Act. The proposed use is within an existing building with no proposed alterations or expansion; and,
3. Adopt Resolution No. 16-09, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 16-06 TO OPERATE A 750 SQUARE FOOT SECONDHAND SHOP IN A 8,037 SQUARE FOOT COMMERCIAL BUILDING AT 3622 KATELLA AVENUE IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 222-091-21 AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: SHEYENNA LESSER).”

C. Site Plan Review (SPR 16-03)

Duplex to be Constructed on a Parcel in the R-2 Zone

Consideration of a Site Plan Review (SPR 16-03) application for the construction of a 4,649 square foot residential duplex unit on a 7,405 vacant parcel at 10700 Reagan Street in the Limited Multiple Family Residential (R-2) zone, APN 242-183-03. This project would include an attached three-car garage with one uncovered parking spot outside of the structure (Applicant: Teresa Mattazaro).

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 15332 *In-Fill Development Projects*; and,
3. Adopt Resolution No. 16-10, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW 16-03 FOR THE CONSTRUCTION OF A 4,649 SQUARE FOOT DUPLEX ON A 7,405 SQUARE FOOT VACANT PARCEL AT 10700 REAGAN STREET IN THE LIMITED MULTIPLE-FAMILY RESIDENTIAL (R-2) ZONE, APN 242-183-03, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: TERESA MATTAZARO).”

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

Continued review of the land use table and definitions 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. Continue the Public Hearing; and, if appropriate,
2. 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,
3. Adopt 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 THEREBY MAKING CHANGES TO THE TABLE OF ALLOWED USES IN SECTION 17.10.020, TABLE 2-04, SECTION 17.38.140 RELATING TO RECYCLING FACILITIES, 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 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)."

9. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

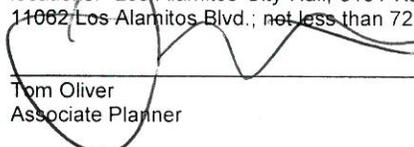
10. COMMISSIONER REPORTS

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

4/20/16

Date

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

REGULAR MEETING – March 23, 2016

1. CALL TO ORDER

The Planning Commission met in Regular Session at 7:02 p.m., Wednesday, March 23, 2016, in the Council Chambers, 3191 Katella Avenue; Chair Cuiilty presiding.

2. ROLL CALL

Present: Commissioners: Chair Mary Anne Cuiilty
Vice Chair Larry Andrade
Commissioner Art DeBolt
Commissioner Wendy Grose
Commissioner Gary Loe
Commissioner Riley
Commissioner Sofelkanik

Absent: None

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Cuiilty.

4. ORAL COMMUNICATION

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

Shy Lesser – Ms. Lesser said she wanted to introduce herself and indicated she'll be opening a children's upscale resale boutique in the shopping center that has Madera's restaurant in it and said she will be before the Commission next month with an application for a CUP.

J.M. Ivler – Mr. Ivler said when the General Plan was approved, it was pointed out at that time that the City needed to really look at the zones before approving the General Plan, especially the PM zones. When the Planning Commission met a number of times before forwarding the General Plan to the Council, it was mentioned that the PM zone needed to be looked into thoroughly and it was never agendized because as he's been told many times, the only way to get something on the agenda is if the Council forwards something to the Commission or it comes over the counter. So even though it was mentioned by members of this Commission, it never got dealt with. The Council finally after something slipped through that nobody

in this City wants, decided to discuss having a moratorium. At that meeting the Council instructed City Staff that they wanted the Commission to clean up the PM zones. So tonight the Commission is going to address which is basically taking a look at a list of things that are allowed and crossing off those things that you don't want to live with a recycling facility, a trucking terminal, etc. Mr. Ivler asked that the Commission does not get sidetracked; it's a really simple process. There's a list of approved uses and just ask yourselves if you would want to live a block away from this use; do I want this in the community? Is this something that I really think the City needs. He said the City does not need trucking terminals, we don't need recycling facilities and he's sure the Commission can go through the list just as easily as any resident can and say you don't want the use next to your homes. He asked that the Commission please takes the time to do it right and don't get into long discussions and get sidetracked. He indicated this should be done as quickly as possible but he had hoped the City Staff would actually have scheduled this for a special meeting so it could have gotten done and forwarded to the City Council for a first vote on Monday and now it's been delayed for another month. Please get it done tonight and get it to the Council and he's sure the Council will agree with whatever the Commission has recommended.

Candace DeWitt-Drucker said she agrees with Mr. Ivler's comments.

There being no further persons wishing to speak, Chair Cuijty closed Oral Communication.

5. APPROVAL OF MINUTES

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

Motion/Second: Grose/Andrade.

Carried 5/0/2 (DeBolt and Sofelkanik abstained): The Planning Commission approved the Minutes of the Regular meeting of January 27, 2016 as written.

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 Parked 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.).

Associate Planner Tom Oliver 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.

Craig Hofman, Applicant, indicated it's very important to have the outside seating area to the potential success of the business. The ability of people driving by to see people dining; see umbrellas and activity is very important. Mr. Hofman feels that Staff has done an outstanding job coming up with solutions to the parking issue and he said they're willing to agree with the conditions of approval.

Commissioner Grose asked if Mr. Hofman had spoken to Mrs. Herrera who is a tenant in the complex and who had an issue with the parking; if so, did everything work out okay?

Mr. Hofman said he had spoken to Mrs. Herrera and indicated that they have worked everything out.

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

The Commissioners discussed on street and off street parking.

Motion/Second: Loe/Grose

Carried 4/0/1 (Andrade absent & Sofelkanik abstained): The Planning Commission adopted Resolution No. 16-06xx entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING 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.)."

Commissioner Grose said that although her comment is not part of the motion, she wanted Staff to look into getting rid of the green parking zone on the curb.

Mr. Mendoza said that the City Council is reconsidering the parking in that area and in multiple areas in April at their Council meeting so he said he would mention Commissioner Grose's comment with them.

**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.**

Continued 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).

Associate Planner Tom Oliver summarized the Staff report, referring to the information contained therein, and indicated he is prepared to answer questions from the Commission. Mr. Oliver reminded the Commission that this is a continued Public Hearing.

Chair Cuiilty re-opened the Public Hearing.

Sandy Yavitz, one of the partners in Center Plaza, thanked Staff for their hard work on analyzing this and working with the partners, the parking consultant and she has their parking consultant present as well if the Commission has any questions. She indicated that the operators of the dental office, Dr. Hofkis and Dr. Yen are present as well to answer any operational questions. She said she supports a dental office being in the Center as it's a common use in centers of this type. They have this category in a number of their centers and it's a welcome addition and compatible with other tenants. The particular location within Center Plaza is in the rear of the Center and the front doors face the rear parking lot so they do not believe the use will encroach on any of the main parking field in the middle of the Center. The location is really not compatible to a retail use so they believe this is the right use for the space. They've approached at least 100 different prospective tenants for this space but due to the location, it seems to work best for service oriented use. They could lease the space to another service oriented use without coming in and asking for this CUP such as a salon, a nail salon, a beauty salon but they just don't feel those are compatible uses in the Center since they already have those uses. But there are a number of personal service uses that they could lease this space to that are much more parking intensive than a dental office. As stated in the Staff report, she said they've received letters from all but one of their tenants in support of a dental office and this evening, she said they received an email from the one tenant that has had some concerns and read the email aloud.

Dr. Jamison Hofkis, dentist and applicant, said there would be about five staff at most at one point consisting of a dentist, and front and back office staff consisting of a receptionist, assistants, and a hygienist a couple of times a week.

Ms. Yavitz asked if there were any questions regarding the parking study.

Commissioner DeBolt asked what would be the net change by reducing the hours from being closed two hours to being closed for one hour.

Dan Close, Engineer, explained that when he focused on a Friday in the traffic study, the original study showed a peak at 1:00 of 105 spaces and now

when they adjust the peak parking to account for the office being closed and all they account for is the five employees that would be there, that now drops to 101 spaces so it's a decrease of four which would result in a surplus of five spaces now instead of one. That's the main difference from what is in the Staff report versus the tables of the document that was just passed around.

Commissioner Sofelkanik asked when the last time that use was served by a retail business was.

Ms. Yavitz said about five years ago.

Commissioner Sofelkanik asked how long she had been marketing the space.

Ms. Yavitz said they started marketing the space in May of 2015.

Commissioner Sofelkanik asked if there had been any retail applicants showing interest.

Ms. Yavitz indicated there were none.

Vice Chair Andrade asked where the four or five staff members were planning on parking and assumed it would be in the lot.

Ms. Yavitz said yes unless they can get the street parking untimed as there is a time limit on the street parking.

Commissioner Grose asked if there was going to be only one dentist at a time working and a hygienist and the two dentists won't be working simultaneously.

Dr. Hofkis said no.

Commissioner Grose asked if they leave during the lunch hour.

Dr. Hofkis said he was unsure.

Commissioner Riley asked if the numbers are based on staff leaving during the lunch hour or based upon no clients being seen during the lunch hour.

Engineer Close explained that the demand for five spaces is associated with staff and the dentist.

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

Commissioner DeBolt said a concern he has is regarding the input from the police department; he doesn't believe the police are responding to anything on site that is occurring so he feels that what they are addressing is the parking surrounding the Center and not the actual site so he doesn't feel it's a problem of the landowner. Another observation was once he read the Staff report regarding the parking issues, he felt that if our own Traffic Engineer validates the applicant's traffic engineer's information, at least on paper, the parking issue seems to be resolved. Conversely, this is a retail zone and this area is part of the revenue for the City but this use seems to fit but he hates to see a further intensification with a non-retail use. Part of his problem overall with these zones is the City needs to be a little more restrictive on not necessarily office uses but just non-retail uses in general in the C-G zone and attach a percentage to that. What has swung him the other way is that the applicant has tried to rent the space and trying to find a retail tenant for the space with it being in the back of the Center is going to be difficult at best. Another non-retail office such as a realty could have 20 people working out of the office so he said he's good with the use as is.

Vice Chair Andrade said he feels the same as Commissioner DeBolt plus from a retail standpoint, it is not a great location at all. The other thing is, as far as the property owner is concern, he doesn't believe that they would choose to put a tenant in the space that would create issues with the rest of the tenants for fear of losing some of those other tenants. Also, now they have 100% support from all tenants in the Center for the dental office going in.

Chair Cuiilty said one of the big issues with the parking in the Center is that the spaces don't fit most cars. Technically, there is the right number of spaces but most cars are bigger than the parking space.

Commissioner DeBolt asked about the hours of operation.

Chair Cuiilty indicated it was 9-6 but they're considering one day a week opening 10:00 to 7:00 so people can come after work.

Ms. Kranitz said it was Monday through Friday, and Saturday by appointment only.

Vice Chair Andrade what time the other businesses in the Center close.

Commissioner Grose said most of them close right around 6:00 pm although the beauty salon stays open one night a week or maybe two.

Commissioner Sofelkanik asked Staff if a condition could be added that the number of chairs remain at four and not increase?

Ms. Kranitz said the Commission could do that if they choose.

Chair CUILTY asked Dr. Hofkis if a condition would be added that he could not have more than four chairs would be agreeable to him.

Dr. Hofkis said as their practice grows, maybe five years or so when the business becomes more established, it would be nice to be able to have available a fifth chair in case they're busy enough to have a hygienist every day. They prefer not to have the condition but they really want to be in the Plaza so they would definitely consider that.

Chair CUILTY asked Staff if the Commission put the condition on now, they could always come back for a modification, is that correct?

Mr. Mendoza explained the applicant could always request a modification.

Responding to the Commission's question, Dr. Hofkis said he would be agreeable to the hours of operation of 9:00 a.m. to 6:00 p.m. and Saturday's to remain open until 3:00 p.m. He also indicated that 9:00 a.m. to 6:00 p.m. is ideal for them but could add Wednesday until 7:00 p.m.

Motion/Second: Grose/DeBolt

Carried 7/0/0: The Planning Commission moved to bring the resolution of approval to the next meeting in April with changes as follows:

- 1) An additional condition of allowing four chairs only; and,
- 2) No beginning operating hour but an ending hour of operation of 6:00 p.m., Monday through Friday; plus Wednesday will remain open until 7:00 p.m., and Saturday's to remain open until 3:00 p.m.

Chair CUILTY indicated the Public hearing would remain open for the April 27, 2016 meeting.

C. Conditional Use Permit (CUP) 16-02

Outside 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).

Chair CUILTY recused herself because she knows the principal of the design company who's presenting and excused herself from the Chamber.

Associate Planner Tom Oliver summarized the Staff report, referring to the information contained therein, and indicated he is prepared to answer questions from the Commission.

Vice Chair Andrade opened the Public Hearing.

Steve Furlong, Applicant's representative and employee of Trend, explained that the press that put inside the building is a huge piece of equipment and explained what the press does. As far as the building permit not being applied for, the ball got dropped and he takes the blame for that. He also said that with this new equipment Trend will be hiring potentially ten new employees.

Vice Chair Andrade asked if the building was to store equipment or paper.

Mr. Furlong said that it is just for the storage of paper.

Vice Chair Andrade asked if there was enough room for paper as well as the press.

Mr. Furlong said no.

Candy DeWitt-Druckker, resident, said she lives in the Greenbrook Tract which is right off of Humbolt Street and has concerns about the noise level of the new equipment at Trend. She indicated the noise level is better but still can hear a soft hum in her upstairs bedroom. Her concern also is the noise that comes from the truck traffic on Humbolt Street and she asked what time of night Trend is going to be delivering the paper to their business. She also said she's concerned about the employment of ten new employees as she's not sure if there's enough parking for the new employees. Ms. DeWitt-Druckker urged the Commission to strongly consider all the traffic, noise and parking issues in their determination tonight.

Vice Chair Andrade asked if it was the same paper that they've always used and asked about the delivery schedule of the paper.

Mr. Furlong indicated it was the same paper and same schedule they've always had. They receive the paper between 6:00 a.m. to 8:00 p.m. by appointment only. They've been working hard with the traffic and have an employee with an I Pad scheduling trucks when they're backed up and will reroute them. He said he would give Ms. DeWitt-Druckker a business card to get in touch with him if there are issues. They've been working hard as they realize they're in the middle of a neighborhood but they're also part of the neighborhood, too. As far as the parking is concerned, Mr. Furlong said they've actually opened all that up on the backside of the fence which is all parking spaces. On Reagan Street, they weren't utilizing all the parking with the two buildings they have so they have a swinging gate there and they have their employees parking back there. They installed better lighting and the lot is cleaned every morning.

Responding to Vice Chair Andrade's question, Mr. Furlong indicated there will not be night time forklift traffic.

Vice Chair Andrade asked Staff if there is a penalty for not obtaining a permit prior to the erection of the building.

Mr. Mendoza explained doing work without a permit, it's a double fee when you obtain the permit. Trend was actually already going through the process; they had filed their CUP application and Staff kind of understood that they were struggling between violating the City's rules and regulations and covering their paper from the weather. They took a chance. He had asked for the At Risk letter much earlier in the process and Trend didn't get it to him on time until he went to the CEO so that the City is covered and finally got it.

Commissioner Sofelkanik asked if Trend as since gotten permits and paid all the fees.

Mr. Mendoza answered that the permits have been issued and paid for and they've also had inspections; they just don't have Planning approval.

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

Motion/Second: Grose/DeBolt

Carried 6/0/1 (Culty abstained): The Planning Commission moved to 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)."

Chair Culty returned to the Chamber.

A break was called at 8:24 PM and reconvened at 8:32 PM with all Commissioners present.

**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).

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

Chair Cuijty opened the Public hearing.

George Pardon, Cypress resident, commented that that area is significantly impactful to his community as they already deal with getting out of their tract of homes every morning and afternoon not only because of the traffic from the industrial area but the school traffic as well. He said between Los Alamitos and Cypress, the residents worked very hard together not to have Prologis Truck Center coming to Cypress and they were successful. They would hate to have that success and then introduce more truck traffic right across the street from them.

Lois Waddle, Los Alamitos resident, said she's also concerned about the truck traffic as the traffic is already unbearable. She asked why the residents living in Carrier Row weren't notified of this meeting. She informed the Commission and Staff that there will be a meeting on the Master Plan on the Race track on Tuesday and Wednesday night and hopes the Commission and the Council will attend as we will take anything on development for that race track into our pocket the same as we're doing now and will have to absorb the cost of the traffic on Katella as we're doing now.

Sherry Poe, resident, said she's lived in Los Alamitos all her life and she's seen a lot of changes and changes she doesn't like. She said she doesn't want to see trucks as Los Alamitos worked long and hard with Cypress to prevent Prologis from going into that 33 acre property and now less than a half of a block away there would be another truck terminal (Arrowhead). The Council at that time voted unanimously to oppose Prologis and then about 3 weeks ago, we had a community meeting and they had three members of the Council vote to have a 45 day moratorium on looking over all of the zoning and making changes that need to be done. She said she suggests that the Council do that; that you go through and check off things that don't belong where they should not be. She said that Staff needs to know that the people that live in Los Alamitos don't want trucks.

Bill Budge, Property Manager of Los Alamitos Corporate Center on Cerritos Blvd., which is one of the larger mixed projects in the area and he wanted to say that in regards to the land use document as it exists today, he finds it to be very compatible with Los Alamitos as it allows a mix of office and light

industrial and service businesses that can accommodate the needs of the community and provide jobs and opportunities for all of the people in the area. He had a heavy truck user at one point but they have since moved and they have replaced them with BarBaker's on Bloomfield Ave. and are more manufacturing oriented. Staff has worked with them and they've worked with Staff to get a mix of uses that are conducive to local business and job creation.

Marilyn Low, Cypress resident, said she received a notice about the trucking and huge building for big trucks.

Chair Cuiilty explained that the item we're talking about currently is not about the Arrowhead property but the zoning as a whole and what we want there.

Ms. Low said that if the City changed the zoning and allow what was in the letter, the City is impacting the schools and she said she just thinks it's a bad idea and hopes the Commission will consider everything before making a decision.

Orion Wise, with the property management of the Katella Corporate Center, received a notice and is wondering what some of the proposed benefits of the proposed plan are as it is right now.

Mr. Mendoza answered that there are no proposals until the Commission starts discussing it. There's been no Staff report giving them direction to make any type of changes; they will discuss that tonight.

Mr. Wise asked if there will be an opportunity to make comments after that discussion.

Mr. Mendoza answered the hearing will remain open.

Ty Bolding, representing three properties within the overlay; one on Cerritos and two on Catalina. They are small multi-tenant light industrial properties and they are opposed to anything that would be more restrictive to the tenants already there.

Chair Cuiilty indicated the Public hearing will remain open.

Commissioner DeBolt indicated he attended the special City Council meeting that was called for the moratorium that was spoken about earlier. He commented that Los Alamitos is a bedroom community; this is where we raise our kids and primarily that's the function here. What he took away was we don't want to end up like a Santa Fe Springs or a more and more heavy industrial. If anything, we are fully developed and 99% built out; the days of needing industry to provide jobs are passed and the heavier, dirtier, more intense uses if anything should begin to be phased out in favor of the lighter

R & D type uses that will help preserve the community or keep it in that way. That's just his general overall view before beginning to go through this.

The Commission began going line by line in the Los Alamitos Municipal Code Section 17.10.020, Table 2-04, which is included in the Draft Ordinance attached to this item and but only worked on the P-M and L-I zones. They discussed at length each use and gave particular examples of properties within the City and how the properties and property owners could be impacted by the existing code and any proposed changes to the code.

Following the discussion, and the unanimous decision to have a Special Planning Commission meeting on Wednesday, April 6 at 6:00 p.m., Ms. Kranitz indicated she would incorporate the Commission's changes into the Ordinance and will bring it back to the April 6th meeting.

8. STAFF REPORT

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).

Development Services Director Mendoza reported the applicant called him today to let him know she would not be able to attend tonight's meeting and so therefore is recommending that this item be continued to the April 27, 2016 Regular Planning Commission Meeting.

Motion/Second: Sofelkanik/DeBolt.

Unanimously carried: 7/0/0. The Planning Commission moved to continue this item to the April 27, 2016 regular Planning Commission meeting as recommended by Staff.

9. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

None.

10. COMMISSIONER REPORTS

None.

11. ADJOURNMENT

The Planning Commission adjourned at 10:45 p.m. to a Special Planning Commission Meeting on April 6, 2016 at 6:00 p.m. with a continued Public hearing.

Mary Anne CUILTY, Chair

ATTEST:

Steven Mendoza, Secretary

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

SPECIAL MEETING – April 6, 2016

1. CALL TO ORDER

The Planning Commission met in Special Session at 6:01 p.m., Wednesday, April 6, 2016, in the Council Chambers, 3191 Katella Avenue; Chair Cuiilty presiding.

2. ROLL CALL

Present: Commissioners: Chair Mary Anne Cuiilty
Vice Chair Larry Andrade
Commissioner Art DeBolt
Commissioner Wendy Grose
Commissioner Riley (Arrived: 6:06 p.m.)
Commissioner Sofelkanik

Absent: Commissioner Gary Loe

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 Cuiilty.

4. ORAL COMMUNICATION

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

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

5. APPROVAL OF MINUTES

A. Approve the Minutes for the Regular Meeting of February 24, 2016.

Commissioner DeBolt indicated he had a question on page 6 of 8 regarding the proper use of the word "remain" in the motion that was in the fifth line from the bottom.

Department Secretary Dawn Sallade indicated she would listen to the recording and correct the word if found to be incorrect.

Motion/Second: Grose/DeBolt.

Carried 4/0/1 (Andrade abstained and Riley and Sofelkanik were absent):
The Planning Commission approved the Minutes of the Regular meeting of February 24, 2016 with the possible correction above.

6. CONSENT CALENDAR

None.

Commissioner Riley arrived at 6:06 p.m.

7. PUBLIC HEARINGS

A. Zoning Ordinance Amendment (ZOA) 16-05

Continued Review of Uses in the Planned Light Industrial Zone (Citywide) (City Initiated)

Continued 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).

Development Services Director Steven Mendoza summarized the Staff report, referring to the information contained therein, and indicated he's prepared to answer questions from the Planning Commission. He indicated Assistant City Attorney Lisa Kranitz had incorporated their changes from the previous meeting into the Ordinance that has come before them tonight.

Chair Culty opened the continued Public Hearing.

Chad Kidder, General Manager for Ganahl Lumber Company, indicated he had some questions and he wanted to find out more in reducing the uses on the limited use industrial property. In other words, they've had a zoning change on the property that Ganahl Lumber stands on and it's now zoned for limited industrial and he just wants to find out what the intent behind that was.

Associate Planner Tom Oliver said it's under the General Plan under Limited Industrial.

Mr. Mendoza answered the wood shop area behind Reagan Street but not the retail site west of Reagan.

Mr. Kidder explained that they have two yards separated by Reagan Street, the east yard and the west yard. The east yard is where they have a lot of uses that's not necessarily related to their retail area. In that area is what they call their operations area where they store and receive lumber material. They also have a mill there and also a mechanics shed for taking care of their own vehicles and forklifts. The Limited Use is kind of concerning because he wants to make sure that at some point are they going to be compliant.

Mr. Mendoza said the LI (Limited Industrial) by itself allows him to have recreational uses on his property. What Mr. Kidder wants to do today is to protect their ability to modernize or expand his yard area in that industrial

zone and make sure he doesn't get into a predicament where he couldn't add on to his mill. The property has PI and LI on it. He wants to make sure that the Commission is not making changes that may affect him.

Chair Cuijly asked where Ganahl Lumber falls on the Allowed Uses Table.

In response to Mr. Mendoza's question, Mr. Kidder explained that they have outdoor storage as well as the mill. They also have a mechanics area, an operations center with offices, etc. He asked if the planing mill was excluded from the list.

A long discussion ensued with regard to the definition of a planing mill.

Following the discussion, Assistant City Attorney Lisa Kranitz read the following wording for the Table: "*Lumber yard excluding milling as a primary use*". This will also be kept as a permitted use as well.

Bill Budge, representative for the Los Alamitos Corporate Center... said he was at the March 23rd Planning Commission meeting and had a few concerns and asked what was the purpose of a CUP.

Mr. Mendoza explained that when offices start to expand in a use that is approved by Industrial, parking impacts will start to develop so a CUP gives the Commission a chance to consider those parking impacts before it's approved or not. Mr. Budge has an office there but there are other tenants that could easily turn into Office so it gives the Commission a chance regarding parking, traffic and other impacts that may impact the entire site. It also gives the neighbors a chance to chime in just in case they think there may be impacts to their businesses.

Mr. Budge said that was alright and makes for good neighbors and they are supportive of that. With regard to aircraft and related aircraft related accessories and manufacturing, he discussed this with one of their larger tenants, Timken Bearing Inspections, and they test very small aircraft components that are part of a jet engine assembly. They were concerned that there would be some impact to them or for that particular use.

Ms. Kranitz read what the definition of Aircraft and Related Aircraft Accessories from the Los Alamitos Municipal Code and manufacturing is defined as: "Manufacturing or assembling complete aircrafts; developing and making aircraft prototypes, aircraft conversion, i.e. a major modification to a system; complete aircraft overhaul and rebuilding, i.e. periodic restoration of aircraft to original design specifications".

Mr. Budge indicated that that is not this.

Mr. Mendoza said no it's not; the difference is aircraft is not aerospace.

Mr. Budge said the company next door in their Center is Alliance Aerospace and they were also concerned because they build satellites and all kinds of sophisticated equipment relative to communication and launch, etc. So his question is should there not be a separate allowed use because once you start with that aerospace then you immediately go to high tech medical, electronics, communications, computers, pharmaceuticals, the high tech bundle of companies and there's no affirmative or any category that those would fit into the Industrial uses. He said they would like to see an affirmative statement relative to those types of aerospace, etc. so there is a level of comfort that that's not in any way excluded from what the City is looking to accomplish relative to reworking the zoning ordinance.

Following a long discussion regarding warehousing, manufacturing and distribution, Ms. Kranitz indicated she would incorporate the Commission's changes into the Ordinance and will bring it back before them at the regular Planning Commission meeting of April 27, 2016.

Mr. Mendoza indicated once finished, this Ordinance will be scheduled for the May City Council meeting for their approval.

Ms. Kranitz indicated the Chair should reopen the Public Hearing and continue the item to the April 27, 2016 meeting.

Chair Cuiilty reopened the Public Hearing and continued the item to the April 27, 2016 meeting.

8. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

None.

9. COMMISSIONER REPORTS

None.

10. ADJOURNMENT

The Planning Commission adjourned at 7:18 p.m.

Mary Anne Cuiilty, Chair

ATTEST:

Steven Mendoza, Secretary

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

April 27, 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) 16-01
A Request for a Dentist to Locate in the General Commercial (C-G) Zone

Summary: Continued 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 (Applicant: Sandra Yavitz, of Los Alamitos Center Plaza II, LLC).

Recommendation:

1. Continue the Public Hearing; and, if appropriate,
2. Consideration of 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; and,
3. Adopt Resolution No. 16-08, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING 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).”

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.

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.

Noticing:

Notices announcing the Planning Commission Meeting, discussing this Conditional Use Permit, were mailed to property owners and commercial occupants within 500 feet of the proposed location on January 13, 2016. A public notice regarding this meeting was also published in the News Enterprise on January 13, 2016. This meeting was continued to the February, March, and now to tonight's Planning Commission meeting to present Commissioners with the opportunity to approve the use if desired.

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.

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.

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 requested the Commission to not 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 then continued to the March 23rd meeting so that the property owner could obtain letters of support from the building tenants. In March it was made clear, through letters, that the building's tenants overwhelmingly support the dentist for locating in the Center.

At the March meeting, the Commissioners determined that the use should be approved, due in part to the City's receipt of positive letters from all of the other tenants of the building about this business. The fact that this has been an empty unit since August -- even with continued real estate marketing the whole time -- shows that it is not a popular retail location. Commissioners were in agreement with the latest parking study, presenting that there is enough parking. They felt that parkers in the Center are often from other areas, not just customers of businesses in this center. In spite of the recent Commission approval of outside seating at the Brew Kitchen Alehouse, parking is still sufficient, and the dentist would not be open when the Brew Kitchen is at its busiest. Commissioners also added a condition that the office cannot increase the business past the use of four dental chairs.

At the end of discussion, the meeting was continued to tonight so that Staff could present a resolution of approval, since a resolution of denial had been presented at the March meeting.

Recommendation

Staff recommends that the Commissioners continue the open Public Hearing and then approve CUP 16-01 through the adoption of Resolution 16-08.

*Attachments: 1) Planning Commission Resolution 16-08
Exhibit A – Site Plan of Tenant Space*

RESOLUTION NO. 16-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING 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; 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, after considering all of the evidence, the Planning Commission directed Staff to return with a resolution approving the application; and

WHEREAS, after the Planning Commission held the continued public hearing on April 27, 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. Conditional Use Permit 16-02 is hereby approved to allow a medical use (dentist) at 10688 Los Alamitos Boulevard, a major arterial in the General Commercial (C-G) zoning district based upon the following findings and determinations:

1. A medical use (dentist) at 10688 Los Alamitos Boulevard, a major arterial in the General Commercial (C-G) zoning district would not endanger the public health, safety or general welfare. Although there had originally been a concern regarding parking, the parking study submitted by the Applicant addressed this concern and showed that there would be sufficient parking with a medical use. Based on letters the City received, the business owners of this shopping center are in full agreement that this is a business they would like to see approved for this building.
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. Conditions have been imposed to insure that the use will be compatible with the other uses in the shopping center. It appears that this is not an appealing retail space, since it has been empty since August. A parking study has demonstrated that there will be sufficient parking in this center, even with the addition of this dental office.
3. A medical use (dentist) at 10688 Los Alamitos Boulevard in the General Commercial (C-G) Zoning District would 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 consistent with the following goals of the General Plan:
 - o Economic Development Policy 2.2 **Effective land use regulation.** “Ensure that development standards, use regulations, and the permitting process (especially discretionary permitting), are streamlined and effective, yet maintain protections for the community’s quality of life.” -- The discretionary process exists for just a situation such as this. The process was effective in giving neighbors of the medical office business a voice in a situation and allowed a full vetting of the application before the Planning Commission and interested persons.
 - o 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.” -- There was testimony at the hearing that the space had been vacant for 8 months and there was no interest from a retail use. Allowing the dentist office will allow this long vacant space to be utilized.
4. The decision to approve 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.

5. A Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, has been prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is within an existing building with no proposed alterations or expansion.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves the application described above subject to the following conditions:

1. Approval of this application is 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 with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of CUP 16-01 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 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 not allow to be installed more than a total of four (4) dental chairs in the unit without returning to the Planning Commission for approval.
11. The Applicant shall limit closing time each day to the following:
 - Monday, Tuesday, Thursday, and Friday: 6:00 p.m.
 - Wednesday: 7:00 p.m.
 - Saturday: 3:00 p.m.
 - Sunday: Closed
12. The Applicant shall pay all outstanding costs of the the City's Traffic Engineer in evaluating this project and its parking studies. These costs shall become due upon the recording of these conditions with the Orange County Clerk Recorder.

Building Department

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

Orange County Fire Authority

14. **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 a building permit or certificate of occupancy:***

- Gas Systems: Medical Gas *if applicable in dental office in question.* (service codes PR345-PR360)

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 27th day of April, 2016.

Chair Mary Anne 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 27th day of April, 2016, by the following vote, to wit:

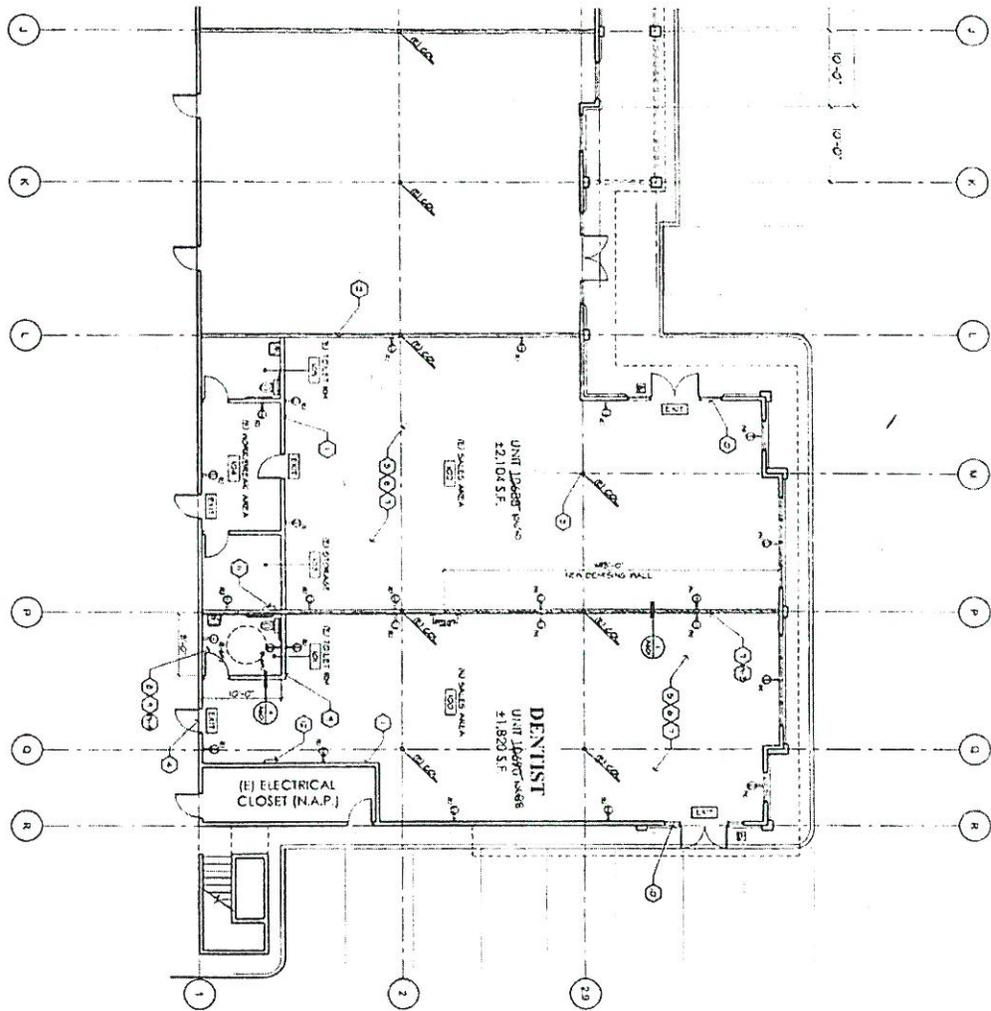
AYES:

NOES:

ABSENT:

ABSTAIN:

Steven Mendoza, Secretary



BUILDING CODES
 THE DESIGN AND CONSTRUCTION OF THIS STRUCTURE SHALL BE IN FULL COMPLIANCE WITH:
 2003 IBC INTERNATIONAL BUILDING CODES
 2003 IBC INTERNATIONAL RESIDENTIAL CODES
 2003 IBC INTERNATIONAL MECHANICAL CODES
 2003 IBC INTERNATIONAL PLUMBING, PIPE AND HEATING CODES
 2003 IBC INTERNATIONAL ELECTRICAL CODES
 2003 IBC INTERNATIONAL FIRE AND SAFETY CODES
 2003 IBC INTERNATIONAL ENERGY EFFICIENCY CODES
 2003 IBC INTERNATIONAL SMOKE AND SMOKE-CONTROL CODES
 2003 IBC INTERNATIONAL STRUCTURAL CODES
 2003 IBC INTERNATIONAL TABLES AND SPECIFICATIONS

BUILDING DATA
 DESIGNER: [Redacted]
 ARCHITECT: [Redacted]
 DATE: [Redacted]



NEW FLOOR PLAN 1
 SCALE: 1/8" = 1'-0"

ALL DIMENSIONS AND NOTES ARE APPROXIMATE. THE ARCHITECT AND ENGINEER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS AND NOTES. THE ARCHITECT AND ENGINEER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS AND NOTES. THE ARCHITECT AND ENGINEER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS AND NOTES.

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

April 27, 2016
Item No: 7B

To: Chair Culty and Members of the Planning Commission

Via: Tom Oliver, Associate Planner

From: Steven A. Mendoza, Development Services Director

Subject: Conditional Use Permit 16-06
Secondhand Shop in the General Commercial (C-G) Zoning District

Summary: Consideration of Conditional Use Permit 16-06 for a 750 square foot secondhand shop at 3622 Katella Avenue in the General Commercial (C-G) zoning district, APN 222-091-21 (Applicant: Sheyenna Lesser).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Determine that a Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, shall be filed for the proposed project in accordance with the California Environmental Quality Act. The proposed use is within an existing building with no proposed alterations or expansion; and,
3. Adopt Resolution No. PC 16-09 entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 16-06 TO OPERATE A 750 SQUARE FOOT SECONDHAND SHOP IN A 8,037 SQUARE FOOT COMMERCIAL BUILDING AT 3622 KATELLA AVENUE IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 222-091-21 AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: SHEYENNA LESSER).”

Applicant: Sheyenna Lesser

Location: 3622 Katella Avenue, APN 222-091-21

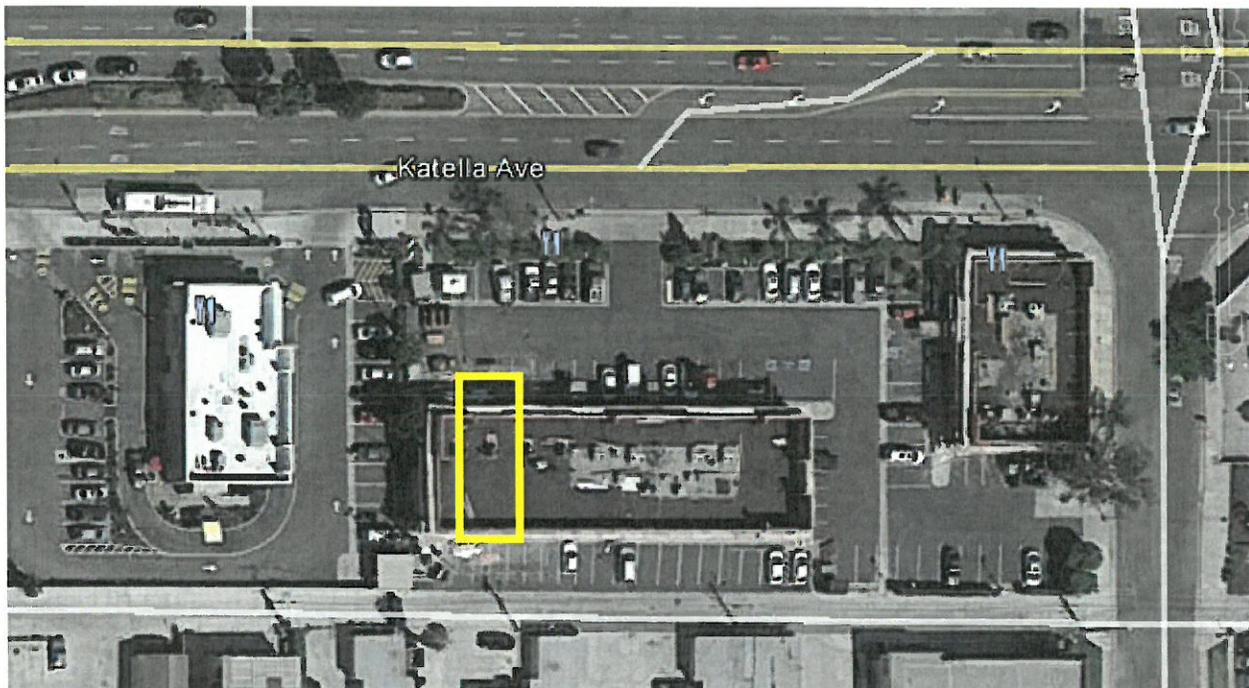
Environmental: A Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, will be filed for the proposed project in

accordance with the California Environmental Quality Act. The proposed use is within an existing building with no proposed alterations or expansion.

Approval Criteria: Section 17.10.020 (Land Uses and Permit Requirements), Table 2-04 (Allowed Uses and Permit Requirements) of the Los Alamitos Municipal Code (LAMC) allows Secondhand Shops in the General Commercial (C-G) Zoning District with the approval of a Conditional Use Permit.

Noticing: Notices announcing the Planning Commission Meeting, discussing this Conditional Use Permit, were mailed to property owners and commercial occupants within 500 feet of the proposed location on April 13, 2016. A public notice regarding this meeting was also published in the News Enterprise on April 13, 2016.

Background



An application has been filed by Sheyenna Lesser for the consideration of a Conditional Use Permit for 3622 Katella Avenue. This request asks for the Planning Commission to allow a clothing resale store (secondhand shop) in a 750 square foot unit in the 8,037 square foot shopping center. The Applicant intends to resale children's clothing, shoes and accessories. The Applicant will purchase the used clothing from customers of the business. The last business in this particular unit was Paramount Acupuncture.

The City's municipal code defines secondhand/consignment store as "a retail establishment engaged in selling used merchandise (e.g., clothing, furniture, books, shoes, household appliances, etc.) on consignment. Merchandise is brought to the establishment and processed by marking, cleaning, sorting, and storing as a major part of the primary use."

A photograph of the exterior of unit is shown below:



Here is how Ms. Lesser describes the business:

"Los Alamitos Kids Resale – An upscale resale boutique specializing in high-end brand clothing, shoes and accessories. We purchase items from customers, value them, price and merchandise them, and put them up for sale. The purpose of the store is to provide the community a low-cost option to clothe their kids and an opportunity to make extra money for their gently used kid's items."

Requirements for a Conditional Use Permit (CUP)

The purpose of a CUP is to ensure the compatibility of a use in terms of configuration, design, location, and potential impacts of the proposed use, to evaluate the compatibility of the proposed use with the surrounding uses, and the suitability of the use to the site, to ensure the protection of the public convenience, health, interest, safety, and welfare LAMC § 17.42.010 A & B.

Compatibility with the Surrounding Area

The adjacent properties to the Center in which the proposed use is located are developed and zoned as follows:

- North: US Bank and St. Isidore Historical Plaza in the General Commercial (C-G) Zoning District.
- East: Maderas Restaurant in the General Commercial (C-G) Zoning District.
- South: Multiple family residences in the Multiple Family (R-3) Zoning District.
- West: McDonalds Restaurant in the General Commercial (C-G) Zoning District.

The location of the proposed use is the General Commercial (C-G) zone which is intended for retail type uses. The location is bordered by an alley on the south side, across from which are multiple-family residential buildings. Commercial buildings lie directly to the east and west of the location and commercial uses and St. Isidore's Historical Plaza lie to the north, across Katella Avenue. Secondhand stores are allowed in this zone pursuant to a CUP if the findings can be made. There are other secondhand shops in the town. Precious Life's secondhand store is in the general vicinity, across Katella, on the corner of Florista and Reagan. The use will be conducted indoors and will not generate nuisance conditions.

The building in which the use is proposed has recently been renovated due to a fire.

Site Plan/Floor Plan

The attached site plan shows the location of the proposed business which, as mentioned above, is a store-front in the 8,037 square foot building. The Applicant has no plans for improvement or construction other than the installation of new signage. Los Alamitos Kids Resale would use the building as it stands.

Parking

The particular building (excluding the 4,034 square foot Maderas building) that this use would be located in is 8,037 square feet in total, and this unit is 750 square feet. This building (referred to as the Mustard's building because of the location of that restaurant), shares parking with the adjacent Madera's restaurant. The two buildings together have a total of 87 spaces. If parking was based on the individual uses, Maderas would require 41 spaces and the uses in the Mustard's building would require 47 spaces for a total of 89 spaces as shown below. However, the parking is a legal non-conforming use and as there is no expansion to the building, the proposed use is allowed. It is further noted that the proposed use is replacing a medical use which required an additional parking space. Even with the acupuncture office, there were no complaints regarding parking with a similar mix of tenants.

Parking Table				
	Mustards Building	8,037 square feet	62 spaces	
	Maderas Building	4,034 square feet	25 spaces	
	Both Lots Combined	13,200 square feet	87 spaces	
	Individual Uses	Square footage	Parking calc	Spaces required
3620 Katella	Wow Kitchen	750	1/100 square feet	8
3622 Katella	Los Al Kids Resale	750	1/250	3
3626 Katella	Fyt Gym ¹	1500	1/200	8
3628 Katella	Katella Hair	1000	1/250	4
3630 Katella	Mustards	1500	1/100	15
3636 Katella	Los Al Market and Liquor	1500	1/250	6
3638 Katella	Top It!	1,000	1/300 take out	4
3642 Katella	Maderas	4,034	1/100	41
			Total	89

State Regulations

Pursuant to Business & Professions Code § 21641 and Financial Code § 21300, City and County licensing agencies are delegated the responsibility to implement the State secondhand dealer and State pawnbroker licensing process into their local program. As such, the City Council adopted Chapter 5.36 which regulates pawnbroker and secondhand dealer permits. The permit expires every year concurrent with the permittee's business license. A permit under this Chapter 5.36 will be required as condition to CUP approval (condition #8).

Compatibility with Los Alamitos Municipal Code 5.36 *Pawnbrokers and Secondhand Dealers*

Although this proposed use is a "second-hand/consignment store" and not a "pawn shop" (defined as a retail establishment that accepts personal property as collateral for

¹ Although the City Council has not yet adopted the Limited-Industrial zoning ordinance, the draft defines these types of use as a health club and it would fall in the 1:200 parking ratio.

loans, as well as offering property for sale to the public), both state law and the Los Alamitos Municipal Code require that any retail sellers of used/pre-owned merchandise (other than vehicles) obtain a second-hand dealer permit.

In accordance with Chapter 5.36 PAWNBROKERS AND SECONDHAND DEALERS, the Applicant will be required to annually obtain a Secondhand Dealers Permit from the City which comprises a Police Department background check. The Applicant has already submitted the proper forms for this background check which is in progress through the Police Department. Chapter 5.36 also imposes several requirements and Staff has conditioned this chapter to be abided by in the resolution as number 20. This is consistent with state regulations pertaining to second-hand dealers discussed below.

Recommendation

As a conditional use permit, the use will “run with the land,” and any secondhand store/consignment store could go into the unit in the future. However, a new owner of this, or any other secondhand store, would be required to obtain a separate secondhand dealer permit.

Staff reviewed the application, researched the surrounding area and finds that the proposed use is compatible and harmonious with surrounding uses and that it will not negatively impact the health, welfare or safety of the public. It is quite common for such uses to be in locations such as this. The use will not cause excessive noise or vibrations, or other nuisance conditions being a children’s clothing store. Staff recommends approval of the Conditional Use Permit, with the recommended conditions.

Attachment: 1) *Planning Commission Resolution No. 16-09*
 2) *Site Plan*

RESOLUTION NO. 16-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 16-06 TO OPERATE A 750 SQUARE FOOT SECONDHAND SHOP IN A 8,037 SQUARE FOOT COMMERCIAL BUILDING AT 3622 KATELLA AVENUE IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 222-091-21 AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: SHEYENNA LESSER)

WHEREAS, an application for a Conditional Use Permit was submitted by the Applicant to allow a secondhand shop at 3622 Katella Avenue; and,

WHEREAS, said verified application constitutes a request as required by Section 17.10.020, Table 2-04 of the Los Alamitos Municipal Code; 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, the Planning Commission considered said application at a duly noticed Public Hearing on April 27, 2016 at which time it took into consideration all evidence presented, both written and oral.

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. Conditional Use Permit 16-06 is hereby approved to allow a 750 square foot secondhand shop at 3622 Katella Avenue based upon the following findings and determinations:

1. The use, as a secondhand shop as conditioned, will not endanger the public health, safety, or general welfare of the public. The business will be conducted indoors and selling clothing is not a type of use which would create noise, glare, odor, vibration, or other nuisance conditions.
2. The proposed use as a secondhand dealer will be located in a commercial area and is a conditionally permitted use within the General Commercial Office (C-G) Zoning District. The (C-G) Zoning District permits secondhand uses provided that the uses are found to be compatible and harmonious with surrounding uses with the approval of a Conditional Use Permit.

3. The proposed secondhand dealer and social service facility is compatible with similar uses located in the General Commercial (C-G) Zoning District and is surrounded by retail, fitness, and restaurant uses, and is in harmony with those uses. The proposed use will fulfill a niche for families with children who want to save money on more expensive designer clothing that is worn for a short period of time.
4. The decision to approve the Conditional Use Permit for this use is based on review by the Planning Commission of the plans and specifications submitted for the proposed project and on oral and written testimony given to the Planning Commission.
5. A Class 1 Categorical Exemption, pursuant to Section 15301 – Existing Facilities, has been prepared for the proposed project in accordance with the California Environmental Quality Act. The proposed use is within an existing building with no proposed alterations or expansion.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves the application described above subject to the following conditions:

Planning Division

1. Approval of this application is to allow a 750 square foot secondhand shop at 3622 Katella Avenue, with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of CUP 16-06 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 proposal to expand the use beyond that which is shown in the relevant drawings and all documents that are a part of this application that are included in this approval shall require a modification to be approved by the Planning Commission.
3. 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.

4. Approval of the Conditional Use Permit shall be valid for a period of eighteen (18) months from the date of determination. If the use approved by this action is not established within such time period, such approval shall be terminated and shall thereafter be null and void.
5. Failure to satisfy and/or comply with the conditions herein may result in a recommendation to the Planning Commission and/or City Council for revocation of this approval.
6. Prior to permit issuance, the Applicant, and Applicant's successors in interest, shall be responsible for payment of all applicable fees.
7. Prior to permit issuance, the property owner and Applicant shall file an Agreement Accepting Conditions of Approval with the Community Development Department. The property owner and Applicant shall be required to record the agreement with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department.
8. The Applicant shall apply for a background check with the Police Department and receive a City Secondhand Dealers Permit prior to receiving a business license for this business. If such a permit is not received, then this Conditional Use Permit (16-06) is null and void.
9. This Conditional Use Permit does not permit the ability to convert this address at some later date into a pawn shop. This permit allows for the resale of thrift store type goods only. No gun sales shall be permitted.
10. Secondhand sales operation shall be conducted only between the hours of 8:00 a.m. to 9:00 p.m. daily.
11. There shall be no outdoor sales or outdoor displays unless a Special Event Permit is first obtained from the City.

12. No donations of any kind shall be left outside of the building.
13. The Applicant agrees to maintain the site per Section 17.14.070 of the Los Alamitos Municipal Code.
14. Any signs shall comply with the provisions under Chapter 17.28 of the Los Alamitos Municipal Code and/or any Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Director.
15. Applicant shall comply with applicable City, County, and/or State regulations.

Building Division

16. The Applicant/operator shall submit complete plans, including necessary engineered drawings, for plan check prior to building permit application for any tenant improvements.
17. Periods of construction during which noise levels may have an adverse impact on nearby uses shall be limited as follows: 7:00 a.m. until 5:00 p.m. during the week; 8:00 a.m. until 5:00 p.m. on Saturday; and not at all on Sunday or federal holidays.

Code Enforcement

18. The tenant shall contact the City if they intend to erect any signs, banners, flags, or other similar items in conjunction with the operation of this business to obtain a permit for those uses.

Orange County Fire Authority

19. None.

Los Alamitos Police Department

20. In accordance with Chapter 5.36 PAWNBROKERS AND SECONDHAND DEALERS, Applicant will be required to annually obtain a Secondhand Dealers Permit from the City.
21. The Applicant agrees to comply with all the requirements described in Municipal Code Chapter 5.36 concerning "Secondhand Dealers."
22. Applicant shall be required to keep business inventory and transaction records subject to inspection by the Chief of Police or his designee. All consignment item records shall contain the following: name, address, and

phone number of the person placing the item on consignment, as well as record of a valid government issued identification.

23. The Applicant shall install a video surveillance system for security purposes.

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 27th day of April, 2016.

Mary Anne CUILTY, Chair

ATTEST:

Steven A. Mendoza, Secretary

APPROVED AS TO FORM:

Lisa Kranitz, Assistant City Attorney

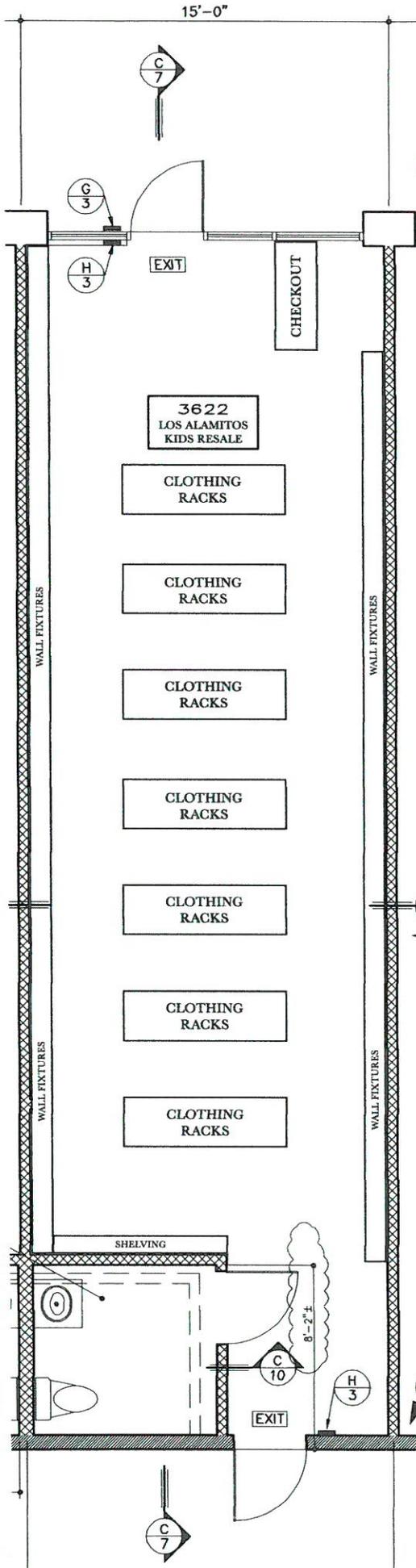
STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

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 27th day of April, 2016, by the following vote, to wit:

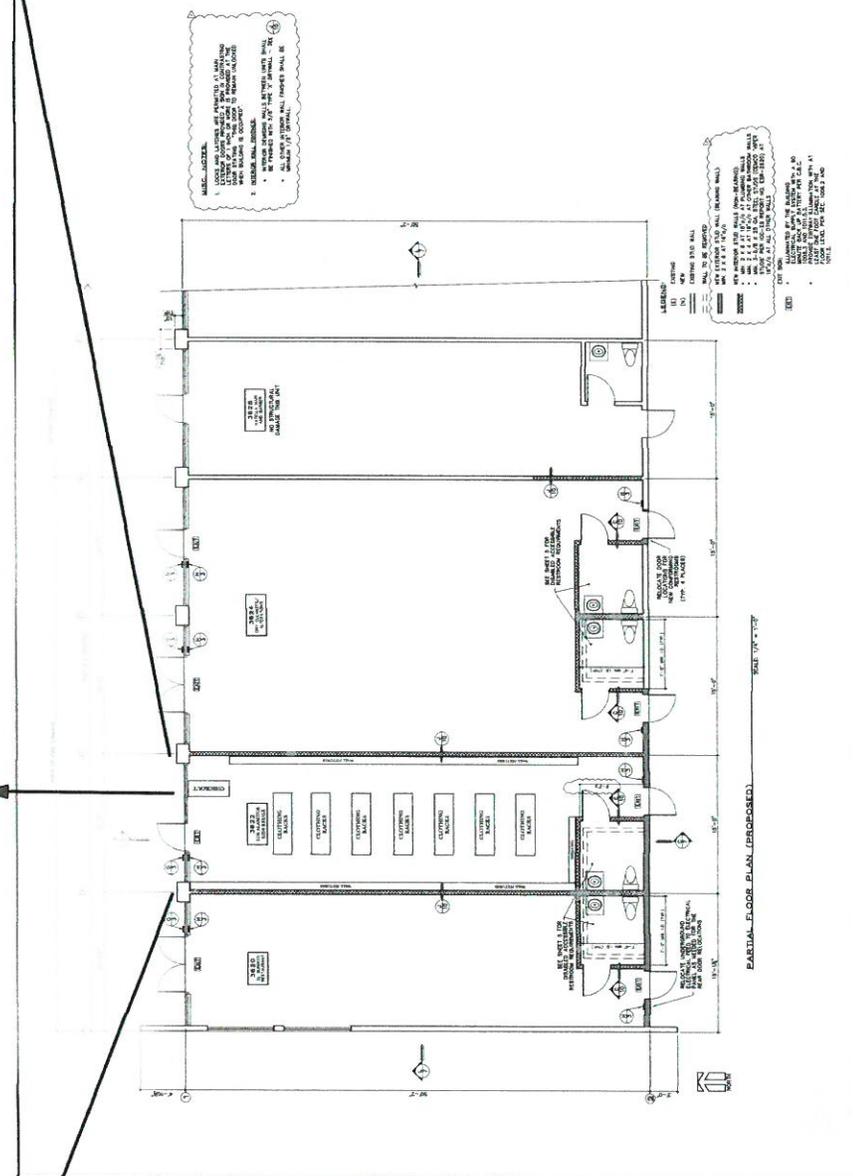
AYES:
NOES:
ABSENT:
ABSTAIN:

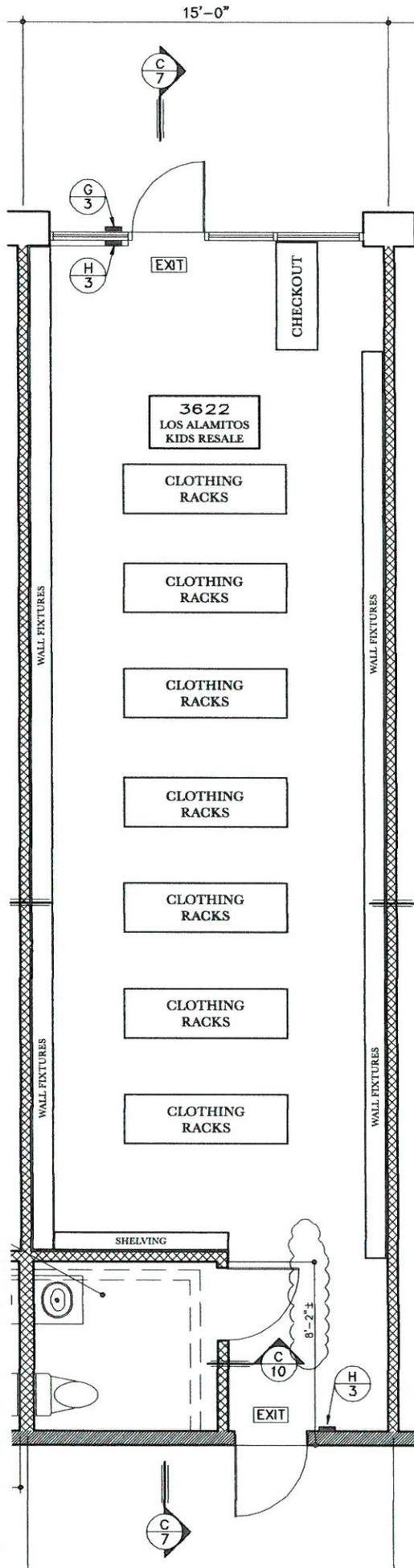
Steven Mendoza, Secretary

ATTACHMENT 2



	HANSEN + HOKAMA STRUCTURAL ENGINEERS
RETAIL CENTER 3622 LOS ALAMITOS AVENUE LOS ANGELES, CALIFORNIA	
SHEET NO. 14-234 DATE 01-11-14 SCALE 1/8" = 1'-0"	4





City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

April 27, 2016
Item No: 7C

To: Chair Culty and Members of the Planning Commission

Via: Steven A. Mendoza, Development Services Director

From: Tom Oliver, Associate Planner

Subject: Site Plan Review (SPR 16-03)
Duplex to be Constructed on a Parcel in the R-2 Zone

Summary: Consider a Site Plan Review (SPR 16-03) application for the construction of a 4,649 square foot residential duplex unit on a 7,405 square foot vacant parcel at 10700 Reagan Street in the Limited Multiple Family Residential (R-2) zone, APN 242-183-03. This project would include an attached three-car garage with one uncovered parking spot outside of the structure (Applicant: Teresa Mattazaro).

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 15332 *In-Fill Development Projects*; and,
3. Adopt Resolution No. PC 16-10, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW 16-03 FOR THE CONSTRUCTION OF A 4,649 SQUARE FOOT DUPLEX ON A 7,405 SQUARE FOOT VACANT PARCEL AT 10700 REAGAN STREET IN THE LIMITED MULTIPLE-FAMILY RESIDENTIAL (R-2) ZONE, APN 242-183-03, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: TERESA MATTAZARO)."

Applicant: Teresa Mattazaro

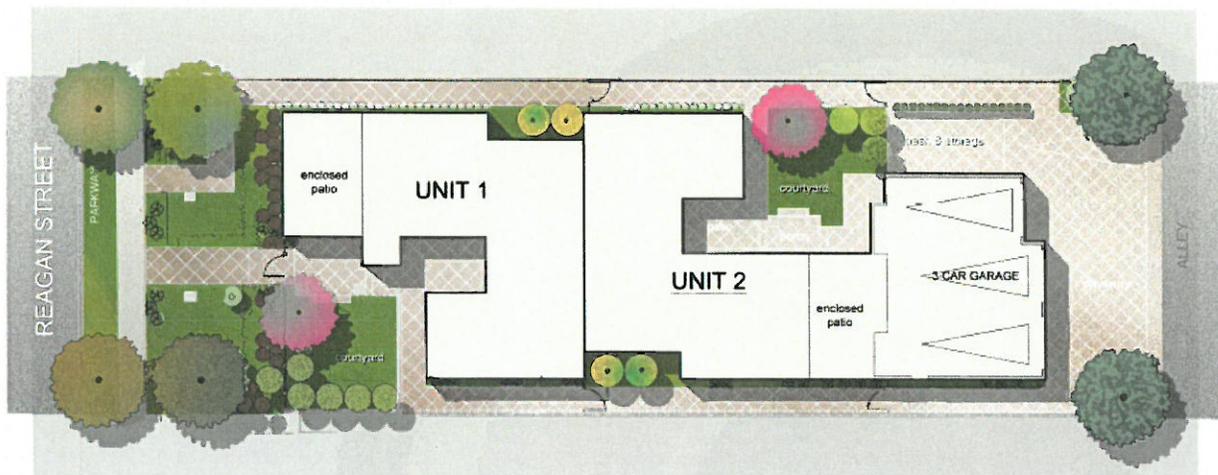
Project Location: 10700 Reagan Street (APN 242-183-03)

Notice: On April 6, 2016, a Notice of Public Hearing was posted at City Hall, the Community Center, and the Los Alamitos Museum. It was also published in the News Enterprise on Wednesday, March 6, 2016 and public notices were mailed out to all property owners and tenants within 500 feet of the property on this date.

Environmental: The proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15303 (Class 3) – *New Construction* and 15332 (Class 32) – *In-Fill Development Projects*.

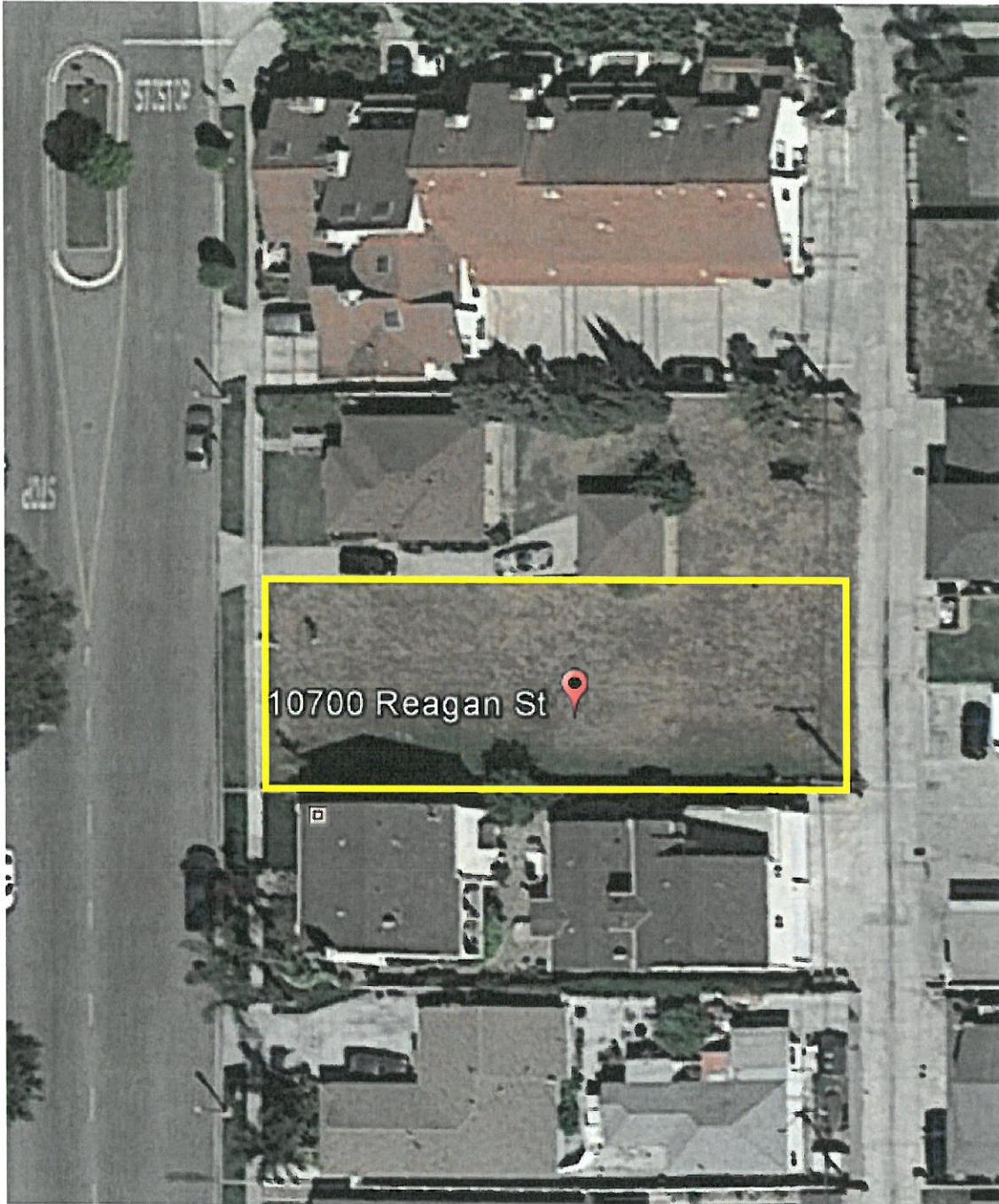
Approval Criteria: Section 17.50.020, of the Los Alamitos Municipal Code (LAMC) requires that a Site Plan Review (SPR) be approved by the Planning Commission for a residential development plan.

Background



Ms. Mattazaro has submitted an application to build a duplex with an attached 3-car garage on a 7,405 square foot vacant parcel in Old Town East. The existing property is a vacant lot (50' x 147.5'). The two units are three bedrooms each – one is 2,124 square feet and the other is 2,525 square feet. There will be an attached three-car garage and one uncovered parking space. All car access is from the alley.

Project Location



Surrounding Zoning and Uses			
Location		Zoning District	Uses
Project Site	Existing	Limited Multiple Family (R-2)	Vacant Lot

	Proposed	Limited Multiple Family (R-2)	Duplex
North of Site		Limited Multiple Family (R-2)	Single Family Residential
East of Site		Limited Multiple Family (R-2)	Multiple Family Residential
West of Site		Limited Multiple Family (R-2)	Duplex
South of Site		Limited Multiple Family (R-2)	Single Family Residential

**PHOTOS OF VACANT LOT
10700 REAGAN STREET, CITY OF LOS ALAMITOS**



FRONT



REAR



NORTH SIDE



SOUTH SIDE

Application and Review Process

On February 17, 2016, the Applicant submitted a Discretionary Application that requested the following entitlement which is required for the project:

Site Plan Review (SPR 16-03)

Chapter 17.50.020 *Applicability*, in the Zoning Code, states:

“A commercial or industrial site development, tentative parcel map, residential development plan, conditional use permit, or the addition of square footage to an existing multiple-family residential, commercial, or industrial structure shall be subject to the site plan review process.”

This project is presented as a residential development plan which requires this Site Plan Review (SPR). A larger site plan is attached to this report as an exhibit of the approving resolution.



Analysis

- **Development Standards**

The proposed project would be located in the R-2 (Limited Multiple Family) Residential Zoning District which is an area designed to provide multiple-family housing. While the maximum density is up to twenty (20) dwelling units per acre according to the zoning

code, the corresponding General Plan designation requires a minimum of 6 units per acre. As this property is approximately .17 acres, this property would need to support between 2 and 4 units. The table below identifies the development features that are required under Section 17.08.030 Table 2-03 (Residential Zoning Districts General Development Standards).

The property owner will dedicate 2½ feet of the western portion of the parcel for the alley, which is required by the City in this neighborhood to enable easier and safer trash collection services by the large trucks used in the industry.

R-2 Residential Development Standards

	Required	Proposed Project	Requirement Met
Minimum Parcel Area	9,000 sq. ft.	7,405 sq. ft. minus 125 for Alley Dedication (7,280 sq. ft.)	No, but legal nonconforming Parcel
Minimum Parcel Width (Interior Parcel)	60 ft.	50 ft.	No, but legal nonconforming Parcel
Minimum Parcel Depth	135 ft.	147.5 minus 2.5 for alley	Yes
Maximum Density	20 du/ac	12 du/ac	Yes
Density per General Plan	6-20 du/ac	12 du/ac	Yes
Dwelling Unit Density (Gross Land Area per Dwelling Unit)	3,000 sq. ft. per unit	3,702 sq. ft. per unit	Yes
Minimum dwelling area (gross floor area) (Not including garage)	800 sq. ft.	New Units = 2,124 & 2,525	Yes
Maximum Height Limit – Main Structures	35 ft.	25 ft. 3 inches	Yes
Setbacks:			
Front	20 ft.	20 ft.	Yes
Side	5 ft.	5 ft. each side	Yes
Rear	10 ft.	15 ft.	Yes
Maximum Site Coverage	50%	44.2%	Yes
Outdoor Living Space	500 sq. ft. per dwelling	842 – Unit 1 598 – Unit 2	Yes
Distance between structures (ft.) on one parcel	10 ft.	The units are attached as one building	Yes

	Required	Proposed Project	Requirement Met
Storage Space	200 cubic feet per unit	Not currently shown	Yes, as conditioned (Condition #25)

In addition to the requirements set forth above, there are specific requirements that are set forth elsewhere in the Los Alamitos Municipal Code.

- **Parking**

This project proposes 4 parking spaces; three are in garages, one is uncovered. Parking requirements in the Limited Multiple Family Residential Zoning District (R-2) require two spaces for each dwelling unit; one of which must be in a garage or carport. The following table identifies the required parking spaces for the proposed project:

R-2 Parking Requirements

	Required §17.26.040 Parking Space Requirements; § 17.26.060	Proposed Project
Required Spaces	Two spaces for each dwelling unit; one of the required parking spaces for each dwelling unit shall be located in a carport or an enclosed garage.	Two units require two spaces each -- one in a garage for each = 4 spaces total need
Provided Spaces	4 spaces total.	3 spaces in garage, an one uncovered parking space = 4 spaces total provided

- **Site Safety Triangle(s)**

It appears that the plans are designed with Site Safety Triangles in mind; however, Staff has added a condition (#10) regarding fences to follow the section of the zoning code that pertains to Site Safety Triangles (LAMC § 17.16.140).

- **Architecture**

The proposed architectural style of the building displays elements of the craftsman style. It includes front porches with decorative columns, window trim surrounding windows; craftsman style divided light windows, craftsman style doors, exposed ridge

beams and braces, and decorative stone on the entryway façades of the units. The roofing material will consist of concrete tile. Expanses of siding are used to keep stucco from overpowering the elevations on all sides. Further, there are wrought iron grills on the side of cozy enclosed patios. The drawing below shows the proposed view of the project from Reagan Street, on the west side, or front of the parcel:



The next drawing below shows the proposed view of the project from the alley, on the East, or rear, of the parcel:



GENERAL DEVELOPMENT AND USE STANDARDS			
Subject	Code Section	Met?	Notes
Access	17.16.030	Yes	Vehicular access will be provided along the alley, through alley-facing spaces on the east side of

			the parcel.
Exterior lighting	17.16.050	Not currently shown	No exterior light fixtures are noted on the plans. Lights have been conditioned by Staff to direct light only on the subject property.
Fences, hedges, and walls.	17.16.060	Yes	The sides have existing block walls that will be retained.
Park dedications and in-lieu fees	17.16.080	N/A	The property is not to be subdivided; therefore, no park fees are required.
Paving of front setback requirements	17.16.090	Yes	Paving of 50% not exceeded.
Projections into required setbacks	17.16.100	Yes	There are no projections into setbacks.
Refuse and recycling storage areas	17.16.110	Yes	Less than five units, so no minimum amount of space required. The Applicant has provided an area for the trashcans.
Right-of-way dedications	17.16.120	Yes	2 ½ feet of the property is dedicated to widen the alley (condition #44)
Screening and buffering	17.16.130	Yes	Noted as condition #16
Sight safety triangle	17.16.140	Yes	Noted as condition #10
Swimming pools	17.16.150	N/A	None
Utilities and utility equipment	17.16.160	Not currently shown	The air conditioner equipment will be conditioned to be placed in the proper location.
Landscaping	17.20.030	Yes – 22.6% (1,679 sq. ft.)	LAMC Section (Landscape Area Requirements) speaks to landscaping requirements that multi-family uses shall provide. The Applicant must maintain a minimum 15 percent of the site in landscaped areas. According to the site plan the landscape areas total approximately 23 percent of the total site area, therefore meeting this requirement. The Applicant will be asked to install two street trees in the project. The Public Works Department has added conditions to install two street trees in the parkway

			(condition #48). This project will be required to comply with Chapter 13.05 "Water Efficient Landscaping," and Chapter 13.04 "Water Conservation", of the Los Alamitos Municipal Code. This has been noted by Staff in condition (#8).
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Staff Conclusion

Staff has reviewed the proposed project and application materials and finds that as conditioned, the proposed project design and layout meet the minimum standards of the R-2 zoning district, including Section 17.08.030 (Property Development Standards), Section 17.16.040 (Architectural Design), and Chapter 17.20 (Landscaping). As conditioned, all of the findings can be made that are required by Section 17.50.040 as set forth in attached Resolution No. 16-10. This project has been compared to the development standards of the Limited Multiple-Family General Plan designation and has been found to be proposed at the density required in the General Plan (6 to 20 du/ac) at the density of 12 units per acre.

General Plan Compatibility

Staff believes that the proposed project is compatible with the surrounding land uses as it is immediately adjacent to similar high-density residential apartments and condominiums. The project would take a step toward implementing the City's General Plan, and specifically the ones shown in the table below:

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
Land Use Element	
Goal 4: Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity.	As conditioned, this will be a new, well-designed building in the neighborhood which will encourage neighbors to take a look at their own homes.
Policy 4.1 Pride and identity. Enhance the sense of identity and increase the feeling of pride among Los Alamitos residents, business owners, employees, and visitors through excellent physical design and continual property maintenance and improvements.	As conditioned, this will be a new, well-designed building in the neighborhood which will encourage neighbors to take a look at their own homes.
Policy 4.4 Scale and Character. Ensure that all new development in residential neighborhoods is compatible with the scale and character of the surrounding neighborhood.	This project will be in the multiple-family residential neighborhood. As conditioned, the project is compatible with the surrounding neighborhood which is also developed with many multiple-family units.
Action 4.5 Development standards. Review development standards in residential zoning districts to provide specific guidance on maximum	This project has been compared to the development standards of the

development intensity, minimum open space, and minimum setback standards to ensure that all new development in residential neighborhoods is compatible with the surrounding scale and character.	limited multi-family General Plan designation and has been found to be proposed with the density required in the General Plan (6 to 20 du/ac).
Open Space, Recreation, and Conservation Element	
Goal 4: Air, water, and energy resources that are protected from pollution and overuse.	This is a residential infill project that will take the place of sprawl that would be built on the fringes of this metropolitan area.
Action 4.2 Construction activities. Encourage the use of best management practices during construction activities to reduce emissions of criteria pollutants as outlined by the SCAQMD.	BMP's are required for the construction of this project in the conditions of approval.
Mobility and Circulation Element	
Policy 1.6 Access management. Minimize access points and curb cuts along arterials and within 200 feet of an intersection to improve traffic flow and safety. Eliminate and/or consolidate driveways when new development occurs or when traffic operation or safety warrants.	This will not add driveways to the passing streets, but will access the site from an existing alleyway.
Public Facilities and Safety Element	
Action 4.5 Construction activity. Require that construction vehicles and equipment (fixed or mobile) be equipped with properly operating and maintained mufflers. Place stock piling and/or vehicle-staging areas as far as practical from residential homes. Replace backup audible warning devices with backup strobe lights or other warning devices during evening construction activity to the extent permitted by the California Division of Occupational Safety and Health.	These are BMP requirements that are a part of the conditions of approval for the project.

And while no specific policy actions of the Housing Element are fulfilled through this project, it does provide for housing that costs less than an average single family home in the City. Here is a goal of the Housing Element:

Housing Strategy Area 4: Adequate Housing Supply

The City strives to ensure an adequate supply of housing is available to meet future and existing housing needs of all economic segments of the community.

Environmental Review

The project qualifies for two categorical exemptions.

Section 15303 (Class 3) of the Guidelines provides an exemption for construction of a limited number of new, small facilities or structures, including a duplex or similar multi-family residential structure totaling no more than four dwelling units. The project meets this definition.

Section 15332 (Class 32) provides an exemption for in-fill development projects when:

(a) the project is consistent with the applicable general plan designation, general plan policies, and applicable zoning designation and regulations – as set forth above, the project is consistent with both the general plan and zoning;

(b) the development occurs within City limits on a project site of no more than five acres and substantially surrounded by urban uses – the project site is within the corporate boundaries of Los Alamitos, the site is less than five acres, and the development is surrounded by urban uses;

(c) the project site has no value as habitat for endangered, rare or threatened species – the site has already been developed with a single-family home and has no habitat value;

(d) approval would not result in any significant effects relating to traffic, noise, air quality, or water quality – this project simply adds one residential unit to allow two units in an area of the City which is zoned for such use. The addition of duplex to an empty property within the Limited-Multiple Family Residential Zone that was slated for a project such as this will not create any impacts as described above;

(e) the site can be adequately served by all required utilities and public services – this area is already developed with utilities and is already served by public services.

Guidelines Section 15300.2 provides that the exemptions cannot be used if there is: a cumulative impact; significant effect due to unusual circumstances; if the project will damage scenic resources; the project site is located on a hazardous waste list; or the project will have a substantial adverse change in the significance of a historical resource. Additionally, the Class 3 exemption cannot be used if the project will impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law. None of the exceptions to the exemption are present. There are no cumulative projects in the area; there are no unusual circumstances as the project site is flat and has previously been developed and graded; there are no scenic or historical resources which will be impacted; the site is not on a hazardous waste list; and there are no hazardous or critical environmental resources which will be impacted.

Staff Recommendation

As conditioned, Staff supports approval of SPR (Site Plan Review) 16-03.

*Attachments: 1) Resolution No. 16-10
Exhibit A (Conditions of Approval)
Exhibit B (Site Plans)*

RESOLUTION NO. 16-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW 16-03 FOR THE CONSTRUCTION OF A 4,649 SQUARE FOOT DUPLEX ON A 7,405 SQUARE FOOT VACANT PARCEL AT 10700 REAGAN STREET IN THE LIMITED MULTIPLE-FAMILY RESIDENTIAL (R-2) ZONE, APN 242-183-03, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (APPLICANT: TERESA MATTAZARO).

WHEREAS, a completed application for a Site Plan Review was submitted by Teresa Mattazaro on February 17, 2016, requesting approval for the construction of a duplex on a parcel at 10700 Reagan Street, APN 242-183-03; and,

WHEREAS, the verified application constitutes a request as required by Section 17.50.030 (Site Plan Review) of the Los Alamitos Municipal Code; and,

WHEREAS, the Planning Commission reviewed the application for Site Plan Review at a duly noticed Public Hearing on April 27, 2016, at which time it considered all of the evidence presented, both written and oral.

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 hereby makes the following findings required by Section 17.50.040 of the Los Alamitos Municipal Code which is based on all of the evidence presented, both written and oral:

1. As conditioned, the design and layout for the construction of the duplex at 10700 Reagan Street is consistent with the development and design standards/guidelines of the Limited Multiple Family (R-2) Residential Zoning District and enables the construction of future units. The development meets, or will be conditioned to meet, all requirements.
2. As conditioned, the design and layout for the construction of the duplex at 10700 Reagan Street would not interfere with the use and enjoyment of neighboring residential developments, as the immediately surrounding area has many multiple-family residential units. The location of the ingress/egress access to the alley would not create traffic or pedestrian hazards and would create a safer environment along Reagan Street by having one less curb cut. And further, the property is zoned for this type of development.

3. As conditioned, the design for the construction of a duplex at 10700 Reagan Street would maintain and enhance the attractive, harmonious, and orderly development of the property. The design is in harmony with surrounding development and improves upon the City's architecture with an updated residential building design, extensive landscaping, and maintenance as required by municipal code.
4. As conditioned, the design for the construction of a duplex at 10700 Reagan Street would provide a desirable environment for its occupants, visiting public, and its neighbors through good aesthetic use of materials, texture, landscaping, and color. Such changes will enhance the existing property and maintain an appropriate level of maintenance, through the requirements of the municipal code.
5. The construction of a duplex at 10700 Reagan Street will provide for public health, safety, and welfare of the residential and business communities by improving a long-aged home site rather than causing sprawl elsewhere. The building will meet all building code requirements.
6. The two units would not depreciate property values in the vicinity, as the area is zoned for this type of use and the new structure will improve the aesthetics.

SECTION 3. The proposed use is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15303 – *New Construction of Small Structures* and 15332 – *In-Fill Development Projects* for the reasons more fully set forth in the Staff report which are incorporated herein by reference. As set forth in the Staff report, there are no exceptions to the exemptions.

SECTION 4. Based upon such findings and determinations, the Planning Commission hereby approves Site Plan Review (SPR)16-03, as represented by the plans and elevations in "Exhibit B" and subject to the conditions listed in "Exhibit A" and any changes made by this Commission.

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 Staff shall file a Notice of Exemption with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 27th day of April, 2016, by the following vote:

Mary Ann CUILTY, Chair

ATTEST:

Steven A. 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 Planning Commission held on the 27th day of April, 2016, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven A. Mendoza, Secretary

EXHIBIT A
4292 GREEN AVENUE ADDITIONAL UNIT PROJECT
CONDITIONS OF APPROVAL
SPR 16-03

GENERAL CONDITIONS

1. Approval of this application is to construct a new duplex at 10700 Reagan Street, APN 242-183-03 with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of a Site Plan Review 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 and any applicable state law. If any changes are proposed regarding the location or alteration of the plans dated February 12, 2016 (as amended during the hearing), a request for an amendment of this approval must be submitted to the Community Development 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. 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.
3. The Applicant shall file an Acknowledgment of Conditions of Approval with the Community Development Department within 30 days of final approval of all resolutions. The 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.
4. In case of violation of any of the conditions of approval of applicable law, the property owner and tenant will be issued a Notice of Correction if said violation is

not remedied within a reasonable period of time and/or subsequent violations of the conditions of approval and/or City law occurs within ninety days of any Notice of Correction, the property owner shall be held responsible to reimburse the City for all Staff time directly attributable to enforcement of the conditions of approval, mitigation measures, and/or City law including but not limited to, revocation of the herein approvals.

5. Project plans for the construction of a new duplex shall be subject to a complete code compliance review with the Community Development Department when the building plans are submitted for plan check and shall comply with all applicable City of Los Alamitos ordinances, regulations, and policies prior to building permit issuance, including, but not limited to, the requirements established or authorized by Title 15, 16, and 17 of the City of Los Alamitos Municipal Code.
6. Approval of Site Plan Review 15-04 shall be valid for a period of eighteen (18) months from the date they are approved. If construction is commenced within this eighteen (18) month period and construction is being pursued diligently toward completion, the approvals shall stay in full force and effect.
7. 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 are not included under this noticing requirement.
 - a. 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:
 - i. Fees: n/a
 - ii. Dedications: n/a
 - iii. Reservations: n/a
 - iv. Other Exactions: n/a
 - v. The Applicant may appeal the imposition or amount of the fees described above within ninety (90) days following the adoption of this resolution and pursuant to the procedures set forth in the Government Code.

PLANNING

8. A landscape Irrigation Plan prepared by a licensed landscape architect shall be submitted to the Community Development Department prior to the issuance of building permits. The Irrigation Plan shall include an irrigation system layout with the location of controllers and points of connection with data on valve sizes and

gallons per minute (G.P.M.), the size and location of sleeves and all spray heads, including the location of conventional systems and drip systems; an irrigation legend with complete specifications; irrigation notes and construction details of all assemblies and components; a recommended irrigation schedule, preferably on an annual basis; and a summary block on the initial page of submitted plans that will present the above information clearly and accurately. The City reserves the right to require subsequent checks, or approval of the landscape plans prior to issuance of a grading permit.

9. Landscaping shall comply with the City's water conservation ordinances in accordance with Chapter 13.04 (Water Conservation) and Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code.
10. The Applicant shall install all of the trees shown on the site plan within the landscaped areas of the parcel.
11. In any Sight Safety Triangle, the maximum height cutback of any object (e.g. fence, landscaping, walls, etc.) located in the corner area shall be three feet, measured from the adjoining top of curb. The three-foot height limit shall not apply to traffic safety devices, trees trimmed to eight feet above the adjacent top of curb, utility poles, and other government or utility installed devices.
12. The Applicant shall provide adequate exterior lighting for each residential unit that maintains performance standards as described in Chapter 8.48 Lighting Performance Standards in the Los Alamitos Municipal Code. All lighting structures shall be placed so as to confine direct rays to the subject property.
13. The Applicant shall provide an illuminated uniform address number near the entryway of each unit, or other location acceptable to the Development Services Director.
14. The Applicant shall provide sidewalks and gutters with the latest handicap accessibility features where required by state and federal law.
15. The Applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community Development Department for review and approval prior to the Building and Safety Division Plan check.
16. All utility meters, when not enclosed in a cabinet, shall be screened from view from any place on or off site, by either plant materials or decorative screen, while allowing sufficient access for reading. Each unit shall be separately metered.
17. During construction, the Applicant will display a sign visible to the public from Howard Street with a contact number of the construction superintendant to address any questions or concerns about demolition, grading, and construction activities.

18. Demolition, grading, and construction operations shall be prohibited between the hours of 8:00 p.m. and 7:00 a.m. on weekdays and Saturday. There shall be no construction activities on Sunday or a Federal holiday celebrated by the City of Los Alamitos without express approval by the Development Services Director.
19. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of an existing dwelling shall be equipped with properly operating and maintained mufflers.
20. Replace backup audible warning devices with backup strobe lights or other warning devices during evening construction activity to the extent permitted by the California Division of Occupational Safety and Health.
21. Stock piling and/or vehicle-staging areas shall be placed as far as practical from residential homes.
22. The Applicant shall have rodent and pest controls on site during demolition and grading activities to mitigate impacts to the surrounding properties and neighborhood.
23. Prior to demolition and construction, a perimeter security fence not exceeding seven feet in height, shall be installed around the project site. The fencing shall include a green screen material or approved equivalent. The fence/screen material shall be properly maintained and be free of rips, tears, fraying, graffiti, and any other damage or vandalism.
24. During construction the site shall be maintained and kept clear of all trash, weeds, and overgrown vegetation.
25. The units shall be constructed with 200 cubic feet of storage space for each unit (LAMC 17.08.030).
26. The curb cut (driveway apron) on the north shall be removed.
27. The air conditioner units shall be installed in accordance with LAMC 17.16.100.D.
28. A non-priority Water Quality Management Plan (WQMP) will be required to be processed for this project.
29. The window surrounds on the side elevations shall be installed as they are on other elevations that show sills and trim.

ENGINEERING

30. The Applicant shall submit Improvement Plans prepared by a Registered Civil Engineer for public works (off-site) improvements, and on-site improvements. Plan check fees shall be paid in advance.
31. An on-site grading and drainage plan shall be prepared and submitted to the City Engineer for approval. Plan shall be 24" x 36", with elevations to nearest 0.01 foot, minimum scale 1" = 20'. Plan shall be prepared by Registered Civil Engineer. Public works improvements may be shown on this plan. Grading plan check fees must be paid in advance.
32. Hydrologic and hydraulic calculations demonstrating adequate site drainage from a 10-year return frequency storm (25-year frequency in sump areas) prepared by a Registered Civil Engineer shall be submitted with the Grading Plan.
33. Driveway slope shall be a minimum slope of one (1) percent for asphalt and .5% for concrete.
34. The Applicant shall comply with all requirements of the Rossmoor/Los Alamitos Area Sewer District for sewer connections and sewer improvements.
35. If utility cuts are excessive in the street, the street must have a grid and overlay placed on it per the satisfaction of the City Engineer.
36. All existing off-site public improvements (sidewalk, curb and gutter, driveways, and street paving) at the development site which are in a damaged condition or demolished due to the proposed work shall be reconstructed to the satisfaction of the City Engineer, and per OCPFRD Standard Plan.
37. A City Public Works permit shall be taken out for all work in public right-of-way prior to start of work. All work shall be done in accordance with APWA Standards and to the satisfaction of the City Engineer and must be completed before issuance of Certificate of Occupancy.
38. A bond or surety device shall be posted with the City in an amount and type sufficient to cover the amount of off-site and on-site work to be done, as approved by the City Engineer.
39. Pad certification by the Design Civil Engineer and Soil Engineer is required prior to the commencement of structural construction.
40. Final compaction report prepared by a qualified Soil Engineer shall be submitted to the City Engineer for review and approval prior to the commencement of structural construction.

41. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the Applicant shall submit to the City for review and approval of a *Final* Water Quality Management Plan (WQMP) that:

- Addresses Site Design BMPs (Best Management Practices) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or “zero discharge” areas, and conserving natural areas.
- Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
- Incorporates Treatment Control BMPs as defined in the DAMP.
- Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
- Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
- Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.

42. The Applicant shall dedicate alley 2½ feet of the property to City to widen the alley by occupancy of the units.

43. The Applicant shall remove driveway (curb cut and apron) at front of the property, and then replace this area with a new curb and gutter by occupancy of the units. The Applicant shall build a new driveway for neighbor at the proper width by occupancy of the units if the neighbor does not give permission for the curb cut to be removed by the Applicant.

PUBLIC WORKS

44. In the event that two or more utility cuts are made into the asphalt street on Reagan Street, the Applicant shall slurry seal the street to the satisfaction of the City Engineer.

45. The Applicant shall install 2 new trees on Reagan Street evenly spaced in the parkway in front of the subject parcel. Please call Tony Brandyberry at 562-431-3538 x105 for type and specifications.

46. The Applicant shall install irrigation to each of the City trees planted. The irrigation shall be a bubbler sprinkler NOT a tree well type of bubbler sprinkler.

ROSSMOOR/LOS ALAMITOS SEWER DISTRICT

47. The project developer must submit engineering plans for the District's review prior to connection to the District's sewer in Reagan Street.
48. Prior to approval of the above-noted plans, the project developer must pay all applicable connection, permit, plan check and inspection fees.

BUILDING AND SAFETY DIVISION

49. The Applicant must comply with all current California Building Codes.
50. The Applicant shall submit three sets of complete building plans, one soils report, and one drainage plan to the Building and Safety Department for review.
51. Prior to obtaining grading permits, the Applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval by the Building and Safety Division.

ORANGE COUNTY FIRE AUTHORITY (OCFA)

52. **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. 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.

Prior to issuance of a grading permit, or a building permit if a grading permit is not required:

- Fire Master Plan (service code PR145)

Prior to issuance of a building permit:

- Fire sprinkler system (service codes PR400-PR465)
- Lumber-drop Inspection: After installation of required fire access roadways and hydrants, the Applicant shall receive clearance from the OCFA prior to bringing combustible building materials on-site. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fire master plan at least two days in advance to schedule the lumber drop inspection.

Proposed Duplex

10700 REAGAN ST.
LOS ALAMITOS, CA 90720

The dimensions and other information shown on this plan and all plans furnished are an approximation only.

Lessee, contractors, vendors etc. are required to inspect and measure the premises and the various systems so as to confirm the size, condition, etc.

DRAWING DESCRIPTION

DATE:	11-27-2013
BY:	11-27-2013
PROJECT NO:	15-101
DATE FILED:	
BY:	
DATE:	

SHEET NUMBER	
--------------	--



1 WEST (FRONT) ELEVATION
1/8" = 1'-0"

2 EAST (REAR) ELEVATION
1/8" = 1'-0"

Proposed Duplex

10700 REAGAN ST.
LOS ALAMITOS, CA 90720

The dimensions and other information shown on this plan and schedule are an approximation only.
Lessee, contractors, vendors etc. are required to inspect and measure the premises and the various systems so as to confirm the size, condition, etc.

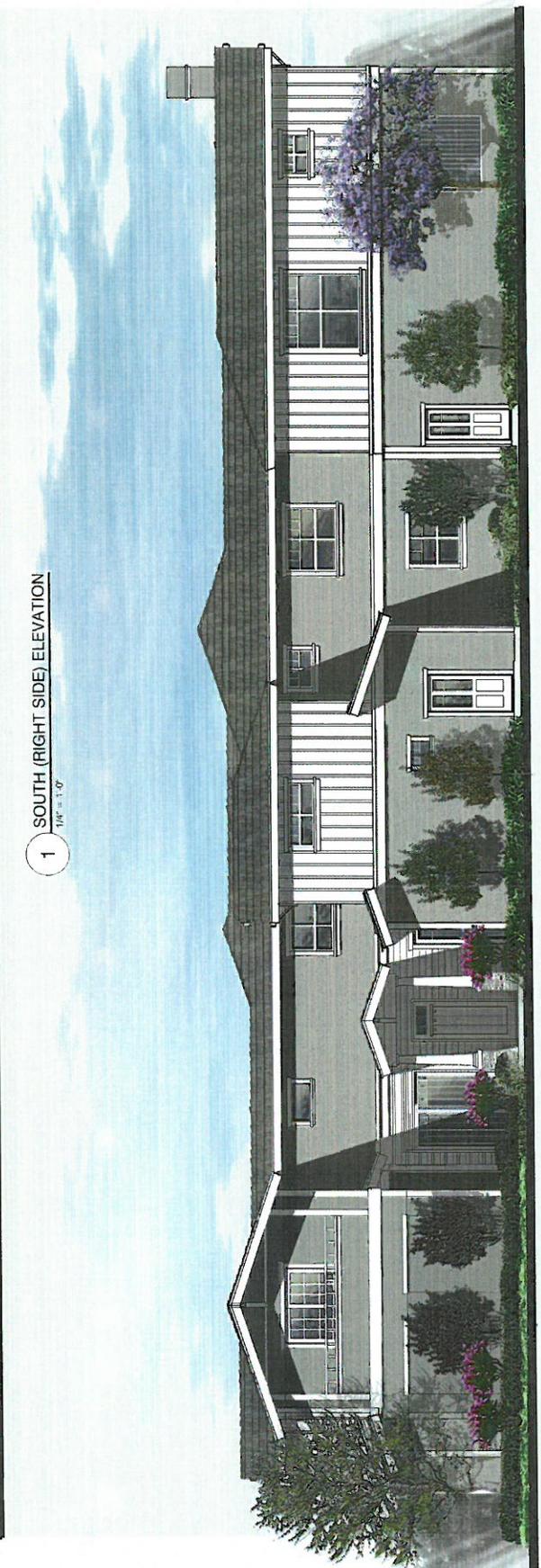
DRAWING DESCRIPTION

DATE	SCALE	BY	CHECKED
1/1/2025	1/4" = 1'-0"	J. SMITH	M. JONES
PROJECT NO.	DATE	PROJECT NAME	PROJECT LOCATION
15-001	1/1/2025	PROPOSED DUPLEX	10700 REAGAN ST.
NO.	DESCRIPTION	BY	DATE

SHEET NUMBER



1 SOUTH (RIGHT SIDE) ELEVATION
1/4" = 1'-0"



2 NORTH (LEFT SIDE) ELEVATION
1/4" = 1'-0"

A PROPOSED RESIDENTIAL DUPLEX
10700 REAGAN STREET
CITY OF LOS ALAMITOS



SITE PLAN

Proposed Duplex

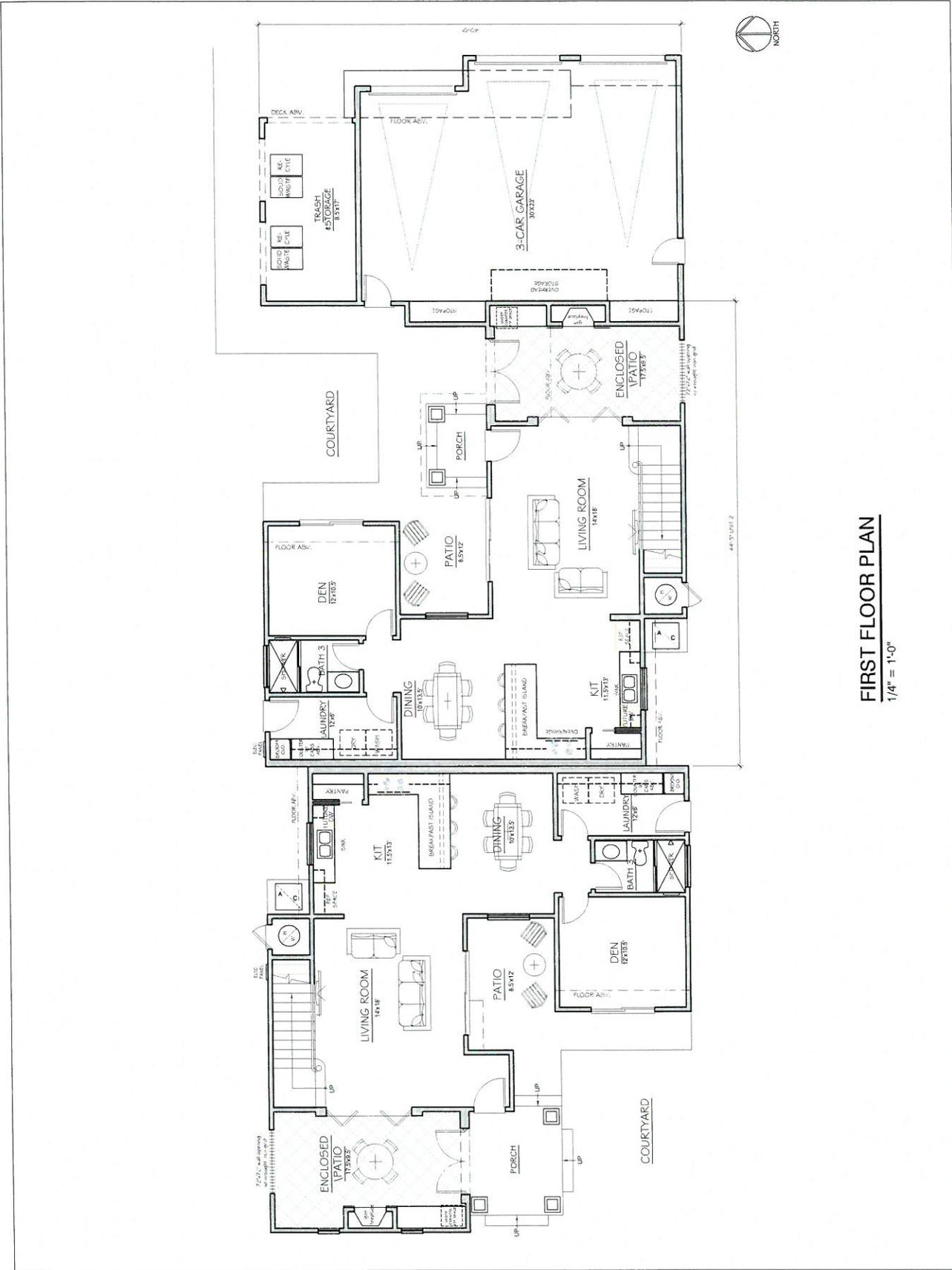
10700 REAGAN ST.
LOS ALAMITOS, CA 90720

The dimensions and other information shown on this plan and all plans furnished are an approximation only. Lessee, contractors, vendors etc. are required to inspect and measure the premises and the various systems so as to confirm the size, condition, etc.

FIRST FLOOR PLAN

DATE	10-17-2016		
BY	RFJ		
PROJECT NO.	15-01		
DATE	09-15-16		
REVISIONS			
NO.	DESCRIPTION	BY	DATE

SHEET NUMBER

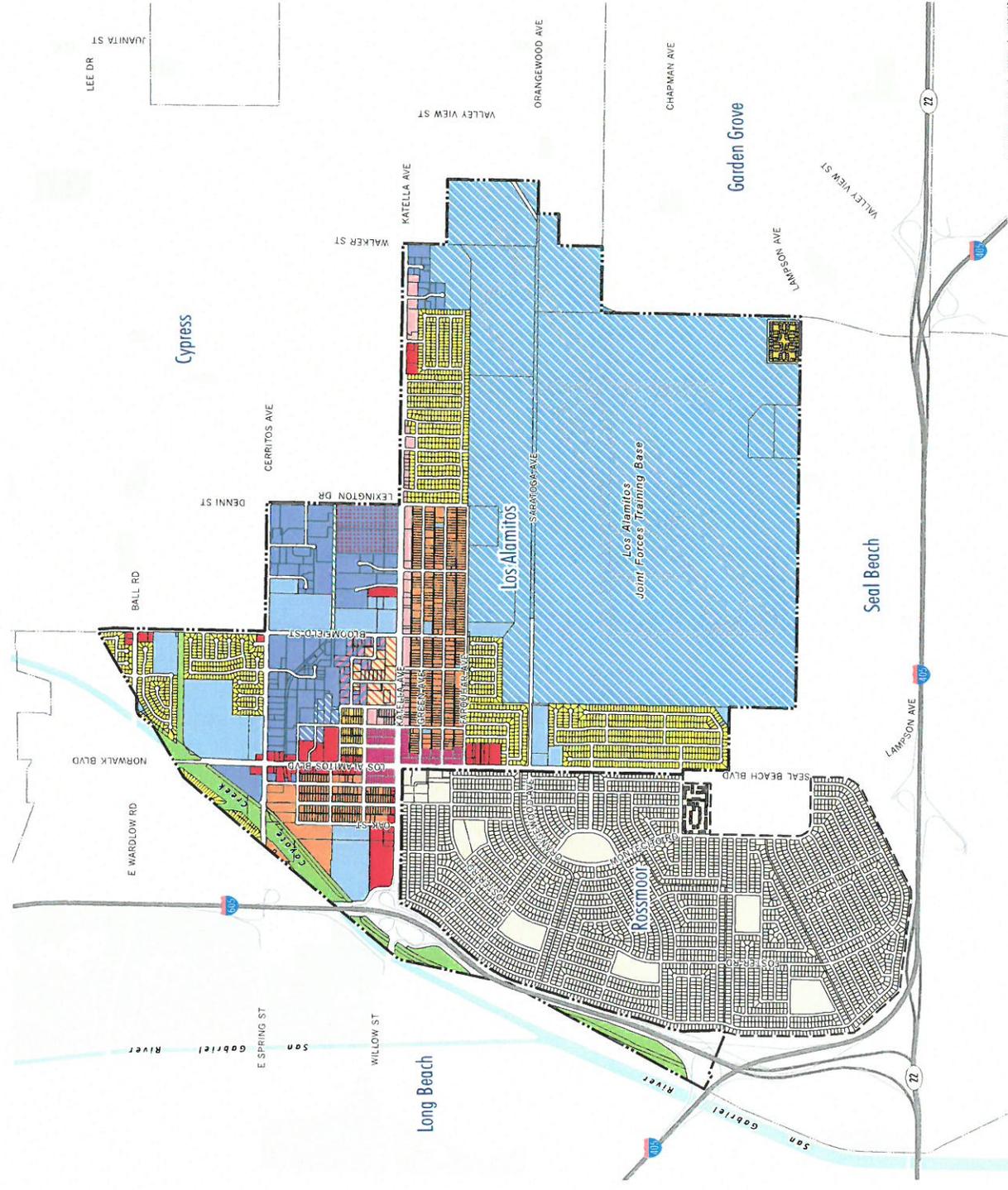


FIRST FLOOR PLAN
1/4" = 1'-0"

Land Use Element

Figure 3 Land Use Plan

- Residential**
 - Single Family Res. 1-4 DU/Ac
 - Limited Multi Family Res. 6-20 DU/Ac
 - Multi Family Res. 20-30 DU/Ac
- Commercial and Employment**
 - Retail Business
 - Professional Office
 - Planned Industrial
 - Limited Industrial
 - Medical Overlay
 - Retail Overlay
- Special Use**
 - Mixed Use
 - Specific Plan
 - Community & Institutional
 - Community & Institutional/JTB
 - Open Area
 - Easement Overlay
- Rossmoor**
 - Suburban Residential
 - City Boundary
 - Sphere of Influence
 - Other City Boundaries



Note:
Rossmoor is within the City's SOI but it also remains within & under the jurisdiction of the County of Orange. Accordingly, the Land Use Plan Shows the County land use designation of Suburban Residential.

LOS ALAMITOS
GENERAL PLAN

Scale: 0 500 1,000 1,500 2,000 2,500 3,000 Feet

PLACEWORKS

City of Los Alamitos

Planning Commission

Agenda Report Public Hearing

April 27, 2016
Item No: 7D

To: Chair Culty and Members of the Planning Commission

From: Steven A. Mendoza, Development Services Director

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

Summary: Continued review of the land use table and definitions 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. Continue the Public Hearing; and, if appropriate,
2. 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,
3. Adopt 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 THEREBY MAKING CHANGES TO THE TABLE OF ALLOWED USES IN SECTION 17.10.020, TABLE 2-04, SECTION 17.38.140 RELATING TO RECYCLING FACILITIES, 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 and Overlay zones

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 also included all properties in the proposed Limited Industrial Zone that the Planning Commission recommended for adoption at the February 24, 2016 meeting. Tonight is a continuation of the noticed March meeting; therefore, no new notice was required.

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, and began at the March 23rd Planning Commission Meeting with the Planned Light Industrial (P-M) Zone (and its overlay zones and proposed Limited Industrial zone) uses.

Tonight's discussion is a continued hearing from Commission meetings on March 23, 2016 & April 6, 2016 concerning the changes of allowed uses in the P-M zone. During the March meeting the bulk of the discussion of appropriate land uses for the Industrial Zone was completed; however, Staff requested additional time to make the discussed changes and look at a couple of issues. In the April 6th meeting more changes were made after Staff presented more research on some of the land uses.

Discussion

Attached for the Commission's review is a draft Ordinance which includes a modified use table as Exhibit A and modified definitions as Exhibit B. Also attached to this report is the land use map from the General Plan, attached for the Planning Commission's easy reference as to where these zones were located as they directly correspond to the General Plan land use categories; and all of the definitions from the City's zoning ordinance.

The only change that was not made as requested by the Planning Commission at the last meeting relates to hazardous waste facilities. Health & Safety Code § 25135.7 requires cities to essentially adopt the County Hazardous Waste Plan. Los Alamitos complied with this requirement when it enacted Chapter 17.36 of the Code. The City Attorney's office believes that making changes to the types of facilities allowed would run afoul of the County Plan. Furthermore, a change would likely trigger changes in Chapter 17.36 of the LAMC which stringently regulates such facilities and changes to this Chapter were not noticed.

Recommendation

Staff recommends that the Planning Commission continue the Public Hearing to discuss this subject, after which Staff recommends that the Planning Commission recommend approval of the Ordinance to the City Council through the attached resolution.

- Attachments:*
- 1) *Resolution No. 16-07*
 - 2) *Ordinance No. TBD, Including Exhibits Relating to Land Use and Definitions*
Exhibit A (Land Use Table 2-04)
Exhibit B (Definition Changes)
 - 3) *Land Use Map from General Plan*

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, SECTION 17.38.140 RELATING TO RECYCLING FACILITIES, 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 required 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 continued the Public Hearing to a special meeting on April 6, 2016 at which the Public Hearing was continued to April 27, 2016; and,

WHEREAS, the Planning Commission held the continued Public Hearing concerning this Amendment on April 27, 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 amendments ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, and would not create any inconsistencies with this zoning code. 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 will

serve to improve that compatibility and will make Los Alamitos a better place to live; and,

2. The proposed amendments 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 by elimination of certain industrial uses that are not desired in 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.

PASSED, APPROVED, AND ADOPTED this 27th day of April, 2016.

Mary Anne CUILTY, Chair

ATTEST:

Steven Mendoza, Secretary

APPROVED AS TO FORM:

Cary S. Reisman, 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 27th day of April, 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, SECTION 17.38.140 RELATING TO RECYCLING FACILITIES, 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 which hearing was continued to a Special Meeting on April 6, 2016 at which the Public Hearing was continued to April 27, 2016; and,

WHEREAS, on April 27, 2016, the Planning Commission held the continued Public Hearing; and,

WHEREAS, at that meeting the Planning Commission adopted Resolution No. 16-07, recommending that the City Council approve this Ordinance as it is in the best interest of the citizens of Los Alamitos to eliminate the specified industrial uses from the City in order to make it a better place to live; 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 the changes to Title 17 of the Los Alamitos Municipal Code as set forth in this Ordinance:

1. The proposed amendments ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, and would not create any inconsistencies with this zoning code. 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 will serve to improve that compatibility and make Los Alamitos a better place to live; and,

2. The proposed amendments 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 by elimination of certain industrial uses that are not desired in 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, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Los Alamitos Municipal Code Section 17.10.020, Table 2-04, is hereby amended as shown in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2. Section 17.38.140 of the Los Alamitos Municipal Code is hereby amended to read as follows:

Recycling facilities may be allowed in the commercial and industrial zoning districts, subject to the provisions in this section.

A. ~~—A.—~~ Reverse Vending Machines. Reverse vending machines located within a commercial structure do not require discretionary permits.

A.B. Reverse vending machines located outside a commercial structure shall be established in conjunction with a commercial use or community service facility that is in compliance with the zoning, building, and fire codes of the city. Reverse vending machines shall only be allowed for beverage container convenience zone collection centers, subject to a conditional use permit.

1. Reverse vending machines shall be located within thirty (30) feet of the entrance to the commercial structures and shall not obstruct pedestrian or vehicular circulation.
2. Reverse vending machines shall be constructed and maintained with durable, waterproof, and rustproof material and maintained in a clean, litter-free condition on a daily basis.
3. Reverse vending machines shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and phone number of the operator or responsible person to call if the machine is inoperative.

CB. Small Collection Facilities. Small collection facilities may be sited in commercial and industrial zoning districts with the approval of both a site plan

review and conditional use permit by the commission. Such facilities shall only be allowed for beverage container convenience zone collection centers.

1. Small collection facilities shall be established in conjunction with an existing commercial or community service facility that is in compliance with the planning, building, and fire codes of city.
2. Small collection facilities shall be no larger than five hundred (500) square feet, not including space that will be periodically needed for removal of materials or exchange of containers. Occupation of parking spaces by the facility and the attendant may not reduce the available parking spaces below the minimum number required for the primary use.
3. Additional parking spaces shall not be required for customers of a small collection facility located in an established parking parcel, except that one space shall be provided for the attendant.
4. Small collection facilities shall be set back at least ten (10) feet from property lines and shall not obstruct pedestrian or vehicular circulation.
5. Small collection facilities shall accept only glass metals, plastic containers, papers, and reusable items. Used motor oil containers may be accepted with the approval of the local public health official.
6. Small collection facilities shall use no power driven processing equipment, except for reverse vending machines.
7. Containers shall be used that are constructed and maintained with durable waterproof and rustproof materials, covered when the site is not attended, secured from unauthorized entry or removal of material, and shall be of a capacity sufficient to accommodate materials collected and collection schedule.
8. Recyclable material shall be stored in containers or in the mobile unit vehicle, and materials shall not be left outside of containers when attendant is not present.
9. The site shall be maintained free of litter and other undesirable materials, and mobile facilities, at which truck or containers are removed at the end of each collection day, and shall be swept at the end of each collection day.
10. Attended facilities located within one hundred (100) feet of a property zoned or occupied for residential use shall operate only during the hours between nine a.m. and seven p.m.
11. Containers for the twenty-four (24) hour donation of materials shall be at least one hundred (100) feet from any property zoned or occupied for residential use unless there is a recognized service

corridor and acoustical shielding between the containers and the residential use.

12. Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be marked clearly to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside the recycling enclosure or containers.

SECTION 3. The definitions from Section 17.76.020 of the Los Alamitos Municipal Code included on Exhibit B, attached hereto and incorporated herein by reference are amended as set forth therein.

SECTION 4. Notwithstanding any other ordinance of the City to the contrary regarding nonconforming uses, a use which was legally established but which has been eliminated from the allowed uses may remain in existence indefinitely and such use may be allowed to change name or ownership. However, such use may not be expanded in any manner nor may a less intense non-conforming use be substituted for such use.

SECTION 5. 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 6. This Ordinance shall take effect thirty days after approval as provided in Government Code Section 36937.

SECTION 7. 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

ATTEST:

Windmera Quintanar, City Clerk, CMC

APPROVED AS TO FORM:

Cary Reisman, City Attorney

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

I, Windmera Quintanar, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Ordinance No. 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

**EXHIBIT A
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	
Agriculture, exclusive of livestock	—	—	CUP	CUP	
Banks/financial institutions (without drive-through facilities)	P	P	—	—	
Offices, administrative or professional	P	P ⁽⁶⁾	CUP ^{(20) (21)}	CUP ^{(20) (21)}	
Offices, incidental to an allowed primary use	P	P	P	P	
Public utility commercial office	P	P/CUP ⁽⁵⁾	P	P	
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	—	—	
Adult entertainment businesses	—	—	P	P	17.48
Arcades	CUP	CUP	----	----	17.38.060
Auditoriums, meeting	CUP	—	----	----	

halls, and theaters					
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⁾	

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	-
Film processing	—	—	P	P	
Frozen food locker	—	—	P ₋₋₋₋	P ₋₋₋₋	-
Furniture and fixtures manufacturing, cabinet	—	—	P	P	-

Shops, and woodworking shops (wholesale only)					
Hazardous waste facility, off-site	—	—	CUP	CUP	17.36
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	
• <u>Research and Development</u>			<u>P</u>	<u>P</u>	
Laundries and dry cleaning plants	—	P	P	P	
Machine shop	—	—	P	P	
<u>Manufacturing and Fabrication</u>					
• <u>Aerospace related accessories</u>			<u>CUP</u>	<u>CUP</u>	
• <u>Aircraft and related aircraft accessories manufacturing</u>	----	----	---- P	P ----	
• <u>Aircraft related accessories</u>	----	----	<u>CUP</u>	<u>CUP</u>	
• Ceramics	----	----	P ----	P ----	
• Clothing	----	----	<u>PCUP</u>	<u>PCUP</u>	
• Cutlery and handtools	----	----	<u>PCUP</u>	P ----	
• <u>Electronics</u>			<u>CUP</u>	<u>CUP</u>	

• Food products	----	----	<u>PCUP</u> ⁽⁷⁾	<u>PCUP</u> ⁽⁷⁾	
• Furniture and fixtures, <u>cabinet shops and woodworking shops</u>	----	----	<u>PCUP</u>	<u>PCUP</u>	
• <u>Medical device</u>			<u>CUP</u>	<u>CUP</u>	
• Metal working, light fabrication	----	----	P	<u>PCUP</u>	
• Motor vehicle/ transportation equipment manufacturing and assembly	----	----	<u>PCUP</u>	<u>PCUP</u>	
• Paper product fabrication	----	----	P	<u>PCUP</u>	
• Plastic products fabrication	----	----	<u>PCUP</u>	<u>PCUP</u>	
• Pottery	-----	-----	CUP	CUP	
• Signs	----	----	P	P	
• Textile	-----	-----	<u>PCUP</u>	<u>PCUP</u>	
Metal plating	—	—	<u>P</u> ----	<u>P</u> ----	
<u>Metal working, light fabrication</u>	—	—	P	P	-
<u>Motor vehicle/transportation equipment manufacturing and assembly</u>	—	—	P	P	-
Paint mixing	—	—	<u>P-CUP</u> ⁽⁹⁾	<u>PCUP</u> ⁽⁹⁾	
<u>Paper product fabrication</u>	—	—	P	P	-
<u>Plastic products</u>	—	—	P	P	-

<u>fabrication</u>					
<u>Pottery manufacturing</u>	—	—	CUP	CUP	-
<u>Printing and publishing</u>	—	—	PCUP	CUPP	
<u>Recycling facilities</u>	P	P	P-----	P-----	17.38.140
<ul style="list-style-type: none"> <u>Outdoor reverse vending machine for beverage container convenience zone collection center only</u>²⁴ 			CUP	CUP	
<ul style="list-style-type: none"> <u>Small collection facilities, for beverage container convenience zone collection center only</u> 			CUP	CUP	
<ul style="list-style-type: none"> <u>Large Collection Facility</u> 			----	----	
<ul style="list-style-type: none"> <u>Processing Facility</u> 			----	----	
<ul style="list-style-type: none"> <u>Scrap and Dismantling Yards</u> 			----	----	
<u>Rubber products</u>	—	—	P----- ⁽¹⁴⁾	P----- ⁽¹⁴⁾	
<u>Sign manufacturing</u>	—	—	P	P	-
<u>Textile manufacturing</u>	—	—	P	P	-
<u>Underground bulk storage of petroleum or gas, as an accessory use only</u>	—	—	CUP	CUP	
<u>Upholstery shops</u>	—	—	P	P	
<u>Welding services</u>	—	—	P	P	
<u>Warehousing</u>	—	—	----P	----P	
<u>Wholesaling & distribution as primary use</u>	—	—	----P	----P	

• Food products	----	----	PCUP	PCUP	
• Less than 10,000 SF, other than food products	----	----	CUP	CUP	
• Greater than 10,000 SF, other than food products	----	----	----	----	

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
Single room occupancy unit	—	—	CUP	CUP	17.38.180
Supportive housing	CUP	—	—	—	
Transitional housing	CUP	—	—	—	

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 (43)	CUP (43)	
Gift shops, specialty shops	P	P	P for specified locations; otherwise prohibited ⁽²²⁾	P for specified locations; otherwise prohibited ⁽²²⁾	
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 <u>as a primary use, excluding milling, planing mills excluded</u>	—	—	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/S EP	—	—	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; otherwise prohibited ⁽²²⁾	P for specified locations; otherwise prohibited ⁽²²⁾	
Secondhand/consignment shops	CUP	CUP	—	—	
Warehouse retail store (big box retail)	P	P	CUP	CUP	

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⁾	CUP	—	
Hospitals, including convalescent	CUP	—	P ⁽⁸⁾	P ⁽⁸⁾	
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	—	—	

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 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 [or any other foods that could cause unpleasant fumes or odors to be emitted](#) 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. [Deleted]~~
- (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.
- (24) Indoor reverse vending machines do not require any discretionary permits.

EXHIBIT B

The following definition shall be added to the alphabetical listing of definitions in section 17.76.020:

Deleted: s
Deleted: /amended

"Aerospace related accessories manufacturing" means an establishment engaged in fabricating, manufacturing, and/or assembling aerospace and spacecraft systems and components, including related machine shops, plating shops, sheet metal shops, spray-painting shops, model shops, and plastics shops.

"Aircraft related accessories manufacturing" means an establishment engaged in fabricating, manufacturing, and/or assembling of aircraft associated systems and components, including related machine shops, plating shops, sheet metal shops, spray-painting shops, model shops, and plastics shops.

"Electronics manufacturing" means an establishment engaged in fabricating, manufacturing, and/or assembling of electronic systems and components.

"Food products wholesaling and distribution" means food product establishments engaged in selling food to retailers; to industrial, commercial, or institutional users; or to other food wholesalers, acting as agents or brokers in buying or selling food products."

"Medical device manufacturing" means the manufacture or assembly of devices and instruments used in or for medical procedures.

"Research and development" means a process of experimentation, whereby a product is designed, manufactured, tested and refined. "Research and development" does not include the general or mass production of the product.

The following definitions in the alphabetical listing of definitions in section 17.76.020 are amended to read as follows:

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"Aircraft 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).

Deleted: and related aircraft accessories

"Manufacturing" means establishments engaged in the mechanical, physical, or chemical conversion of substances, components, or raw materials to a product, including fabrication and assembly. "Manufacturing" as a use does not include industrial facilities that are separately listed within this code.

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“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 that can be reconstituted, remanufactured, or reused in an altered form, including paper, cardboard, glass, plastics and metals. Recyclable materials does not include refuse or hazardous materials or goods to be sold at secondhand stores or donated to other individuals.

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Recycling Facilities. This land use type includes a variety of facilities involved with the collection, sorting, and processing of recyclable materials. 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.

1. “Beverage Container Convenience Zone Collection Center” means a collection facility certified by the State pursuant to the California Beverage Container Recycling and Litter Reduction Act of 1986.

2. “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). “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;

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b. Small collection facilities which is a collection facility that occupies an area of five hundred (500) square feet or less and may include:

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i. A mobile unit,

ii. Bulk reverse vending machines. 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.

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iii. A grouping of reverse vending machines occupying more than fifty (50) square feet, and

iv. Kiosk-type units that may include permanent structures;

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c. Large collection facilities which is collection facility that occupies an area of more than five hundred (500) square feet, 3, “Mobile recycling unit” means an automobile, truck, trailer, or van used for the collection of recyclable materials, carrying bins, boxes, or other containers.

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4. "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."

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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.

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Deleted: 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. "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.

Deleted: 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.

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Moved up [1]: "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.

Moved up [2]: 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.

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Deleted: The following definitions shall be amended.¶

City of Los Alamitos

Planning Commission

Agenda Report Staff Report

April 27, 2016
Item No: 8A

To: Chair Cuijly 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 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)."

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.

Attachments: 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 April 27, 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 27th day of April, 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 27th day of April, 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

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).

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.

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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).⁹

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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.

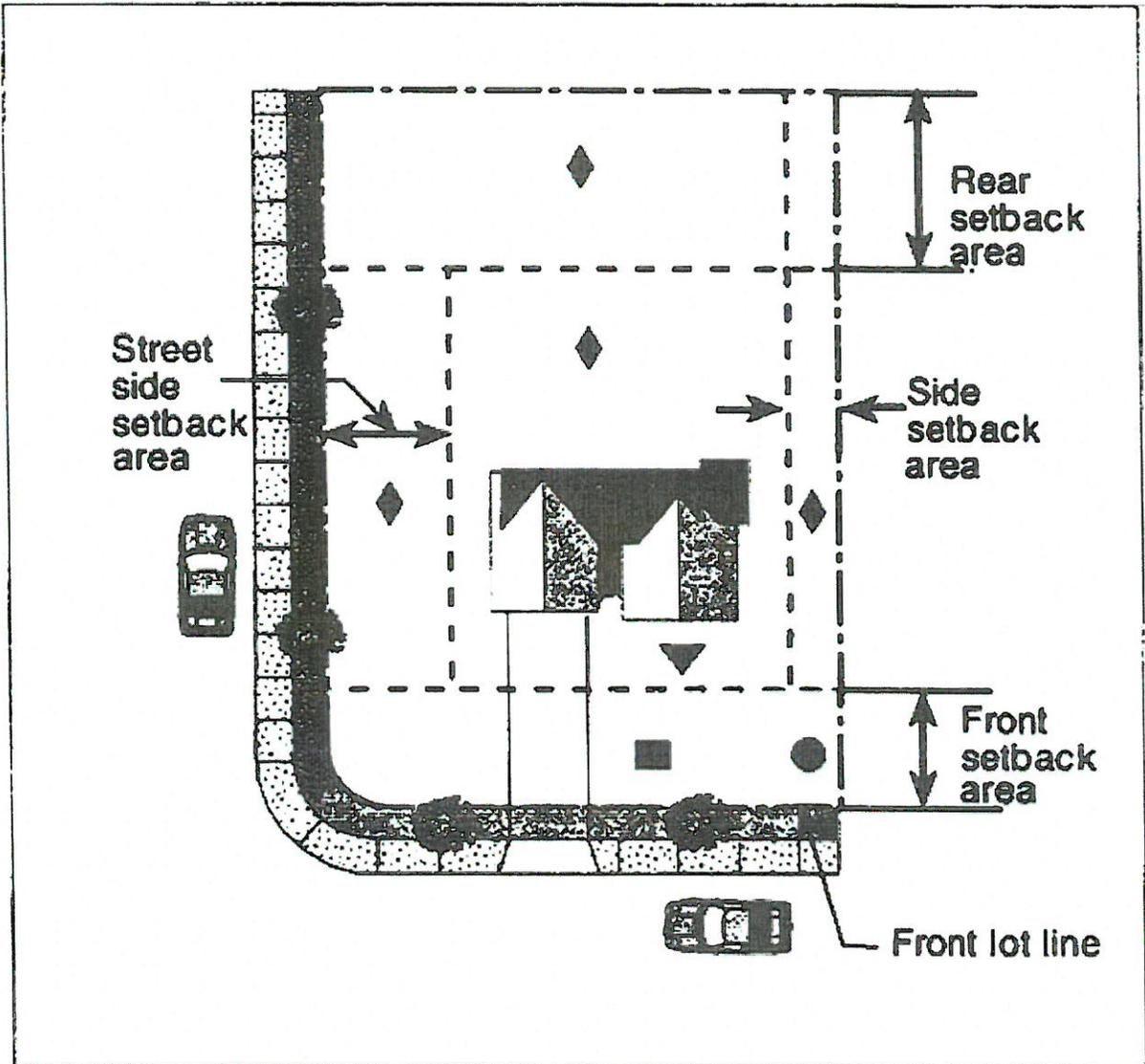
h. Only one curb cut, driveway, and driveway apron shall be allowed for each residential parcel unless a site plan is approved in accordance with Chapter 17.50. Notwithstanding any other provision of this code, this requirement only applies to development of a new residential use, or renovation of an 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).

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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)