CITY OF LOS ALAMITOS
3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA
PLANNING COMMISSION/SUBDIVISION COMMITTEE
REGULAR MEETING
Wednesday, June 27, 2018 – 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 Development Services Department or on the City’s website at www.cityoflosalamitos.org once the agenda has been publicly posted.

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 Development Services 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 Development Services 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 DeBolt
Vice Chair Riley
Commissioner Andrade
Commissioner Culy
Commissioner Grose
Commissioner Loe
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 May 23, 2018.

6. **DISCUSSION**
   None.

7. **CONSENT CALENDAR**
   None.

8. **PUBLIC HEARINGS**
   A. Zoning Ordinance Amendment (ZOA) 18-02
   Consideration of a Resolution Recommending Changes to the City Council for Off-Street Parking and Loading
   Following the Planning Commission’s unanimous vote to initiate a Zoning Code amendment to address off-street parking, the Planning Commission surveyed the off-street parking requirements of surrounding cities and directed the City Attorney to prepare a Resolution recommending various amendments to the City Council to address parking demands in the R-2 and R-3 Zoning Districts as well as clarify existing parking provisions. The proposed Zoning Ordinance Amendment would repeal sections 16.19.030 and 17.34.060(B)(6) regarding parking standards for condominium conversions, and replace each with section 17.26.065 to address parking requirements for converted condominiums, and further clarify open space parking, garage, and carport requirements for multiple-family residential uses in the R-2 (limited multiple-family) and R-3 (multiple-family) residential zoning districts and define “tandem parking.”

   Recommendation:

   1. Open the Public Hearing; and,

   2. Close the Public Hearing, and, if appropriate,

THE LOS ALAMITOS MUNICIPAL CODE TO MODIFY OFF-STREET PARKING REQUIREMENTS FOR MULTIPLE-FAMILY RESIDENTIAL USES IN THE R-2 (LIMITED MULTIPLE-FAMILY) AND R-3 (MULTIPLE-FAMILY) RESIDENTIAL ZONING DISTRICTS AND DEFINE ‘TANDEM PARKING.’”

B. Zoning Ordinance Amendment (ZOA) 17-05
Various Off-Street Parking and Loading Amendments
The Planning Commission has initiated discussion of a Zoning Code Amendment for Off-Street Parking. This discussion began with multi-family residential parking requirements and now may or may not move toward other parking requirements based on the interest of the Commission.

Recommendation:

1. Open the public hearing, take testimony, and discuss possible changes to the Off-street Parking and Loading Standards in the Los Alamitos Municipal Code; and, if appropriate,

2. Direct Staff and the Assistant City Attorney to draft an Ordinance and appropriate resolution memorializing the requested code changes.

9. STAFF REPORTS
A. Resolution of Intention No. 18-15
Updates to Accessory Dwelling Unit (ADU) Municipal Codes
Consideration of a Resolution of Intention by the Planning Commission to discuss and consider updates to Accessory Dwelling Unit Municipal Codes as presented in a May 29, 2018 memorandum of the California Department of Housing and Community Development (Citywide) (City initiated).

Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 18-15 entitled, “A RESOLUTION OF INTENTION OF THE PLANNING COMMISSION OF LOS ALAMITOS, CALIFORNIA, DIRECTING STAFF TO AGENDIZE THE FUTURE DISCUSSION BY THE PLANNING COMMISSION OF POSSIBLE CHANGES CONCERNING ACCESSORY DWELLING UNITS (ADU) IN THE LOS ALAMITOS MUNICIPAL CODE (CITYWIDE) (CITY INITIATED).”

B. Resolution of Intention No. 18-16
Small Wireless Cellular Installations
Consideration of a Resolution of Intention by the Planning Commission to discuss small wireless cellular installations and consider zoning code changes (Citywide) (City initiated).

Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 18-16 entitled, “A RESOLUTION OF INTENTION OF THE PLANNING COMMISSION OF LOS ALAMITOS, CALIFORNIA, DIRECTING
STAFF TO AGENDIZE THE FUTURE DISCUSSION BY THE PLANNING COMMISSION OF POSSIBLE CHANGES CONCERNING SMALL WIRELESS CELLULAR INSTALLATIONS IN THE LOS ALAMITOS MUNICIPAL CODE (CITYWIDE) (CITY INITIATED)."

10. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR
None.

11. COMMISSIONER REPORTS

12. 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 Development Services 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 (resident)/$2,349.00 (non-resident) in accordance with Los Alamitos Municipal Code Section 17.68 and Fee Resolution No. 2017-13.

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 Avenue; Los Alamitos Community Center, 1091 Oak Street; and, Los Alamitos Museum, 11082 Los Alamitos Boulevard, not less than 72 hours prior to the meeting.

[Signature]
Tom Oliver
Associate Planner

5/20/18
Date

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MINUTES OF PLANNING COMMISSION/SUBDIVISION COMMITTEE MEETING
OF THE CITY OF LOS ALAMITOS

REGULAR MEETING – May 23, 2018

1. CALL TO ORDER
The Planning Commission/Subdivision Committee met in Regular Session at 7:00 p.m., Wednesday, May 12, 2018, in the Council Chamber, 3191 Katella Avenue, Chair Andrade presiding.

2. ROLL CALL
Present: Commissioners: Chair DeBolt
Andrade, Culity, Grose and Sofelkanik

Absent: Riley and Loe

Staff: Andy Perea, Interim Development Services Director
Kendra Carney, Assistant City Attorney
Michael Daudt, City Attorney
Michelle Müller, Department Secretary
Tom Oliver, Associate Planner

3. PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was led by Chair DeBolt.

4. INTRODUCTION OF ANDY PEREA, INTERIM DEVELOPMENT SERVICES DIRECTOR
Interim Development Services Director Perea briefly introduced himself to the Planning Commission.

5. ORAL COMMUNICATION
Chair DeBolt opened the meeting for Oral Communication for items not on the agenda. There being no speakers, Chair Andrade closed Oral Communications.

6. Approval of Minutes
A. Approve the Minutes for the Regular Meeting of March 28, 2018
Motion/Second: Andrade/Grose
Carried 4/0 (Sofelkanik abstained, Riley and Loe absent): The Planning Commission approved the minutes of the Regular meeting of March 28, 2018.

7. DISCUSSION
None.

8. CONSENT CALENDAR
None.
9. **PUBLIC HEARINGS**
   **A. Conditional Use Permit (CUP) 18-02**
   Consideration of on-site alcoholic beverage sales and consumption in the General Commercial (C-G) Zone

   Commissioner Andrade recused himself given that he resides within 500 feet.

   Associate Planner Oliver summarized the Staff Report.

   Commissioner Cuilty asked and received clarification from applicant Joe Croce about what their wine based drinks are.

   Chair DeBolt opened the public hearing.

   There being no speakers, Chair DeBolt closed the public hearing.

   Commissioner Sofelkanik asked and received clarification from City Attorney Daudt stating that any conditions imposed on the CUP will also run with the land.

   Commissioner Grose asked and received clarification from Associate Planner Oliver that no complaints have been received within the last eight years about noise coming from this business location.

   Motion/Second: Grose/Cuilty
   Carried 4/0 (Andrade recused himself, Riley and Loe absent): Adopt Resolution No. 18-10, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A MASSAGE ESTABLISHMENT USE IN A 480-SQUARE FOOT TENANT SPACE AT 10775 LOS ALAMITOS BOULEVARD, IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-193-14 (APPLICANT: CARLITA JOHNSON)."

   **B. Conditional Use Permit (CUP) 18-03**
   **Massage Establishment**
   **10775 Los Alamitos Boulevard**

   Associate Planner Oliver summarized the staff report.

   Commissioner Grose asked and received clarification from Associate Planner Oliver regarding chiropractors being a permitted use; furthermore, Associate Planner Oliver added that they are allowed to have masseuses working for them.

   City Attorney Daudt stated that if a chiropractic use is permitted by right per the municipal code, you cannot impose a condition that would restrict a chiropractic office from going in.
Commissioner Andrade asked and received clarification from Associate Planner Oliver that the applicant and her employees are to maintain a valid CAMTC certification.

Chair DeBolt asked and received clarification from City Attorney Daudt where he stated the following: tonight is a land use determination. There is a regulatory chapter within the municipal code, which addresses operation. Those whom are CAMTC certified cannot go through a background check again; however, if an operator in the past has had a permit revoked, that may serve as grounds to deny the application. City Attorney Daudt stated that the CUP runs with land, whereas the individual operator is required to have and is monitored by a regulatory permit; any misconduct under this permit could warrant revocation. The Regulatory Permit Application is reviewed by the Police Department and approved by the Police Chief.

Interim Development Services Director Perea advised the Planning Commission that the CAMTC has a website where licensing could always be verified; in addition, stated that Ms. Johnson does have an active CAMTC license.

Chair DeBolt opened the public hearing.

Applicant, Carlita Johnson provided a synopsis of the type of services her establishment will offer. Ms. Johnson added that she will be vetting her own potential employees to ensure that she has the best quality staff working for her.

Commissioner Cuilty asked and received clarification from Ms. Johnson stating that her establishment will likely be 60 percent massage and 25-40 percent facials. Ms. Johnson stated that the name of her business will be, "Melt Massage and Spa".

Chair DeBolt asked and received clarification from Ms. Johnson stating that she will not be staffing it fully initially; staffing will be added as the business grows. Ms. Johnson added that she will be on-site at all times. Ms. Johnson stated that this is her first business.

Interim Development Director Perea for the record, added correspondence from Mr. & Mrs. Davis expressing opposition to this prospective business.

Chair DeBolt closed the public hearing.

Commissioner Andrade asked and received clarification from City Attorney Daudt stating that the item could be brought back to the Commission if: there was an action to revoke, change to operations that would require an amendment or the CUP could lapse if the use were abandoned for a specific amount of time. Otherwise, there is no periodic review by the Planning Commission.
Commissioner Andrade asked and received clarification from City Attorney Daudt that if a new business owner took over, they would not have to come back to the Planning Commission but they will be required to obtain a regulatory permit and approval from the City. Furthermore, the new owner will have to adhere to the same conditions of operation.

The Planning Commission and Staff discussed adding a condition to the Conditions of Approval to state that if any time the operators permit issued for the establishment is violated, revocation proceedings for the CUP will proceed.

Motion/Second: Andrade/Grose
Carried 5/0 (Riley and Loe absent): Adopt Resolution No. 18-10, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING MASSAGE ESTABLISHMENT USE IN A 480-SQUARE FOOT TENANT SPACE AT 10775 LOS ALAMITOS BOULEVARD, IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-193-14 (APPLICANT: CARLITA JOHNSON)”, with the condition that if at any time the operator permit issued for the establishment under the Los Alamitos Municipal Code Section 5.32 is revoked, revocation proceedings as to the CUP will be initiated by the City.

C. Consideration of a Four-Unit, Residential Condominium Development Application for Tentative Parcel Map, Conditional Use Permit, and Site Plan Review at 3751/3755 Farquhar Avenue (APN 222-062-28) Applicant: Alison Stapakis and Olympia Stapakis

Associate Planner Oliver summarized the staff report.

Chair DeBolt asked and received clarification from Associate Planner Oliver stating that there are no issues with this project meeting development standards.

Chair DeBolt asked and received clarification from Associate Planner Oliver stating that there is currently no condition stating that grass clippings need to be removed by the gardener.

Chair DeBolt opened the public hearing.

Representative of the applicant, Nick Zamvakellis thanked the commission for having him. Mr. Zamvakellis briefly described the new project.

Applicant Alison Stapakis came forward and briefly introduced herself to the Planning Commission and described their other developments throughout the City.

Bryce Ricks, property owner at 3741 Farquhar Avenue stated that this plan is a vast improvement from what previously presented. Mr. Ricks expressed overall support.
Furthermore, Mr. Ricks added that perhaps this project should serve as a case study for future projects regarding not having a bin in the alley in addition to the challenges parallel parking spaces will present. Mr. Riggs thanked the Planning Commission for their time.

Chair DeBolt closed the public hearing.

Commissioner Andrade expressed a liking for the new design. In addition, Commissioner Andrade commended staff for their work in ensuring that the item brought back is what the Planning Commission had asked for.

Motion/Second: Grose/Cuitly  
Carried 5/0 (Riley and Loe absent): Adopt Resolution No. PC 18-11 entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE PLAN REVIEW (SPR 16-09) TO ALLOW CONSTRUCTION OF FOUR RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 3751/3755 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-062-28, AND DIRECTING A NOTICE OF EXEMPTION BE FIELD FOR A CATEGORIAL EXEMPTION FROM CEQA (APPLICANT: ALISON STAPA KIS AND OLYMPIA STAPA KIS)”, and,

Motion/Second: Grose/Cuitly  
Carried 5/0 (Riley and Loe absent): Adopt Resolution No. PC 18-12 entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 16-18) TO ALLOW CONSTRUCTION OF FOUR RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 3751/3755 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-062-28, AND DIRECTING A NOTICE OF EXEMPTION BE FIELD FOR A CATEGORIAL EXEMPTION FROM CEQA (APPLICANT: ALISON STAPA KIS AND OLYMPIA STAPA KIS)”, and,

Motion/Second: Grose/Cuitly  
Carried 5/0 (Riley and Loe absent): Adopt Resolution No. PC 18-13 entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 18-01 (TPM 2008-1) TO ALLOW CONSTRUCTION OF FOUR RESIDENTIAL CONDOMINIUM UNITS ON ONE LOT AT 3751/3755 FARQUHAR AVENUE, IN THE MULTIPLE FAMILY RESIDENTIAL (R-3) ZONING DISTRICT, APN 222-062-28, AND DIRECTING A NOTICE OF EXEMPTION BE FIELD FOR A CATEGORIAL EXEMPTION FROM CEQA (APPLICANT: ALISON STAPA KIS AND OLYMPIA STAPA KIS).”

D. ZOA 18-02  
Various Off-Street Parking and Loading Amendments
Assistant City Attorney Carney summarized the staff report.

The Planning Commission and Staff discussed the following:
- Regarding section 17.26.075 A, sentence 4 to start read, "the dimension of parking spaces and aisles..." in place of "the width of parking spaces and aisles..."
- Replace the word "stall" with "space" throughout the code section.
- Regarding section 17.34.060, number 6, and the possibility of including the language of number 4.
- For 17.26.060A, number 2 and 3 to include specificity that condominiums are required to provide two enclosed spaces.

Chair DeBolt opened the public hearing.

There being no speakers, Chair DeBolt closed the public hearing.

The Planning Commission and Staff discussed possible options in which to modify parking requirements for condominium conversions.

E. Zoning Ordinance Amendment (ZOA) 17-05
Off-Street Parking & Loading Discussion

Chair DeBolt opened the public hearing.

There being no further speakers, Chair DeBolt closed the public hearing.

The Planning Commission and Staff discussed the following:
- Implementing no modifications to the code regarding tandem parking except for adding a definition for tandem parking; specifying that the driveway cannot count as tandem parking.
- Differentiate in the code between condominiums and single-family dwellings.
- R-3 versus R-2 will be identified the same.
- Review R-1 parking standards and to bring back to the next meeting for discussion, to include the limitations for ADU's.

10. STAFF REPORTS
None.

11. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

Interim Development Services Director Perea and Associate Planner Oliver advised the Planning Commission of the following:
• The Zoning Code Committee meeting is scheduled for Wednesday, June 11th where signage will be a topic of discussion. Outreach will be made to Chamber of Commerce and the Association of Realtors.

• The hotel project is moving forward, grading has been completed. Permits are expected to be obtained soon. The groundbreaking has been pushed back with, no date at this time.

• Wahoo’s is approved and ready to be issued. Construction should be starting soon.

• Contractors for the Olson project will be tearing down the church soon.

• A CDBG Capital Improvement Project is currently underway on Cerritos Avenue.

• The City Council passed a motion to revert Los Alamitos Boulevard back to two lanes.

Commissioner Grose mentioned that sometime in 2009, the Commission put together a list of recommendation for signage.

12. COMMISSIONER REPORTS
Commissioner Sofelkanik advised that he will not be available for the next two meetings.

Commissioner Culty expressed concern over the window signage where Dr. Poe’s medical office is located, cannot have 100% coverage.

Chair DeBolt asked all Commissioners to communicate with staff via City email should attendance to a meeting not be possible. He stated that if someone needs help with setting up their City issued emails, please reach out to staff.

Commissioner Andrade advised that he is unsure of his availability for the month of June or July. He will advise staff.

Interim Development Services Director Perea asked the Planning Commission if any Commissioner had any interest in receiving the agendas electronically; the Planning Commission unanimously expressed preference or the hard copy.

13. ADJOURNMENT
The Planning Commission adjourned the meeting at 8:49 p.m.

ATTEST: Art DeBolt, Chair

______________________________
Andy Perea, Secretary

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City of Los Alamitos

Agenda Report
June 27, 2018
Public Hearing
Item No: 8A

To: Chair DeBolt and Members of the Planning Commission/Subdivision Committee

Via: Andy Perea, Interim Development Services Director

From: Kendra L. Carney, Assistant City Attorney

Subject: Zoning Ordinance Amendment (ZOA) 18-02
Consideration of a Resolution Recommending Changes to the City Council for Off-Street Parking and Loading

Summary: Following the Planning Commission’s unanimous vote to initiate a Zoning Code amendment to address off-street parking, the Planning Commission surveyed the off-street parking requirements of surrounding cities and directed the City Attorney to prepare a Resolution recommending various amendments to the City Council to address parking demands in the R-2 and R-3 Zoning Districts as well as clarify existing parking provisions. The proposed Zoning Ordinance Amendment would repeal sections 16.19.030 and 17.34.060(B)(6) regarding parking standards for condominium conversions, and replace each with section 17.26.085 to address parking requirements for converted condominiums, and further clarify open space parking, garage, and carport requirements for multiple-family residential uses in the R-2 (limited multiple-family) and R-3 (multiple-family) residential zoning districts and define “tandem parking.”

Recommendation:

1. Open the Public Hearing; and,

2. Close the Public Hearing; and, if appropriate,

Background

The City is experiencing an increasing demand for on-street parking in the R-2 and R-3 Zoning Districts. The Development Services Director, Associate Planner and Police Department frequently receive complaints and requests for service relating to illegally parked vehicles and an over-concentration of on-street parking. Inadequate off-street parking requirements for new or expanded multi-family developments likely contribute to the deficiency of on-street parking.

On September 27, 2017, the Los Alamitos Planning Commission voted unanimously to initiate a Zoning Code amendment to update the City’s off-street parking requirements, located primarily in section 17.26.040 of the City of Los Alamitos Zoning Code, and which were last updated in 2006. To assist the Planning Commission, Development Services Department Staff surveyed off-street parking requirements from other nearby jurisdictions.

During this review, the Planning Commission reviewed Zoning Code Chapters 17.26, 17.34, 17.78, and Municipal Code Chapter 16.19. These Chapters provide parking standards for R-2 and R-3 Zones including requirements for enclosed garage and carport parking, openspace exterior parking, revised parking for properties converted to condominiums, and clarifications to the parking standards.

Following the completion of its study of the City’s off-street parking requirements, the Planning Commission directed the City Attorney to prepare a Resolution recommending the City Council adopt a Zoning Code amendment, which could result in a reduction in on-street parking demand in the R-2 and R-3 Zoning Districts by requiring specific standards for off-street parking, clarifying existing parking standards to eliminate contradictory development based elements, and defining “tandem parking” for development standards purposes.

Discussion

Most of the City’s current off-street parking regulations were adopted over a decade ago. Best practices for establishing parking requirements have seen a significant transition over the last several years. Today’s population has grown, family living conditions have expanded and frequently include more than two individuals of driving age living within one residential unit, and vehicle storage needs have increased as a result. Like many cities, Los Alamitos has not updated the off-street parking standards to reflect current trends.

As a result, the Planning Commission held a public hearing on September 27, 2017, which was continued to January 24, 2018, February 28, 2018, March 28, 2018, April 25, 2018, and May 23, 2018. At these continued public hearings, the Planning Commission reviewed parking standards and parking space requirements for multi-family developments in the Los Alamitos Zoning Code and those of surrounding jurisdictions.
Based on its review and its consideration of the evidence presented, the Planning Commission directed the City Attorney to prepare a Resolution recommending the City Council adopt a Zoning Ordinance Amendment to amend parking requirements for R-2 and R-3 Zoning Districts, establish specific parking space requirements, and add a definition of “tandem parking” to the Zoning Code.

A red-lined version demonstrating the changes in proposed amendment is attached hereto as Attachment “1.” The actual draft amendment to be recommended to the City Council is shown in Exhibit “A.”

The Zoning Ordinance Amendment will also repeal sections 16.19.030 and 17.34.060(B)(6) in their entirety and replace both with section 17.26.85 as shown in Exhibit “A.”

The enactment of these off-street parking requirements may mitigate and prevent the exacerbation of on-street parking demand and congestion in the R-2 and R-3 Zoning Districts and further preserve the public safety, health, and welfare of the community.

Attachments: 1. Red-lined document showing proposed amendments
2. Resolution No. 18-14
3. Draft Zoning Ordinance Amendment No. 18-02
17.26.030 General parking regulations.

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

B. Determination of Requirement. For a use not specifically mentioned, the commission shall determine the amount of parking required.

C. Parking to be Accessible. The required off-street parking spaces and areas shall be available and accessible at all times for use as vehicle parking by the owners, occupants, and tenants of the property served. Tandem parking shall not be considered for purposes of compliance with zoning development standards allowed for required parking except for accessory dwelling units and M-H (mobilehome park zoning districts). (Ord. 688 § 1, 2006)

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, two of the required parking spaces for condominiums and one of the required parking spaces for all each other dwelling units shall be located in a carport or an fully enclosed garage space equipped with a functional, automatic garage door opener..

3. R-3 Multiple-Family Zoning Districts. In R-3 multiple-family zoning districts, two of the required parking spaces for condominiums and one of the required parking spaces for each dwelling unit shall be located in a fully enclosed garage space equipped with a functional, automatic garage door opener. Carports are encouraged for open space parking space are allowed for additional required spaces for dwelling units. Required parking spaces for association or common recreation rooms may be unenclosed.

4. Any carport must include an enclosed personal storage space within the front, or shorter enclosed portion, of the covered parking space. The dimensions of this space may be included to comply with the outdoor storage requirements for R-2 and R-3 Zoning Districts established in section 17.38.120(A) of this Code.

B. Vehicles or Recreational Items. 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:

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 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. 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).

   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 shall be parked or left standing only on a driveway 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 shall not be parked or left standing within five feet of an adjacent property line in a front setback area, except that operable, currently registered automobiles and light-duty, noncommercial trucks not otherwise prohibited from being parked on residential property may be parked or left standing on a driveway located in any front setback area. See Figure 3-01 (Parking Diagram for Vehicles).

   d. Detached parts (e.g., camper shells or bodies, racks or jacks, and similar items) shall not be stored on any portion of a front setback area or driveway. These parts may be stored in a front yard behind the front setback line and in the side setback area if screened from view.

   e. Driveways shall lead to a garage or carport, and shall not exceed the width of the garage or carport or fifty (50) percent of the parcel width at the street, whichever is less. A minimum driveway width of twelve (12) feet is required.

   f. A minimum turning radius of twenty-eight (28) feet shall be required for garages. A minimum straight, unobstructed, perpendicular backup distance of twenty-four (24) feet is required behind all ninety (90) degree parking stallspaces.

   g. Covered parking spaces (garages or carports) shall have a minimum interior measurement of ten (10) feet by twenty (20) feet, clear of any encroachments such as laundry facilities and water heaters, except for tankless water heaters which are mounted a minimum of four (4) feet above a finished floor.

   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 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 by a wall not exceeding seven feet in height. 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).

5. **Operational Status.** Motor vehicles and recreational items on driveways and in front setback areas shall be operational and currently registered (if required).

![Figure 3-01](image)

**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)


   A. Development Standards Off-Street Parking.

   1. Buildings converted to condominiums may utilize the parking spaces that exist prior to the conversion only, and need not provide additional parking, even if the spaces are not in compliance with the parking requirements and standards established for newly constructed multi-family residential structures in the R-2 and R-3 zones, unless additional or alternative parking spaces exist as determined by City staff.

   2. Other Parking Provisions. In all other respects, off-street parking requirements and standards shall be governed by the provisions of Chapter 17.26 (Off-Street Parking and Loading Requirements).


   A. Parking Space Area. Each off-street parking space shall consist of an area not less than nine feet wide by nineteen (19) feet long, together with drives, aisles, turning and maneuvering areas, and having access at all times to a public street or alley. The minimum dimensions of parking spaces and aisles in parking lots and minimum
dimensions shall be provided in compliance with this section and the Table 3-02 (Off-Street Parking Dimensions) and Figure 3-02 (Parking Dimensions).

**TABLE 3-02**  
**Off-Street Parking Dimensions**

<table>
<thead>
<tr>
<th>Angle (A)</th>
<th><strong>StallSpace Width</strong> (B)</th>
<th><strong>StallSpace Length</strong> (C)</th>
<th><strong>StallSpace Depth</strong> (D)</th>
<th><strong>Aisle Width</strong> (E)</th>
<th><strong>Total Module Width</strong> (F)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0°</td>
<td>8'</td>
<td>21'</td>
<td>9'</td>
<td>12' 24'</td>
<td>30'</td>
</tr>
<tr>
<td>30°</td>
<td>9'</td>
<td>19’</td>
<td>17' 5”</td>
<td>13' 24'</td>
<td>48’</td>
</tr>
<tr>
<td>45°</td>
<td>9’</td>
<td>19’</td>
<td>20’</td>
<td>15’ 24’</td>
<td>55’</td>
</tr>
<tr>
<td>60°</td>
<td>9’</td>
<td>19’</td>
<td>21’</td>
<td>18’ 24’</td>
<td>60’</td>
</tr>
<tr>
<td>90°</td>
<td>9’</td>
<td>19’</td>
<td>19’</td>
<td>24’ 24’</td>
<td>62’</td>
</tr>
</tbody>
</table>

* Other angle/dimensions may be considered where it can be shown to accommodate aisle width and circulation.
B. Landscaping. Each off-street parking area shall provide an area, or areas, landscaped equivalent to twenty (20) square feet for each parking space. Landscaping shall be provided along the periphery of the parking area and shall consist of trees and plant material. At least one minimum fifteen (15) gallon tree shall be provided for every five parking spaces. In addition, one fifteen (15) gallon tree minimum shall be provided in the interior portions of the parking area for each one thousand five hundred (1500) square feet of parking area.

C. Unused Areas. Unused areas resulting from the layout of the parking area shall be used for landscape purposes.

D. Irrigation Required. Required landscaped areas shall be provided with a permanent and adequate means of irrigation and shall be adequately maintained.

E. Plans Required. Landscape and irrigation plans, including the type and location of plant materials to be used, shall be subject to the approval of the director.

F. Parking Area Development. Off-street parking areas shall be constructed and maintained to provide the following:

1. Grading and drainage shall be constructed to the specifications of the City engineering staff.

2. Parking spaces in R-2 and R-3 Zoning Districts in the commercial and industrial districts shall be clearly delineated by striping not less than four inches in width using white or yellow traffic-bearing paint and appropriately labeled for loading, handicapped,
etc., where necessary. The measurement of the parking space may be taken from the center line of the striping. Wheel stops and/or six-inch concrete curbs shall be required for parking stallspaces in the commercial and industrial districts. Where a landscape planter exists, a 24-inch overhand is permitted in the front of the parking space and the landscape planter depth, up to 24-inches, may be included in the required measurements for parking space dimensions.

3. Lighting shall be provided in the parking area, and shall be arranged or shielded so that direct rays do not shine or reflect onto adjacent property or into public rights-of-way.

4. New and reconstructed parking areas and driveways shall be permanently surfaced with asphalt concrete or Portland cement concrete or a permeable surface over compacted native soil. The required pavement section shall be subject to approval by the city engineer as appropriate to on-site soil conditions.

5. Curbs shall be installed at a minimum of two and one half feet from face of buildings, walls, fences, or other structures. This requirement does not apply to driveways that are not a part of the maneuvering area for parking, provided that a curb shall be installed a minimum of three feet from the edge of driveways that are parallel to block walls, fences, or structures.

6. Drive aisles to and from parking stalls shall not be less than eighteen (18) feet wide for one-way circulation.

7. Minimum backup distance for ninety (90) degree parking shall be twenty-four (24) feet.

8. The first parking stall at an entrance shall be ten (10) feet minimum distance from a property line.

9. Concrete curbs shall be installed spaced around all landscaping in parking areas.

CG. Compact StallSpaces. Compact car parking stallspaces shall not be allowed for required parking. (Ord. 688 § 1, 2006)

17.26.080 Development standards for exterior commercial openspace parking.

A. Parking Space Area. Each off-street parking space shall consist of an rectangular area not less than nine feet wide by nineteen (19) feet long, together with drives, aisles, turning and maneuvering areas, and having access at all time to a public street or alley. The minimum dimensions of parking spaces and width of aisles in parking lots and minimum dimensions shall be provided in compliance with this section and the Table 3-02 (Off-Street Parking Dimensions) and Figure 3-02 (Parking Dimensions).
### TABLE 3-02
Off-Street Parking Dimensions

<table>
<thead>
<tr>
<th>Angle (A)</th>
<th>StallSpace Width (B)</th>
<th>StallSpace Length (C)</th>
<th>StallSpace Depth (D)</th>
<th>Aisle Width (E)</th>
<th>Total Module Width (F)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>One Way Aisle</td>
<td>Two Way Aisle</td>
</tr>
<tr>
<td>0°</td>
<td>8'</td>
<td>21'</td>
<td>9'</td>
<td>12'</td>
<td>24'</td>
</tr>
<tr>
<td>30°</td>
<td>9'</td>
<td>19'</td>
<td>17'- 5&quot;</td>
<td>13'</td>
<td>24'</td>
</tr>
<tr>
<td>45°</td>
<td>9'</td>
<td>19'</td>
<td>20'</td>
<td>15'</td>
<td>24'</td>
</tr>
<tr>
<td>60°</td>
<td>9'</td>
<td>19'</td>
<td>21'</td>
<td>18'</td>
<td>24'</td>
</tr>
<tr>
<td>90°</td>
<td>9'</td>
<td>19'</td>
<td>19'</td>
<td>24'</td>
<td>24'</td>
</tr>
</tbody>
</table>

* Other angle/dimensions may be considered where it can be shown to accommodate aisle width and circulation.

![Figure 3-02](image_url)

**Figure 3-02**
Parking Dimensions
B. Landscaping. Each off-street parking area shall provide an area, or areas, landscaped equivalent to twenty (20) square feet for each parking space. Landscaping shall be provided along the periphery of the parking area and shall consist of trees and plant material. At least one minimum fifteen (15) gallon tree shall be provided for every five parking spaces. In addition, one fifteen (15) gallon tree minimum shall be provided in the interior portions of the parking area for each one thousand five hundred (1500) square feet of parking area.

C. Unused Areas. Unused areas resulting from the layout of the parking area shall be used for landscape purposes.

D. Irrigation Required. Required landscaped areas shall be provided with a permanent and adequate means of irrigation and shall be adequately maintained.

E. Plans Required. Landscape and irrigation plans, including the type and location of plant materials to be used, shall be subject to the approval of the director.

F. Parking Area Development. Off-street parking areas shall be constructed and maintained to provide the following:

1. Grading and drainage shall be constructed to the specifications of the city engineering staff.

2. Parking spaces in the commercial and industrial districts shall be clearly delineated by striping not less than four inches in width using white or yellow traffic-bearing paint and appropriately labeled for loading, handicapped, etc., where necessary. Wheel stops and/or six-inch concrete curbs shall be required for parking stalls in the commercial and industrial districts. The measurement of the parking space may be taken from the center line of the striping. Wheel stops and/or six-inch concrete curbs shall be required for parking spaces. Where a landscape planter exists, a 24-inch overhand is permitted in the front of the parking space and the landscape planter depth, up to 24-inches, may be included in the required measurements for parking space dimensions.

3. Lighting shall be provided in the parking area, and shall be arranged or shielded so that direct rays do not shine or reflect onto adjacent property or into public rights-of-way.

4. New and reconstructed parking areas and driveways shall be permanently surfaced with asphalt-concrete or Portland-cement concrete or permeable surface over compacted native soil. The required pavement section shall be subject to approval by the city engineer as appropriate to on-site soil conditions.

5. Curbs shall be installed at a minimum of two and one-half feet from face of buildings, walls, fences, or other structures, and landscaping. This requirement does not apply to driveways that are not a part of the maneuvering area for parking; provided that a curb shall be installed a minimum of three feet from the edge of driveways that are parallel to block walls, fences, or structures.
6. Drive aisles to and from parking stalls shall not be less than eighteen (18) feet wide for one-way circulation.

7. Minimum backup distance for ninety (90) degree parking shall be twenty-four (24) feet.

8. There first parking stall at an entrance shall be a minimum of ten (10) feet minimum distance from the first parking space at any driveway leading to a public right-of-way, a property line.

9. Concrete curbs shall be installed around all landscaping in parking areas.

G. Compact StallSpaces. Compact car parking stallspaces shall not be allowed for required spaces.

17.34.060 Residential condominiums.

A. Development Standards.

1. Compliance with Codes. Structures shall comply with building, mechanical, electrical, and plumbing codes in force in the city at the time the application is made.

2. Sound and Energy Insulation. Structures shall be sound attenuated to comply with the Uniform Building Code standards in effect at the time of filing. Additionally, the structure shall be made to comply with the energy insulation requirement in effect at the time of filing.

   a. Smoke Detectors. Each condominium unit shall be provided with approved detectors of products of combustion other than heat, conforming to the latest Uniform Building Code standards, mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes.
   b. Maintenance of Fire Protection Systems. Fire hydrants, fire alarm systems, portable fire extinguishers, and other fire protective appliances shall be retained in an operable condition.

4. Utilities.
   a. Utility Metering. Each condominium unit shall be separately metered for all utilities. In addition, a plan for equitable sharing of nonseparately metered, jointly used utilities shall be developed before final map approval and included in the covenants, conditions, and restrictions.
   b. Hot Water Facilities. Each condominium unit shall have a separate hot water heater meeting the standards as established by the Federal Department of Housing and Urban Development (HUD) for water heaters. The commission may waive this requirement if provisions are made for solar powered water heating.
   c. Undergrounding of Utilities. On-site overhead utility service lines shall be placed underground.
5. **Dedication and Improvements.** Dedication for streets, alleys, drainage, or public utilities shall be made so as to bring the parcel into conformity with existing city street, alley, drainage and public utility standards.

6. **Parking.** Off-Street. Parking requirements for condominiums are provided for in compliance with Chapter 17.26 (Off-Street Parking and Loading).

7. **Storage Space.** Each condominium unit shall be provided with a minimum of two hundred (200) cubic feet of enclosed weatherproofed and lockable private storage space outside of the dwelling unit. The space shall be for the sole use of the unit owner. This storage area may be located within a covered parking area, provided it does not interfere with automobile parking.

8. **Laundry Facilities.**
   a. **Separate Facilities.** A separate laundry facility area of sufficient size to allow for the installation of a clothes washer and dryer shall be provided for each condominium unit (if provided for in the garage, the area shall not encroach into the required parking space), or, as an alternative.
   b. **Common Facility.** A common laundry facility may be provided; the facility shall consist of not less than one automatic washer and dryer for each three condominium units or fractions of them.

9. **Parcel Size, Setback, Coverage, Height, and Density Requirements.** Parcel sizes, setback lines, coverage, structure heights, and density requirements shall meet the minimum requirements for the zoning district in which the condominium is located.

10. **Private Open Space.** An adjoining private open space shall be provided for each condominium unit with no dimension less than ten (10) feet.

B. **Covenants, Conditions, and Restrictions.** Each application for condominium development shall be accompanied by three copies of covenants, conditions, and restrictions that will apply to the proposed development. These covenants, conditions, and restrictions shall include, but shall not be limited to, the following provisions:

1. Provisions made, whether by contract, homeowners association bylaws, or some other method, explaining to the buyer his or her responsibility for sharing the maintenance and upkeep of structures and open areas within the project that are in common ownership.

2. Provisions satisfactory to the city for the maintenance of common areas of the project by the city, in the event of default in the maintenance of the common areas by the individual owners of the units, and for reimbursement to the city for any costs incurred.

3. Provisions restricting use of each condominium unit to use as a single-family residence.

4. Provisions stating that each individual unit owner is entitled to two specific covered enclosed parking spaces in compliance with Chapter 17.26.

5. The above items are subject to review by the commission. (Ord. 688 § 1, 2006)
17.76.020 Definitions of specialized terms and phrases.

"Tandem Parking" means one vehicle parked directly behind another, whether parallel or perpendicular to the first vehicle, where one vehicle must generally be moved for the first vehicle to exit the parking space.

Repeal the following sections (which are replaced with section 17.26.065 above)

16.19.030 Applicable development standard. DELETE ENTIRE SECTION (this is repeated in 17.34.050)

Delete 17.34.050(B)(6)
RESOLUTION NO. 18-14

A RESOLUTION OF THE PLANNING COMMISSION/SUBDIVISION COMMITTEE OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL TO ADOPT ZONING ORDINANCE AMENDMENT (ZOA) 18-02 TO REPEAL SECTIONS 16.19.030 AND 17.34.060(B)(6) REGARDING PARKING STANDARDS FOR CONDOMINIUM CONVERSIONS, AND REPLACE EACH WITH SECTION 17.26.085, AND FURTHER AMEND TITLE 17 OF THE LOS ALAMITOS MUNICIPAL CODE TO MODIFY OFF-STREET PARKING REQUIREMENTS FOR MULTIPLE-FAMILY RESIDENTIAL USES IN THE R-2 (LIMITED MULTIPLE-FAMILY) AND R-3 (MULTIPLE-FAMILY) RESIDENTIAL ZONING DISTRICTS AND DEFINE “TANDEM PARKING.”

WHEREAS, Chapter 17.26 (Off-Street Parking and Loading) and Chapter 17.34 (Condominiums) of the Los Alamitos Zoning Code contain the City’s parking standards; and,

WHEREAS, the off-street parking requirements set forth in Chapters 17.26 and 17.34 of the Zoning Code were last updated in 2006; and,

WHEREAS, the City is experiencing an increased demand for on-street parking in R-2 and R-3 Zoning Districts; and,

WHEREAS, on September 27, 2017, the Los Alamitos Planning Commission voted unanimously to initiate a Zoning Code Amendment to update the City’s parking requirements, located in Chapter 17.26 and 17.34 of the City of Los Alamitos Zoning Code; and,

WHEREAS, the Planning Commission and City Staff surveyed parking requirements from other nearby jurisdictions, completed a thorough review of the existing parking standards, and considered comments and information provided by the public and City staff; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on September 27, 2017, which was continued to January 24, 2018, February 28, 2018, March 28, 2018, April 25, 2018, and May 23, 2018, during which it continued its study of the City’s parking requirements and considered all evidence presented, both written and oral, and discussed Zoning Code amendments to address on-street parking demands and congestion generated by new or expanded multiple-family residential uses in the R-2 and R-3 Zoning Districts, and clarifications needed to improve the City’s parking standards, and directed the City Attorney to prepare a Zoning Ordinance Amendment for the June 27, 2018 Planning Commission meeting; and,

WHEREAS, Zoning Ordinance Amendment (ZOA) 18-02 includes the recommended amendments to the Zoning Code provided in Sections 2 through 10
WHEREAS, the Planning Commission held a continued public hearing on June 27, 2018, and considered all evidence presented, both written and oral and all applicable staff reports.

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

SECTION 1. Findings.

A. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct and are incorporated by reference herein.

B. The recommended amendments to the Zoning Code ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, and do not create any inconsistencies with the Zoning Code. The proposed amendments are consistent with General Plan Land Use Goal 4 "Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity" by creating well defined standards to maintain ease of parking and a consistent high-quality development that improves the surrounding community; and Policy 4.1 to "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" by establishing parking standards that better the aesthetics of the neighborhood and improve the availability of on-street parking in surrounding areas within the City. The recommended amendments will establish consistent standards for off-street, required enclosed parking, and openspace parking to mitigate and prevent the exacerbation of on-street parking demands and congestion in the R-2 and R-3 Zoning Districts.

C. The recommended amendments will not adversely affect the public convenience, health, interest, safety, or welfare of the City as there are no adverse impacts anticipated from the changes. Although future developments will be required to comply with the modified parking requirements, all previously approved developments will be allowed to remain and will not be subject to non-conforming use provisions. The changes may improve parking accessibility and mitigate and prevent the exacerbation of on-street parking demand and congestion in the R-2 and R-3 Zoning Districts.

D. This Ordinance is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines because “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” Approval of this Ordinance, inclusive of the provisional off-street parking requirements, does not approve any development project. Future development subject to the parking requirements would be subject to

PC RESO 18-14
Page 2 of 4
CEQA at that time, as those actions would be classified as “projects” under CEQA. Therefore, the proposed action qualifies for exemption and no further environmental review is necessary.

E. The recommended amendments are internally consistent with other applicable provisions of this Zoning Code and do not create any conflicts with any other provisions of the Los Alamitos Municipal Code.

SECTION 2. The Planning Commission/Subdivision Committee hereby recommends that the City Council adopt Ordinance No. TBD (ZOA 18-03), attached hereto as Exhibit “A.”

SECTION 3. Based on the entire record before the Planning Commission, including the written and oral record and the findings set forth above, the Planning Commission hereby recommends approval of Zoning Ordinance Amendment 18-02.

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 shall certify as to the adoption of this Resolution. Staff shall file a Notice of Determination with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 27th day of June 2018, by the following vote:

__________________
Art DeBolt, Chair

ATTEST:

__________________
Any Perea, Interim Secretary

APPROVED AS TO FORM:

__________________
Kendra L. Carney, Assistant City Attorney
STATE OF CALIFORNIA  
COUNTY OF ORANGE  ) ss
CITY OF LOS ALAMITOS  

I, Andy Perea, Interim 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 June 2018, by the following vote, to wit:

AYES: 
NOES: 
ABSENT: 
ABSTAIN: 

__________________________
Andy Perea, Interim Secretary
ORDINANCE NO. TBD

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 18-02 TO REPEAL SECTIONS 16.19.030 AND 17.34.060(B)(6) REGARDING PARKING STANDARDS FOR CONDOMINIUM CONVERSIONS, AND REPLACE EACH WITH SECTION 17.26.065, AND FURTHER AMEND TITLE 17 OF THE LOS ALAMITOS MUNICIPAL CODE TO MODIFY OFF-STREET PARKING REQUIREMENTS FOR MULTIPLE-FAMILY RESIDENTIAL USES IN THE R-2 (LIMITED MULTIPLE-FAMILY) AND R-3 (MULTIPLE-FAMILY) RESIDENTIAL ZONING DISTRICTS AND DEFINE “TANDEM PARKING.”

WHEREAS, Chapter 17.26 (Off-Street Parking and Loading) and Chapter 17.34 (Condominiums) of the Los Alamitos Zoning Code contain the City’s parking standards; and

WHEREAS, the off-street parking requirements set forth in Chapter 17.26 and 17.34 of the Zoning Code were last updated in 2006; and,

WHEREAS, on September 27, 2017, the Los Alamitos Planning Commission/Subdivision Committee voted unanimously to initiate a Zoning Code amendment to update the City’s off-street parking requirements, located in Chapters 17.26 and 17.34 of the City of Los Alamitos Zoning Code; and,

WHEREAS, the City is experiencing an increased demand for on-street parking; and,

WHEREAS, the Planning Commission and City Staff surveyed parking requirements from other nearby jurisdictions, completed a thorough review of the existing parking standards, and considered comments and information provided by the public and City staff; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on September 27, 2017, which was continued to January 24, 2018, February 28, 2018, March 28, 2018, April 25, 2018, and May 23, 2018, during which it continued its study of the City’s parking requirements and considered all evidence presented, both written and oral, and discussed Zoning Code amendments to address excessive on-street parking demands and congestion generated by new or expanded multiple-family residential uses in the R-2 and R-3 Zoning Districts, and clarifications needed to improve the City’s parking standards, and directed the City Attorney to prepare a Zoning Ordinance Amendment for the June 27, 2018 Planning Commission meeting; and,

WHEREAS, the Planning Commission/Subdivision Committee held a continued public hearing on June 27, 2018 at which time it considered all evidence presented, both
written and oral; and,

WHEREAS, at the conclusion of the public hearing, the Planning Commission adopted Resolution No. 18-14 recommending to the City Council adoption of Zoning Ordinance Amendment 18-02 to repeal sections 16.19.030 and 17.34.060(B)(6), amend sections 17.26.030, 17.26.060, 17.26.075, 17.26.080, and 17.76.020, and adopt section 17.26.085 of the Los Alamitos Municipal Code to modify parking standards and define “tandem parking” to reduce future demand for on-street parking; and,

WHEREAS, on DATE, the City Council held a duly noticed public hearing on the recommended Zoning Ordinance Amendment 18-02 at which time it considered all the evidence presented, both written and oral.

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

SECTION 1. Findings.

A. The City Council of the City of Los Alamitos, California finds that the above recitals are true and correct and are incorporated by reference herein.

B. The recommended amendments to the Zoning Code ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, and do not create any inconsistencies with the Zoning Code. The proposed amendments are consistent with General Plan Land Use Goal 4 “Neighborhoods and buildings that are well maintained and demonstrate a sense of pride and identity” by creating well defined standards to maintain ease of parking and a consistent high-quality development that improves the surrounding community; and Policy 4.1 to “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” by establishing parking standards that better the aesthetics of the neighborhood and improve the availability of on-street parking in surrounding areas within the City. The recommended amendments will establish consistent standards for off-street, required enclosed parking, and openspace parking to mitigate and prevent the exacerbation of on-street parking demands and congestion in the R-2 and R-3 Zoning Districts.

C. The proposed amendments will not adversely affect the public convenience, health, interest, safety, or welfare of the City as there are no adverse impacts anticipated from the changes. Although future developments will be required to comply with the modified parking requirements, all previously approved developments will be allowed to remain and will not be subject to non-conforming use provisions. The changes may improve parking accessibility in the R-2 and R-3 Zoning Districts and mitigate and prevent the exacerbation of on-street parking demand and congestion in the R-2 and R-3 Zoning Districts.
D. This Ordinance is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines because "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." Approval of this Ordinance, inclusive of the provisional off-street parking requirements, does not approve any development project. Future development subject to the parking requirements would be subject to CEQA at that time, as those actions would be classified as "projects" under CEQA. Therefore, the proposed action qualifies for exemption and no further environmental review is necessary.

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


SECTION 3. Section 17.34.060(B)(6) of Chapter 17.34 of Title 17 of the Los Alamitos Municipal Code is hereby repealed.

SECTION 4. Section 17.26.030 of Chapter 17.26 of Title 17 of the Los Alamitos Municipal Code is hereby amended in its entirety to read as follows:

17.26.030 General parking regulations.

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

B. Determination of Requirement. For a use not specifically mentioned, the commission shall determine the amount of parking required.

C. Parking to be Accessible. The required off-street parking spaces and areas shall be available and accessible at all times for use as vehicle parking by the owners, occupants, and tenants of the property served. Tandem parking shall not be considered for purposes of compliance with zoning development standards except for accessory dwelling units and M-H (mobilehome park zoning districts).

SECTION 5. Section 17.26.060 of Chapter 17.28 of Title 17 of the Los Alamitos Municipal Code is hereby amended in its entirety to read as follows:

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, two of the required parking spaces for condominiums and one of the required parking spaces for all other dwelling units shall be located in a fully enclosed garage space equipped with a functional, automatic garage door opener.

3. R-3 Multiple-Family Zoning Districts. In R-3 multiple-family zoning districts, two of the required parking spaces for condominiums and one of the required parking spaces for each dwelling unit shall be located in a fully enclosed garage space equipped with a functional, automatic garage door opener. Carports or open space parking spaces are allowed for additional required spaces for dwelling units. Required parking spaces for association or common recreation rooms may be unenclosed.

4. Any carport must include an enclosed personal storage space within the front, or shorter enclosed portion, of the covered parking space. The dimensions of this space may be included to comply with the outdoor storage requirements for R-2 and R-3 Zoning Districts established in section 17.38.120(A) of this Code.

B. Vehicles or Recreational Items. 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:

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 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. 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).
   
   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 shall be parked or left standing only on a driveway 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 shall not be parked or left standing within five feet of an adjacent property line in a front setback area, except that operable, currently registered automobiles and light-duty, noncommercial trucks not otherwise prohibited from being parked on residential property may be parked or left standing on a driveway located in any front setback area. See Figure 3-01 (Parking Diagram for Vehicles).

d. Detached parts (e.g., camper shells or bodies, racks or jacks, and similar items) shall not be stored on any portion of a front setback area or driveway. These parts may be stored in a front yard behind the front setback line and in the side setback area if screened from view.

e. Driveways shall lead to a garage or carport, and shall not exceed the width of the garage or carport or fifty (50) percent of the parcel width at the street, whichever is less. A minimum driveway width of twelve (12) feet is required.

f. A minimum straight, unobstructed, perpendicular backup distance of twenty-four (24) feet is required behind all ninety (90) degree parking spaces.

g. Covered parking spaces (garages or carports) shall have a minimum interior measurement of ten (10) feet by twenty (20) feet, clear of any encroachments such as laundry facilities and water heaters, except for tankless water heaters which are mounted a minimum of four (4) feet above a finished floor.

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 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 by a wall not exceeding seven feet in height. 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).

5. Operational Status. Motor vehicles and recreational items on driveways and in front setback areas shall be operational and currently registered (if required).

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.

SECTION 6. Section 17.26.075 of Chapter 17.26 of Title 17 of the Los Alamitos Municipal Code is hereby amended in its entirety to read as follows:


A. Parking Space Area. Each off-street parking space shall consist of an area, together with drives, aisles, turning and maneuvering areas, and have access at all times to a public street or alley. The minimum dimensions of parking spaces and aisles shall be provided in compliance with this section and the Table 3-02 (Off-Street Parking Dimensions) and Figure 3-02 (Parking Dimensions).
TABLE 3-02
Off-Street Parking Dimensions

<table>
<thead>
<tr>
<th>Angle (A)</th>
<th>Space Width (B)</th>
<th>Space Length (C)</th>
<th>Space Depth (D)</th>
<th>Aisle Width (E)</th>
<th>Total Module Width (F)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0°</td>
<td>8'</td>
<td>21'</td>
<td>9'</td>
<td>12'</td>
<td>30'</td>
</tr>
<tr>
<td>30°</td>
<td>9’</td>
<td>19’</td>
<td>17'- 5”</td>
<td>13’</td>
<td>48’</td>
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<td>45°</td>
<td>9’</td>
<td>19’</td>
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<td>60°</td>
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<td>90°</td>
<td>9’</td>
<td>19’</td>
<td>19’</td>
<td>24’</td>
<td>62’</td>
</tr>
</tbody>
</table>

* Other angle/dimensions may be considered where it can be shown to accommodate aisle width and circulation.

![30° Parking Spaces](image1)
![45° Parking Spaces](image2)
![60° Parking Spaces](image3)
![90° Parking Spaces](image4)

**Figure 3-02**
Parking Dimensions

B. Parking Area Development. Off-street parking areas shall be constructed and maintained to provide the following:

1. Grading and drainage shall be constructed to the specifications of the City engineering staff.

2. Parking spaces in R-2 and R-3 Zoning Districts shall be clearly delineated by striping not less than four inches in width using white or yellow traffic-bearing paint and appropriately labeled for loading, handicapped, etc., where necessary. The measurement of the parking space may be taken

Ordinance TBD
Page 9
from the center line of the striping. Wheel stops and/or six-inch concrete curbs shall be required for parking spaces. Where a landscape planter exists, a 24-inch overhang is permitted in the front of the parking space and the landscape planter depth, up to 24-inches, may be included in the required measurements for parking space dimensions.

3. Lighting shall be provided in the parking area, and shall be arranged or shielded so that direct rays do not shine or reflect onto adjacent property or into public rights-of-way.

4. New and reconstructed parking areas and driveways shall be permanently surfaced with cement concrete or a permeable surface over compacted native soil. The required pavement section shall be subject to approval by the city engineer as appropriate to on-site soil conditions.

C. Compact Spaces. Compact car parking spaces shall not be allowed for required parking.

SECTION 7. Section 17.26.080 of Chapter 17.26 of Title 17 of the Los Alamitos Municipal Code is hereby amended in its entirety to read as follows:

17.26.080 Development standards for exterior commercial openspace parking.

A. Parking Space Area. Each off-street parking space shall consist of an area together with drives, aisles, turning and maneuvering areas, and have access at all time to a public street or alley. The minimum dimensions of parking spaces and aisles in parking lots shall be provided in compliance with this section and the Table 3-02 (Off-Street Parking Dimensions) and Figure 3-02 (Parking Dimensions).

<table>
<thead>
<tr>
<th>Angle (A)</th>
<th>Space Width (B)</th>
<th>Space Length (C)</th>
<th>Space Depth (D)</th>
<th>Aisle Width (E)</th>
<th>Total Module Width (F)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td>One Way Aisle</td>
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<td>Two way Aisle</td>
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<td>12'</td>
<td>30'</td>
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<tr>
<td>30°</td>
<td>9'</td>
<td>19'</td>
<td>17'- 5'</td>
<td>13'</td>
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<td>9’</td>
<td>19'</td>
<td>19’</td>
<td>24’</td>
<td>62’</td>
</tr>
</tbody>
</table>

* Other angle/dimensions may be considered where it can be shown to accommodate aisle width and circulation.
Figure 3-02
Parking Dimensions

B. Landscaping. Each off-street parking area shall provide an area, or areas, landscaped equivalent to twenty (20) square feet for each parking space. Landscaping shall be provided along the periphery of the parking area and shall consist of trees and plant material. At least one minimum fifteen (15) gallon tree shall be provided for every five parking spaces. In addition, one fifteen (15) gallon tree minimum shall be provided in the interior portions of the parking area for each one thousand five hundred (1,500) square feet of parking area.

C. Unused Areas. Unused areas resulting from the layout of the parking area shall be used for landscape purposes.

D. Irrigation Required. Required landscaped areas shall be provided with a permanent and adequate means of irrigation and shall be adequately maintained.

E. Plans Required. Landscape and irrigation plans, including the type and location of plant materials to be used, shall be subject to the approval of the director.

F. Parking Area Development. Off-street parking areas shall be constructed and maintained to provide the following:

1. Grading and drainage shall be constructed to the specifications of the city engineering staff.

2. Parking spaces in the commercial and industrial districts shall be clearly delineated by striping not less than four inches in width using white or yellow
traffic-bearing paint and appropriately labeled for loading, handicapped, etc., where necessary. The measurement of the parking space may be taken from the center line of the striping. Wheel stops and/or six-inch concrete curbs shall be required for parking spaces. Where a landscape planter exists, a 24-inch overhang is permitted in the front of the parking space and the landscape planter depth, up to 24-inches, may be included in the required measurements for parking space dimensions.

3. Lighting shall be provided in the parking area, and shall be arranged or shielded so that direct rays do not shine or reflect onto adjacent property or into public rights-of-way.

4. New and reconstructed parking areas and driveways shall be permanently surfaced with cement concrete or permeable surface over compacted native soil. The required pavement section shall be subject to approval by the city engineer as appropriate to on-site soil conditions.

5. Curbs shall be installed at a minimum of two and one-half feet from face of buildings, walls, fences, or other structures, and landscaping.

6. Minimum backup distance for ninety (90) degree parking shall be twenty-four (24) feet.

7. There shall be a minimum of ten (10) feet from the first parking space at any driveway leading to a public right-of-way.

G. Compact Spaces. Compact car parking spaces shall not be allowed for required spaces.

SECTION 8. Section 17.26.085 of Chapter 17.26 of Title 17 of the Los Alamitos Municipal Code is hereby adopted to read as follows:


A. Development Standards Off-Street Parking.

1. Buildings converted to condominiums may utilize the parking spaces that exist prior to the conversion only, and need not provide additional parking, even if the spaces are not in compliance with the parking requirements and standards established for newly constructed multi-family residential structures in the R-2 and R-3 zones, unless additional or alternative parking spaces exist as determined by City staff.

2. Other Parking Provisions. In all other respects, off-street parking requirements and standards shall be governed by the provisions of Chapter 17.26 (Off-Street Parking and Loading Requirements).
SECTION 9. Section 17.34.060 of Chapter 17.26 of Title 17 of the Los Alamitos Municipal Code is hereby amended in its entirety to read as follows:

17.34.060 Residential condominiums.

A. Development Standards.

1. Compliance with Codes. Structures shall comply with building, mechanical, electrical, and plumbing codes in force in the city at the time the application is made.

2. Sound and Energy Insulation. Structures shall be sound attenuated to comply with the Uniform Building Code standards in effect at the time of filing. Additionally, the structure shall be made to comply with the energy insulation requirement in effect at the time of filing.


   a. Smoke Detectors. Each condominium unit shall be provided with approved detectors of products of combustion other than heat, conforming to the latest Uniform Building Code standards, mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes.

   b. Maintenance of Fire Protection Systems. Fire hydrants, fire alarm systems, portable fire extinguishers, and other fire protective appliances shall be retained in an operable condition.

4. Utilities.

   a. Utility Metering. Each condominium unit shall be separately metered for all utilities. In addition, a plan for equitable sharing of nonseparately metered, jointly used utilities shall be developed before final map approval and included in the covenants, conditions, and restrictions.

   b. Hot Water Facilities. Each condominium unit shall have a separate hot water heater meeting the standards as established by the Federal Department of Housing and Urban Development (HUD) for water heaters. The commission may waive this requirement if provisions are made for solar powered water heating.

   c. Undergrounding of Utilities. On-site overhead utility service lines shall be placed underground.

5. Dedication and Improvements. Dedications for streets, alleys, drainage, or public utilities shall be made so as to bring the parcel into conformity with existing city street, alley, drainage and public utility standards.
6. Parking, Off-Street. Parking requirements for condominiums are provided for in compliance with Chapter 17.26 (Off-Street Parking and Loading).

7. Storage Space. Each condominium unit shall be provided with a minimum of two hundred (200) cubic feet of enclosed weatherproofed and lockable private storage space outside of the dwelling unit. The space shall be for the sole use of the unit owner. This storage area may be located within a covered parking area, provided it does not interfere with automobile parking.

8. Laundry Facilities.
   a. Separate Facilities. A separate laundry facility area of sufficient size to allow for the installation of a clothes washer and dryer shall be provided for each condominium unit (if provided for in the garage, the area shall not encroach into the required parking space), or, as an alternative.
   b. Common Facility. A common laundry facility may be provided; the facility shall consist of not less than one automatic washer and dryer for each three condominium units or fractions of them.

9. Parcel Size, Setback, Coverage, Height, and Density Requirements. Parcel sizes, setback lines, coverage, structure heights, and density requirements shall meet the minimum requirements for the zoning district in which the condominium is located.

10. Private Open Space. An adjoining private open space shall be provided for each condominium unit with no dimension less than ten (10) feet.

B. Covenants, Conditions, and Restrictions. Each application for condominium development shall be accompanied by three copies of covenants, conditions, and restrictions that will apply to the proposed development. These covenants, conditions, and restrictions shall include, but shall not be limited to, the following provisions.

1. Provisions made, whether by contract, homeowners association bylaws, or some other method, explaining to the buyer his or her responsibility for sharing the maintenance and upkeep of structures and open areas within the project that are in common ownership.

2. Provisions satisfactory to the city for the maintenance of common areas of the project by the city, in the event of default in the maintenance of the common areas by the individual owners of the units, and for reimbursement to the city for any costs incurred.

3. Provisions restricting use of each condominium unit to use as a single-family residence.
4. Provisions stating that each individual unit owner is entitled to two specific enclosed parking spaces in compliance with Chapter 17.26.

5. The above items are subject to review by the commission.

SECTION 10. Section 17.76.020 of Chapter 17.76 of Title 17 of the Los Alamitos Municipal Code is amended by adding the following definition in alphabetical order to read as follows:

17.76.020 Definitions of specialized terms and phrases.

"Tandem Parking" means one vehicle parked directly behind another, whether parallel or perpendicular to the first vehicle, where one vehicle must generally be moved for the first vehicle to exit the parking space.

SECTION 11. The City Council hereby adopts Ordinance No. 2018-XX approving Zoning Ordinance Amendment 18-02 which amends the City’s parking standards to read as shown in Sections 2 through 10 above.

SECTION 12. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 13. 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 14. This Ordinance shall become effective on the 31st day after passage.

PASSED, APPROVED, AND ADOPTED this ___th day of __, 2018.

________________________________________
Troy D. Edgar, Mayor

Ordinance TBD
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I, Windmera Quintanar, CMC, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Ordinance No. TBD was duly introduced and placed upon its first reading at a regular meeting of the City Council on the ___th day of ______, 2018 and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the ___th day of ________, 2018, by the following roll-call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Windmera Quintanar, CMC, City Clerk

APPROVED AS TO FORM:

Michael S. Daudt, City Attorney
STATE OF CALIFORNIA  
COUNTY OF ORANGE  
CITY OF LOS ALAMITOS  

I, Windmera Quintanar, CMC, City Clerk of the City of Los Alamitos, do hereby certify: (1) that the whole number of the members of the City of Los Alamitos City Council is five; and (2) that the foregoing Ordinance No. 2018-__ was duly adopted and passed at a regular meeting of the City Council on the ____ day of July 2018, by the following roll-call vote, to wit:

AYES:  COUNCIL MEMBERS:
NOES:  COUNCIL MEMBERS:
ABSENT:  COUNCIL MEMBERS:
ABSTAIN:  COUNCIL MEMBERS:

______________________________________________
Windmera Quintanar, CMC, City Clerk
City of Los Alamitos
Planning Commission

Agenda Report
Public Hearing
June 27, 2018
Item No: 8B

To: Chair DeBolt and Members of the Planning Commission
Via: Andy Perea, Interim Development Services Director
From: Tom Oliver, Associate Planner
Subject: Zoning Ordinance Amendment (ZOA) 17-05
Off-Street Parking and Loading Amendments

Summary: The Planning Commission has initiated discussion of a Zoning Code Amendment for Off-Street Parking. This discussion began with multi-family residential parking requirements and now may or may not move toward other parking requirements based on the interest of the Commission.

Recommendation:

1. Open the public hearing, take testimony, and discuss possible changes to the Off-street Parking and Loading Standards in the Los Alamitos Municipal Code; and, if appropriate,

2. Direct Staff and the Assistant City Attorney to draft an Ordinance and appropriate resolution memorializing the requested code changes.

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

Background

The Planning Commission initiated a Zoning Code Amendment to update off-street parking and loading requirements during its September 27, 2017 meeting by approving a Resolution of Intention for Zoning Ordinance Amendment (ZOA) 17-05. The Planning
Commission continues the discussion of Off-Street Parking and Loading in the Municipal Code at tonight's meeting.

As a reminder, in previous meetings, the Planning Commission directed the Assistant City Attorney to draft changes to the Code concerning off-street parking and loading items already discussed. That draft will be heard tonight prior to this continuing discussion.

**Recommendation**

Staff recommends that the Planning Commission open the public hearing, take testimony, and continue to consider possible changes to the Off-street Parking and Loading Standards in the Los Alamitos Municipal Code; and, if appropriate, direct Staff to draft a resolution of recommendation to the City Council for an ordinance making changes to Chapter 17.26 and possibly other sections of the Los Alamitos Municipal code, concerning Off-street Parking and Loading.

**Attachments**

Previously distributed in November:
1) Los Alamitos Parking Code
   - Chapter 17.26 Off Street Parking and Loading
   - Chapter 17.16.030 Access
   - Chapter 17.34.060 Condominiums
   - Chapter 16.19.030
2) Fountain Valley Parking Code
3) Huntington Beach Parking Code
4) Orange Parking Code
5) Stanton Parking Code
6) Tustin Parking Code
City of Los Alamitos
Planning Commission

Agenda Report June 27, 2018
Staff Report Item No: 9A

To: Chair DeBolt and Members of the Planning Commission
Via: Andy Perea, Interim Development Services Director
From: Tom Oliver, Associate Planner
Subject: Resolution of Intention No. 18-15
Updates to Accessory Dwelling Unit (ADU) Municipal Codes

Summary: Consideration of a Resolution of Intention by the Planning Commission to discuss and consider updates to Accessory Dwelling Unit Municipal Codes as presented in a May 29, 2018 memorandum of the California Department of Housing and Community Development (Citywide) (City initiated).

Recommendation: Staff recommends that the Planning Commission adopt Resolution No. 18-15 entitled, "A RESOLUTION OF INTENTION OF THE PLANNING COMMISSION OF LOS ALAMITOS, CALIFORNIA, DIRECTING STAFF TO AGENDIZE THE FUTURE DISCUSSION BY THE PLANNING COMMISSION OF POSSIBLE CHANGES CONCERNING ACCESSORY DWELLING UNITS (ADU) IN THE LOS ALAMITOS MUNICIPAL CODE (CITYWIDE) (CITY INITIATED)."

Applicant: City Initiated
Location: Citywide
Approval Criteria: In order to implement zoning changes it is necessary for the Planning Commission to first adopt a Resolution of Intention in accordance with Los Alamitos Municipal Code Section 17.70.020.

Discussion

The California Department of Housing and Community Development has prepared the attached Technical Assistance Memorandum to address amendments to accessory dwelling unit law and to further encourage the development of ADUs. Although these
changes have been effective since January 1, 2018, this memo is intended to inform local agencies of these updates and to provide assistance in clarifying ADU law.

Recommendation

Staff recommends that the Planning Commission approve the attached Resolution of Intention which will direct Staff to agendize a discussion for a future meeting of the Planning Commission concerning possible updates to the Municipal Code in response to this memorandum.

Attachment:  
1) Resolution of Intention 18-15  
2) Department of Housing and Community Development Memorandum  
3) Existing ADU Code (LAMC 17.38.150)
RESOLUTION NO. 18-15

A RESOLUTION OF INTENTION OF THE PLANNING COMMISSION OF LOS ALAMITOS, CALIFORNIA, DIRECTING STAFF TO AGENDIZE THE FUTURE DISCUSSION BY THE PLANNING COMMISSION OF POSSIBLE CHANGES CONCERNING ACCESSORY DWELLING UNITS (ADU) IN THE LOS ALAMITOS MUNICIPAL CODE (CITYWIDE) (CITY INITIATED).

WHEREAS, the California Department of Housing and Community Development released a memorandum on May 29, 2018 to local agencies with suggested amendments concerning municipal codes for Accessory Dwelling Units (ADU); and,

WHEREAS, the Planning Commission is interested in reevaluating Chapter 17 of the Los Alamitos Municipal Code as it relates to Accessory Dwelling Units (ADU); 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 June 27, 2018.

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 Accessory Dwelling Units 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 June, 2018.

________________________________________
Art DeBolt, Chair

ATTEST:

________________________________________
Andy Perea, Secretary
STATE OF CALIFORNIA  
COUNTY OF ORANGE       ss  
CITY OF LOS ALAMITOS   

I, Andy Perea, 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 June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_________________________________________________________________

Andy Perea, Secretary
MEMORANDUM

DATE: May 29, 2018

TO: Planning Directors and Interested Parties

FROM: Zachary Olmstead, Deputy Director
Division of Housing Policy Development

SUBJECT: Local Agency Accessory Dwelling Units
Chapter 594, Statutes of 2017 (Senate Bill 229) and
Chapter 602, Statutes of 2017 (Assembly Bill 494)

This memorandum is to inform you of the amendments to California law, effective January 1, 2018, regarding the creation of accessory dwelling units (ADU). Chapter 594, Statutes of 2017 (Senate Bill 229) and Chapter 602, Statutes of 2017 (Assembly Bill 494) build upon recent changes to ADU law (Government Code (GC) Section 65852.2) and further address barriers to the development of ADUs.

SB 229 and AB 494, among other changes, addresses the following:

- Clarifies an ADU can be created through the conversion of a garage, carport or covered parking structure.
- Requires special districts and water corporations to charge a proportional fee scale based upon the ADUs size or its number of plumbing fixtures.
- Reduces the maximum number of parking spaces for an ADU to one space.
- Allows replacement parking spaces to be located in any configuration, as a result, of a parking structure conversion to an ADU.
- Authorizes the Department of Housing and Community Development to review and comment on ADU ordinances.
- Defines the term “tandem parking” to mean two or more automobiles.

For assistance, please see the amended statute in Attachment A. In addition, pursuant to GC Section 65852.2(h), adopted ADU ordinances shall be submitted to HCD within 80 days of adoption. For more information and updates, please contact Greg Nickiess, Housing Policy Analyst, at 916-274-6244.
ATTACHMENT A

TITLE 7, DIVISION 2, CHAPTER 4, ARTICLE 2
SB 229 and AB 494 Accessory Dwelling Units (65852.2)

Section 65852.2 of the Government Code is amended to read:

65852.2.

(a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in single-family and multifamily residential zones, areas zoned to allow single-family or multifamily use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on criteria that may include, but are not limited to, the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety.

(B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, lot coverage, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any other property that is listed in the California Register of Historic Places.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) The unit is not intended for sale may be rented separate from the primary residence and residential, but may be rented, not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned for single-family or multifamily use and contains an existing single-family dwelling.

(iii) The accessory dwelling unit is either attached to the existing dwelling or located within the living area of the proposed or existing primary dwelling or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.

(iv) The increased floor area of the detached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.

(v) The total area of floorspace for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing garage that is converted to a detached accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.

(viii) Local building code requirements that apply to detached dwellings, as appropriate.

(b) Approval by the local health officer where a private sewage disposal system is being used, if required.

(c) (i) Parking requirements for accessory dwelling units shall not exceed one parking space per unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on an existing driveway.

(ii) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction.
(III) This clause shall not apply to a unit that is described in subdivision (d).

(xd) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, and the local agency requires that those offstreet parking spaces be replaced, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. This clause shall not apply to a unit that is described in subdivision (d).

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) When a local agency receives its first application on or after July 1, 2003, for a permit pursuant to this subdivision, the application shall be considered ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, within 120 days after receiving the application. A local agency may charge a fee to reimburse it for costs that it incurs as a result of amendments to this paragraph enacted during the 2001-02 Regular Session of the Legislature, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency subsequent to the effective date of the act adding this paragraph shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. In the event that a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void upon the effective date of the act adding this paragraph and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(5) No other local ordinance, policy, or regulation shall be the basis for the denial of a building permit or a use permit under this subdivision.

(6) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot zoned for residential use that contains an includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be utilized or imposed, except that a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant or that the property be used for rentals of terms longer than 30 days.

(7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if those provisions are consistent with the limitations of this subdivision.

(8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives its first application on or after July 1, 1983, an application for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall accept the application and approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a) within 120 days after receiving the application.

(c) A local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units. No minimum or maximum size for an accessory dwelling unit, or size based upon a percentage of the proposed or existing primary dwelling, shall be established by ordinance for either attached or detached dwellings that does not permit at least an efficiency unit to be constructed in compliance with local development standards. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.
(3) The accessory dwelling unit is part of the proposed or existing primary residence or an existing accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit to create within a single-family residential zone for single-family use one accessory dwelling unit per single-family lot if the unit is contained within the existing space of a single-family residence or accessory structure, including, but not limited to, a studio, pool house, or other similar structure, has independent exterior access from the existing residence, and the side and rear setbacks are sufficient for fire safety. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. A city may require owner occupancy for either the primary or the accessory dwelling unit created through this process.

(f) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 68000) and Chapter 7 (commencing with Section 68012).

(2) Accessory dwelling units shall not be considered new residential uses by a local agency, special district, or water corporation to be a new residential use for the purposes of calculating local agency connection fees or capacity charges for utilities, including water and sewer service.

(A) For an accessory dwelling unit described in subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge.

(B) For an accessory dwelling unit that is not described in subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 68013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) Local agencies shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. The department may review and comment on this submitted ordinance.

(i) As used in this section, the following terms mean:

(1) “Living area” means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

(2) “Local agency” means a city, county, or city and county, whether general law or chartered.

(3) For purposes of this section, “neighborhood” has the same meaning as set forth in Section 65589.5.

(4) “Accessory dwelling unit” means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(5) “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(6) “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(j) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.
17.38.150 Accessory dwelling units (ADU).

A. Purpose. This section provides for the development of accessory dwelling units on lots developed or proposed to be developed with single-family dwellings. Such accessory dwellings contribute needed housing to the city’s housing stock. Thus, accessory dwelling units are a residential use which is consistent with the General Plan objectives and zoning regulations and which enhances housing opportunities. It is not the intent of this section to override lawful use restrictions as may be set forth in conditions, covenants and restrictions or similar instruments of established communities with homeowner associations.

B. Applicability. The provisions of this chapter apply to all lots that are occupied with a single family dwelling unit and zoned for residential use. Accessory dwelling units shall not be considered to exceed the allowable density for the lot upon which the accessory dwelling unit is located, and are deemed a residential use that is consistent with the existing general plan and zoning designation for the parcel.

C. General Requirements.

1. Accessory dwelling units shall be allowed in any residential zone.

2. The lot must meet the minimum parcel area for the zone as set forth in Section 17.08.030 of this code.

3. Regardless of the residential zone, an accessory dwelling unit shall only be allowed on a lot that contains an existing single-family dwelling.

4. Only one accessory dwelling unit may be allowed per lot.

5. The accessory dwelling unit may be attached to the existing dwelling, detached from the existing dwelling, and located on the same lot as the existing dwelling, or located within the existing living area of the existing dwelling.

6. If the accessory structure is located within the existing living area it shall have an independent exterior access.

7. No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

8. An accessory dwelling unit, whether attached or detached, shall be consistent in architectural style with the existing single-family dwelling and standards for residential uses in the adjacent residential community and shall be designed to that the property maintains a single-family appearance from the public right-of-way.

9. Accessory dwelling units shall comply with all appropriate building code requirements. However, accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence and may employ alternative methods for fire protection.

10. Accessory dwelling units shall not be sold separate from the primary residence.

11. The applicant for the accessory dwelling unit shall be the owner and occupant of the existing dwelling, and shall certify, and record a covenant with the Orange County recorder, declaring that the property owner will continue to occupy one of the units on the parcel, so long as the accessory dwelling unit exists on the property as a habitable structure. In the event of a hardship, such as the death or disability of the property owner which prevents one of the units from being occupied by the property owner, the property owner or
estate representative may apply for a temporary waiver of the owner occupation requirement for a specific
time period to allow occupancy of both dwelling units by a non-property owner pending disposition of the
property through probate or non-probate transfer to a new owner, or the cessation of the property owner's
disability which prevents him or her from occupying one of the units on the property. Any such waiver shall
specify the period of time for which it is granted, provided that no such waiver may be granted for a period of
longer than three years.

12. No accessory dwelling unit, or the primary dwelling unit on the same lot on which an accessory
dwelling unit is located, shall be rented out for less than thirty (30) consecutive calendar days. A covenant
shall be recorded to this effect in a form approved by the city attorney.

13. All applicable public service and recreation impact fees shall be paid prior to occupancy in accordance
with Government Code Section 66000 et seq., and Section 66012 et seq., as the same may be amended.

D. Size and Setbacks.

1. The increased floor area of an attached accessory dwelling unit shall not exceed fifty (50) percent of
the existing living area, with a maximum increase in floor area of one thousand two hundred (1,200) square
feet.

2. The total area of floor space for a detached accessory dwelling unit shall not exceed one thousand two
hundred (1,200) square feet.

3. The minimum size of an accessory dwelling unit shall be two hundred (200) square feet.

4. No setback shall be required for an existing garage that is converted to an accessory dwelling unit, and
a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling
unit that is constructed above a garage.

5. There shall be a minimum distance of ten (10) feet between the accessory dwelling unit and the
primary residence or any other structure on the property.

6. Except as set forth herein, the height of the accessory dwelling units, the setbacks for accessory
dwelling units, and the maximum site coverage shall be as set forth in Section 17.08.030 of this code.

E. Utilities.

1. An accessory dwelling unit that is contained within the existing space of a single-family residence or
accessory structure shall not be considered a new residential use for purposes of calculating local agency
connection fees or capacity charges for utilities, including water and sewer service, or impact fees such as
park or traffic. No new or separate utility connection between the accessory dwelling unit and the utility shall
be required.

2. All other accessory dwelling units other than those mentioned in subsection one above, may require a
new or separate utility connection between the accessory dwelling unit and the utility. Any connection fee or
capacity charge shall be proportionate to the burden placed on the water and sewer systems due to unit size or
number of plumbing fixtures.

3. All utility installations on the lot shall be underground.

4. No accessory dwelling unit shall be allowed if the building official determines that there is not
adequate water or sewer service to the property.

F. Parking. Notwithstanding any other provision of this code, the following parking requirements shall
apply to accessory dwelling units:

1. Parking requirements for accessory dwelling units shall not exceed one parking space per unit or per
bedroom. These spaces may be provided as tandem parking, including on an existing driveway or in paved
setback areas, provided that the amount of paving does not exceed the total amount of paving and hardscaped
areas that are otherwise allowed by this code. Parking spaces may also be provided through a mechanical lift.
2. When a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, replacement parking may be located in any configuration on the same lot as the accessory dwelling unit. These spaces may be provided as tandem parking, including on an existing driveway or in paved setback areas, provided that the amount of paving does not exceed the total amount of paving and hardscaped areas that are otherwise allowed by this code. Parking spaces may also be provided through a mechanical lift.

3. Tandem parking and parking in setback areas shall not be allowed if the development services director makes specific findings that such parking is not feasible based upon specific site or regional topographical, or fire and life safety conditions.

4. The parking requirement for an attached or detached accessory dwelling unit shall be in addition to the parking requirement for the existing residence on the property.

5. Parking is not required in the following instances:
   a. The accessory dwelling unit is located within one-half mile walking distance of public transit, including transit stations and bus stations.
   b. The accessory dwelling unit is located within an architecturally and historically significant historic district.
   c. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
   d. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
   e. When there is a car share vehicle located within one block of the accessory dwelling unit.

G. Permits.

1. A permit for an accessory dwelling unit shall be approved by the director of development services or designee for any accessory dwelling unit that meets the requirements of this chapter.

2. An application for an accessory dwelling unit shall be acted upon within one hundred twenty (120) days after receipt of a complete application. (Ord. 2017-08 § 4, 2017)
City of Los Alamitos
Planning Commission

Agenda Report  June 27, 2018
Staff Report  Item No: 9B

To:  Chair DeBolt and Members of the Planning Commission
Via:  Andy Perea, Interim Development Services Director
From:  Tom Oliver, Associate Planner
Subject:  Resolution of Intention No. 18-16
Small Wireless Cellular Installations

**Summary:** Consideration of a Resolution of Intention by the Planning Commission to discuss small wireless cellular installations and consider zoning code changes (Citywide) (City initiated).

**Recommendation:** Staff recommends that the Planning Commission adopt Resolution No. 18-16 entitled, “A RESOLUTION OF INTENTION OF THE PLANNING COMMISSION OF LOS ALAMITOS, CALIFORNIA, DIRECTING STAFF TO AGENDIZE THE FUTURE DISCUSSION BY THE PLANNING COMMISSION OF POSSIBLE CHANGES CONCERNING SMALL WIRELESS CELLULAR INSTALLATIONS IN THE LOS ALAMITOS MUNICIPAL CODE (CITYWIDE) (CITY INITIATED).”

Applicant:  City Initiated
Location:  Citywide

Approval Criteria:  In order to implement zoning changes it is necessary for the Planning Commission to first adopt a Resolution of Intention in accordance with Los Alamitos Municipal Code Section 17.70.020.

Discussion

The City has been approached by cellular providers concerning the possibility for the installation of small cellular antenna installations on multiple electrical poles in public
right-of-ways and possibly elsewhere in the City. Staff would like input from Planning Commissioners as to their thoughts on the regulation of these installations. The attached Resolution of Intention has been prepared should the Commissioners decide to discuss these installations, as this resolution is a pre-requirement of possible Municipal Code change discussions.

While questions cannot be discussed in tonight’s meeting, here are some questions that could begin the conversation if the Commissioners would like to proceed on this subject.

- Should these small wireless cellular installations be permitted in the City?
- By what process should they be permitted or denied?
- Should we treat these as any other wireless installation?
- As they are generally designed (see photos in the attached Long Beach memo), should they be considered to be shrouded or stealth (hidden from public view)?
- Where should they be located?
- Is a use such as this required to provide revenue to the City if placed in a public right-of-way?

Recommendation

Staff recommends that the Planning Commission approve the attached Resolution of Intention which will direct Staff to agendize a discussion concerning small wireless cellular installation issues to a future meeting of the Planning Commission. Or defer this discussion to the Targeted Zoning and Subdivisions Code Update meetings that are occurring the next year.

Attachment:
1. Planning Commission Resolution of Intent 18-16
2. Long Beach Memorandum
3. Municipal Code section on Wireless Installations (LAMC 17.30)
4. City of Fountain Valley policy for Wireless Installation
RESOLUTION NO. 18-16

A RESOLUTION OF INTENTION OF THE PLANNING COMMISSION OF LOS ALAMITOS, CALIFORNIA, DIRECTING STAFF TO AGENDIZE THE FUTURE DISCUSSION BY THE PLANNING COMMISSION OF POSSIBLE CHANGES CONCERNING SMALL WIRELESS CELLULAR INSTALLATIONS IN THE LOS ALAMITOS MUNICIPAL CODE (CITYWIDE) (CITY INITIATED).

WHEREAS, the Planning Commission is interested in reevaluating Chapter 17 and/or Chapter 12 of the Los Alamitos Municipal Code as it relates to small wireless cellular installations, as well as their placement in public right-of-ways; 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 June 27, 2018.

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 small wireless cellular installations 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 June, 2018.

_________________________________________________________

Art DeBolt, Chair

ATTEST:

_________________________________________________________

Andy Perea, Secretary

APPROVED AS TO FORM:

_________________________________________________________

Kendra Carney
I, Andy Perea, 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 June, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

________________________________________
Andy Perea, Secretary
Date: May 26, 2016
To: Patrick H. West, City Manager
From: Craig A. Beck, Director of Public Works
       Amy J. Bodek, Director of Development Services
For: Mayor and Members of the City Council
Subject: Wireless Small Cell Installation

The Departments of Public Works and Development Services have worked with the City Attorney’s Office to streamline requests by wireless carrier companies to access the public right-of-way for installations of personal wireless telecommunication facilities (“small cell”), which consists of base station equipment and antennas. This proposal deals only with sites in the public right-of-way, and not sites on private property or publicly-owned, non-right-of-way property, such as parking structures, community centers, and other City facilities.

This memorandum describes staff’s recommendation to the Planning Commission, and, if approved by the Planning Commission, to the City Council.

Background

Wireless carriers propose to place a single (“small cell”) antenna, shrouding (an antenna cover), and equipment on more than 200 sites in the City. These sites would typically be on an existing streetlight pole, or on a new site in the public right-of-way that would require a new pole. These telecommunication systems are referred to as “small cells” and are used to provide faster data coverage and capacity for mobile phone and device users. These systems do not necessarily provide Wi-Fi capability. None of the carriers that have approached the City indicate small cell usage for Wi-Fi.

Currently, wireless carriers seeking to locate wireless facilities in the public right-of-way must follow the process set forth in the Long Beach Municipal Code (LBMC), Zoning Chapter in 21.56, established in 2011. Under the Zoning Code, this “by-right” process does not require a Conditional Use Permit (CUP) and deals extensively with the siting and aesthetic aspects of wireless right-of-way sites. However, it does not provide the necessary means for the City to approve multiple individual leases, collect revenue, and quickly expedite approvals, all while providing an adequate level of certainty for the wireless carriers. Additionally, the carriers have indicated the potential for a large volume of these sites to be proposed in the right-of-way in Long Beach (potentially upwards of 200 sites), and the current code process cannot adequately permit, lease, and manage such a large volume.
In light of the need to change this process for wireless telecommunication sites in the public right-of-way, staff in Public Works and Development Services, working in close consultation with the City Attorney’s Office, have sought to address this problem by drafting a new ordinance for the Planning Commission’s and City Council’s consideration. This ordinance sets forth a streamlined procedure for wireless carriers seeking permits for small, low-impact, aesthetically acceptable wireless facilities in the public right-of-way, while at the same time increasing the level of review that would be required for large, aesthetically-inappropriate wireless facilities in the public right-of-way. Wireless telecommunication sites on private property, or public property that is not a public right-of-way, go through a separate review process, administered solely by Development Services. This would remain unchanged.

Proposal

Staff reviewed a number of other cities’ ordinances, including the City and County of San Francisco, and the cities of Los Angeles, San Diego, and Anaheim. Staff determined that writing a new ordinance and establishing a model template of a master agreement or facility permit agreement would serve as an appropriate foundation for the City Council’s consideration. Specifically staff recommends:

- Repealing Section 21.56.130 in the Zoning Chapter of the LBMC, related to the installation of small wireless devices in the public right-of-way. (This action requires Planning Commission approval before the City Council can take action);
- Adding Section 14.50.100 in the Streets and Sidewalks Chapter of the Municipal Code to allow the Public Works Department to grant permits related to the installation of small wireless devices in the public right-of-way; and,
- Establish a common, non-exclusive agreement to more easily allow interested wireless small cell installers to receive approval.

Consequently staff proposes that the City Council adopt a new ordinance to streamline and establish a permit in the Public Works Department, issued by the City Engineer. Additionally staff proposes that the City Council adopt a common model template related to small cell installations, and authorize the City Manager to enter into agreements with wireless carriers. The agreement would provide the overarching framework governing the installations with Development Services and Public Works staff retaining the ability to review the installation sites. Additionally, the Parks, Recreation, and Marine Department would have review authority in this proposed ordinance for sites adjacent to City parks, in medians, at marinas, and near beaches.

For sites located in the Tidelands Area, the California Coastal Commission would require a Coastal Development Permit. Additionally, some sites outside of the Tidelands Area may be in a Coastal Appealable Zone, which would allow an appeal up to the Coastal Commission. The City has limited ability to expedite the process in coastal areas because of the Commission’s jurisdiction.
Design Standards

The agreement will include standards to preserve the visual environment of the public right-of-way against negative aesthetic impacts. In order to qualify for this permit, the ordinance outlines the following design standards:

1) A requirement for installations on existing streetlight poles or pole replacement instead of new sites;
2) A preference for wireless facilities to be located on a major street and not in a residential neighborhood;
3) An unobtrusive, aesthetically-appropriate design;
4) Antennas no more than five feet tall;
5) The placement of necessary base station equipment components either underground, or above pedestrian height on the pole (limited to a size approximately no larger than a briefcase);
6) The prohibition of faux landscaping (artificial tree camouflage), or faux street lights or other faux decorative concealment schemes;
7) Any replacement of poles would require the new pole to be no more than five feet taller than the existing pole; and,
8) Scrutiny for sites located in historic neighborhoods, neighborhoods with decorative lighting fixtures, or streetlights adjacent to parks.

Staff recommends that the City Council adopt similar design standards for those applicants wishing to install on a non-City owned utility pole (e.g. Southern California Edison poles) in the City’s right-of-way, as many of these utility poles sit in alleys.

Ordinance for Wireless Facility at New Sites in the Public Right-of-Way

City staff involved in developing this proposed ordinance intend to have most applicants seek installation on existing streetlights. Specifically, staff recommends that the City Council establish three tiers of review based on intrusion requested and areas impacted, such as historic neighborhoods and park adjacent areas.

Staff modeled this tiered system after the County and City of San Francisco, which has been at the forefront of managing requests to install small wireless facilities in its public right-of-way. This tiered system balances a need for expediency, while recognizing the potential impact to residential areas and the City’s parks.
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May 26, 2016  
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However, applicants who wish to place a wireless facility in the public right-of-way not in compliance with the above conditions for the agreement, would be required to follow the CUP process (administered by the Department of Development Services), which requires a public hearing by the Planning Commission. This process would be substantially the same as the CUP required for a new major wireless telecommunications facility located on private property. If such a CUP were approved, the applicant would then return to the Public Works Department for construction permitting.

**Municipal License Agreement for Licensing Revenue**

In addition to a streamlined ordinance, staff proposes to establish a one-time permit fee and an annual license fee for the use of the City’s infrastructure in the public right-of-way for wireless telecommunications sites. First, wireless carriers would pay a one-time permit application fee to the City for each site. This fee, as adopted by City Council, would provide cost recovery for staff time to review the applications and issue the permits.

Second, if the application is approved, the wireless carriers would pay an annual license fee (established by the City Council) to the City for each site in exchange for use of the public right-of-way. Based on a survey of cities, staff recommends an annual license fee of $4,000 per streetlight pole. Staff is also exploring opportunities to waive the fee if the City has access to the wireless small cell for its own purposes with City Council approval. Exhibit B showcases the peer benchmarking of license fees.

**Challenges to Implementation**

Staff continues to work with Southern California Edison (SCE) on implementation challenges related to powering the small cell devices. The City currently receives a discounted electricity rate for its streetlights and traffic signals. Small cell installers who tie in directly with the electricity of the streetlight pole would trigger a rate change, thereby fiscally affecting the City. While a separate meter would resolve this issue, this meter would require a refrigerator-sized cabinet on the sidewalk, resulting in a significant intrusion to pedestrians, and jeopardizing the City’s advancements in complete streets related to the public right-of-way. Staff is investigating the potential of wireless metering for the small cell wireless devices with SCE or a flat rate arrangement between the small cell installer and SCE. City staff is facilitating these conversations.

**Next Steps**

Streamlining this process requires amendments to the existing Zoning Chapter of the LBMC, which require that the City’s Planning Commission review the changes before the City Council can take action. Staff proposes the following timeline:

- Write a new ordinance and establish a model template of a master agreement or facility permit. (90-120 days)
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- Planning Commission reviews staff's recommendations, and makes recommendations to the City Council if the Commission approves the recommendations. (30 days)

- The City Council reviews the Planning Commission's recommendations, and may instruct the City Attorney to draft the necessary ordinance changes. (30-60 days)

- Assuming the City Council approves the ordinance for the first and second reading, the ordinance will take into effect 30 days after the second reading. (30 days)

If you have any questions, please contact Meredith Elguira in Public Works at (562) 570-6561 or Scott Kinsey, Planner in Development Services, at (562) 570-6461.

ATTACHMENTS:
   EXHIBIT A - PHOTOS OF SMALL CELL FACILITIES
   EXHIBIT B - FEE BENCHMARK

CC:  CHARLES PARKIN, CITY ATTORNEY
     LAURA DOUD, CITY AUDITOR
     TOM MODICA, ASSISTANT CITY MANAGER
     ARTURO M. SANCHEZ, DEPUTY CITY MANAGER
     JOHN GROSS, DIRECTOR OF FINANCIAL MANAGEMENT
     MARIE KNIGHT, INTERIM DIRECTOR OF PARKS, RECREATION, AND MARINE
     BRYAN M. SASTOKAS, DIRECTOR OF TECHNOLOGY AND INNOVATION
     JOHN KEISLER, BLOOMBERG INNOVATION TEAM DIRECTOR
     REBECCA JIMENEZ, ASSISTANT TO THE CITY MANAGER

CAB: jc
EXHIBIT A – Examples of Small Cell Installations

Photo Credit: (L) Verizon installation, photo courtesy of Verizon; (R) Small Cell Installation, photo courtesy of Omar Masry, San Francisco Planning Department.
**Wireless Small Cell Installation Fee Benchmarking**

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>Permit Fee (One-Time)</th>
<th>Permit Fee Frequency</th>
<th>License Fee ($/site/year)</th>
<th>Comments</th>
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<td>CA</td>
<td>Variable</td>
<td>One-time per site</td>
<td>$93.40</td>
<td>Escalates at 2% annually</td>
</tr>
<tr>
<td>Los Angeles</td>
<td>CA</td>
<td>$500.00</td>
<td>One-time per 10 sites</td>
<td>$700</td>
<td>Exchange for LED fixtures</td>
</tr>
<tr>
<td>San Antonio</td>
<td>TX</td>
<td>Variable</td>
<td>One-time per site</td>
<td>$1,500</td>
<td>Escalates at 3% annually</td>
</tr>
<tr>
<td>San Diego</td>
<td>CA</td>
<td>$4,292.00</td>
<td>One-time for all sites</td>
<td>$4,000</td>
<td>1-80 sites, escalates at 3.5% annually</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$3,750</td>
<td>81-250 sites, escalates at 3.5% annually</td>
</tr>
<tr>
<td>San Francisco</td>
<td>CA</td>
<td>$891.00</td>
<td>One-time per site</td>
<td>$4,000</td>
<td>Not inclusive of new poles by carrier</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$3,000</td>
<td>Smaller Installation (small arm)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$4,500</td>
<td>Small Cell with Sidewalk Pedestal</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$5,000</td>
<td>Rooftop sites</td>
</tr>
</tbody>
</table>

**PROPOSED**

Public Works staff recommends the adoption of a $4,000 per site per year licensing fee. At this time, staff is investigating the per site one-time permit fee.
Chapter 17.30 WIRELESS TELECOMMUNICATIONS FACILITIES

17.30.010 Purpose.

The purpose of this chapter is to provide regulations for the establishment of commercial wireless facilities to protect the public health, safety, the general welfare, and/or quality of life in the city. (Ord. 688 § 1, 2006)

17.30.020 Definitions.

For purposes of this chapter, the following words, terms, phrases, and their derivations shall have the meanings given, unless otherwise stated.

"Antenna structure" means an antenna that is secured at a fixed and specified location, a structure designed specifically to support an antenna, and/or appurtenances mounted on an structure or antenna.

"Collocation" or "collocated" means the location of multiple antennas which are either owned or operated by more than one service provider at a single location and mounted to a common supporting structure, wall or structure.

"Commercial wireless facility" or "facility" means an antenna structure located within the city limits that provides radio communication service that:

1. Is offered in return for monetary compensation; and
2. Is available to the public or a substantial portion of the public; and
3. Provides subscribers with the ability to access or receive communication from the public switched telephone network.

Commercial wireless facilities include, but are not limited to, antenna structures that provide paging service, wireless data transmission, cellular telephone service, specialized mobile radio service ("SMR"), and personal communications service ("PCS").

"Ground mounted" means a facility mounted to a pole, lattice tower or other freestanding structure i.e., specifically constructed for the purpose of supporting an antenna.

"Lattice tower" means a structure in excess height of forty (40) feet with three or four steel legs used to support antennae.

"Major facility" means a commercial wireless facility (i.e., either ground mounted or roof mounted), except that a roof-mounted facility that is screened on all four sides by solid material that does not exceed the maximum height of the applicable zoning district shall be deemed a minor facility.

"Minor facility" means a commercial wireless facility that is wall mounted, utility mounted, or roof mounted and the entire facility is screened by solid material on four sides and does not exceed the maximum height of the applicable zoning district.

"Mounted" means attached or supported.

"Radio communication" means the transmission and/or reception of impulses, writing, signs, signals, pictures and sounds of all kinds through space by means of electromagnetic waves.
“Roof mounted” means mounted on any structure (i.e., not specifically constructed for the purpose of supporting antennas), in a manner that does not satisfy either the definition of wall mounted or utility mounted; typically mounted on the roof of an existing structure.

“Utility mounted” means mounted to an existing aboveground structure specifically designed and originally installed to support electrical power lines, cable television lines, street lighting, or traffic signal equipment.

“Wall mounted” means mounted on a vertical or nearly vertical surface of a building or other existing structure (i.e., not specifically constructed for the purpose of supporting an antenna, including the exterior walls of a structure, an existing parapet, the side of a water tank, the face of a religious institution steeple, or the side of a freestanding sign) and the highest point of the antenna structure is at an elevation equal to or lower than the highest point of the surface on which it is mounted. (Ord. 688 § 1, 2006)

17.30.030 Applicability.

A. Wireless telecommunication facilities that are erected, located or modified within the city shall comply with the requirements of this chapter, subject to the categorical exemptions under subsection C of this section.

B. Facilities for which building permits and an extension have expired shall comply with the provisions of this chapter.

C. The following uses shall be exempt from the provisions of this chapter:
   1. Antenna structures designed to receive broadcast satellite service, AM/FM radio signals, UHF/VHF radio signals, or multipoint distribution service (“MDS”) (“wireless cable”) as defined by the Federal Communications Commission; and
   2. Antenna structures used for amateur station communications as licensed by the Federal Communications Commission under Title 47, Chapter I, Subchapter D, Part 97 of the Code of Federal Regulations. (Ord. 688 § 1, 2006)

17.30.040 General requirements.

A. Facilities shall be erected, located, operated, and maintained in compliance with this chapter and applicable laws and regulations of the city, the state of California, and the United States of America.

B. Facilities shall be installed and maintained in compliance with the requirements of the building code of the city. Applicants are separately required to obtain applicable building and construction permits that may be required before erecting or installing the facility. (Ord. 688 § 1, 2006)

17.30.050 Application requirements.

Fraudulent, or false information submitted to the city, by the applicant in connection with an approved application is grounds for revocation of the permit by the city. Each applicant for a permit required by this chapter shall submit the following to the city:

A. Application. A completed application for either a site development permit in compliance with Section 17.30.100 (Establishment, application, and processing of site development permits) or a conditional use permit, in compliance with Chapter 17.42.
B. Map. A map showing the location of existing facilities within the city limits that are currently used by the operator of the proposed facility, whether or not the facilities are subject to the requirements of this chapter, along with a brief narrative describing each facility.

C. Description. A written description demonstrating good faith effort in locating facilities in compliance with the screening and site selection guidelines detailed in Section 17.30.090 (Screening and site selection guidelines).

D. Fees. Applicable fees as set by resolution of the council. (Ord. 688 § 1, 2006)

17.30.060 Development requirements.

Facilities shall comply with the following requirements:

A. Signs not Allowed. Facilities shall not bear signs or advertising devices other than certification, warning, or other required seals or required signage.

B. Accessory Equipment. Accessory equipment associated with the operation of a facility shall be located within a structure, enclosure, or underground vault that complies with the development standards of the zoning district in which the accessory equipment is located. If the equipment is to be located above ground, it shall be visually compatible with the surrounding structures and include sufficient landscaping to screen the structure from view.

C. Colors and Materials. Facilities shall have colors and nonreflective materials that blend with surrounding materials and colors.

D. Screening. Screening for wall mounted and/or roof-mounted facilities shall be compatible with the existing architecture, color, texture, and or materials of the structure to which it is mounted. (Ord. 688 § 1, 2006)

17.30.070 Additional requirements for major facilities.

A. Conditional Use Permit Required. Each major facility shall first obtain approval of a conditional use permit in compliance with Chapter 17.42 and the requirements of this chapter. If the commission denies any application for a conditional use permit, it shall make a written determination supported by findings that the proposed facility fails to comply with the requirements and/or guidelines, or otherwise would cause significant negative impacts on the public safety or welfare.

B. Location.

1. Major facilities shall not be located within two hundred (200) feet of property containing a residential structure. For the purpose of this chapter, distances shall be measured in a straight line without regard to intervening structures, from the nearest point of the proposed major facility to the nearest relevant property line.

2. Major facilities may not be located within five hundred (500) feet of an existing, legally established major facility except when collocated on the same structure.

3. Lattice towers shall not be allowed at any location in the city.

4. Monopoles and other antennas of this nature shall be placed in rear or back of building.

C. Height. For the purposes of this chapter, maximum heights shall be measured from the ground to the tallest portion of the facility. Major facilities shall not exceed the maximum structure height for the applicable zoning district unless the commission finds the following:
1. The commission has reviewed alternative options provided by the applicant and staff, including but not limited to additional and/or different locations and designs, and has determined that the proposed location has a lesser impact on the aesthetics and welfare of the surrounding community as compared to other alternatives; and

2. Based on the evidence presented, the additional height above the maximum structure height for the applicable zone is reasonably necessary for collocation of facilities or for the efficient operation of the proposed facility. (Ord. 688 § 1, 2006)

17.30.080 Additional requirements for minor facilities.

A. Site Development Required. Each minor facility shall first obtain administrative approval of a site development permit in compliance with Section 17.30.100 and requirements of this chapter. If the director denies an application for a site development permit, a written determination shall be made supported by findings that the proposed facility fails to comply with the requirements and/or guidelines in this chapter or otherwise would cause significant negative impacts on the public safety or welfare.

B. Residential Zone. A minor facility shall not be located within a residential zone in the city unless the facility receives commission approval of a conditional use permit.

C. Maximum Height. Notwithstanding other provisions in the Los Alamitos Zoning Code, a minor facility shall not exceed the maximum structure height for the applicable zoning district. (Ord. 688 § 1, 2006)

17.30.090 Screening and site selection guidelines.

The following shall be considered by the city in connection with its processing and approval of a wireless telecommunications facility.

A. Context. The extent to which the proposed facility is disguised, blends into the surrounding environment, or is architecturally integrated into a concealing structure, taking into consideration alternate sites that are available.

B. Screening. The extent to which the proposed facility is screened or camouflaged by existing or proposed new topography, vegetation, or other structures.

C. Overall Size. The total size of the proposed facility, particularly in relation to surrounding and supporting structures.

D. Location. The location of the proposed facility and the extent to which it conforms to the following in order of preference (item “1” being the most preferred):

1. Collocated with an existing facility;
2. Attached to an existing structure, communication tower, religious institution steeple, utility pole or tower, or similar structure;
3. Located in an industrial zoning district;
4. Located in a commercial zoning district. (Ord. 688 § 1, 2006)

17.30.100 Establishment, application, and processing of site development permits.

A. Purpose. The purpose of a site development permit is to provide for administrative review and approval of detailed plans for a proposed use. Uses that require a site development permit are regarded as having a relatively low potential for adverse impacts on the subject site or surrounding community due to the
nature or magnitude of the use. A site development permit may be granted at the discretion of the director and is not the automatic right of any applicant.

B. Applications. Each applicant for a site development permit shall submit the following to the department:

1. A completed application on a form prescribed by the director; and
2. The name and address of the applicant with evidence that they are the owner of the parcel involved or that they have the permission of the owner to make the application; and
3. A legal description of the subject parcel or premises; and
4. Copies of site plans and design plans containing the information required by Chapter 17.50 in the number specified by the department; and
5. A written description demonstrating good faith effort in locating facilities in compliance with Section 17.30.090 (Screening and site selection guidelines); and
6. An application fee equal to the amount charged for filing a conditional use permit application; and
7. Other information as may be required by the department.

C. Processing. Site development permits shall be acted upon administratively by the director. A public hearing shall not be required.

D. Review of Application. In considering an application for a site development permit, the director shall review the proposed plans under the requirements and guidelines detailed in this chapter and in Chapter 17.42 (Conditional Use Permits). The director shall not authorize or approve a site development permit for a facility that does not comply with the mandatory requirements detailed in this chapter. Discretionary guidelines expressed may be used by the director to determine the approval, disapproval, or conditional approval of the permit. Establishment, maintenance and operation of the use or uses proposed by the application shall be in compliance with the information and specifications shown on the approved site development permit, requirements detailed in this chapter, and other laws of the city and the state of California.

E. Findings. The following findings shall be made before the approval of a site development permit:

1. The requested site development permit will not adversely affect the purpose and intent of this chapter, and the proposed use is consistent with the general plan; and
2. The proposed use, activity and/or improvement(s) are consistent with the provisions of the zoning code for the city; and
3. The proposed use will not have significant adverse effects on adjoining land uses and other allowed uses of the area in which it is proposed to be located; and
4. The approval of the permit application is in compliance with the requirements of the California Environmental Quality Act.

F. Appeal. A decision by the director may be appealed to the commission in the same manner identified in Chapter 17.68 (Appeals).

G. Authorization.

1. A site development permit provides authorization for a precise plan of development. A substantial change from the original site plan and/or design plans shall be submitted to the department under reapplication for a site development permit. Modifications to the site plan and/or design plans or the conditions of the approval for a site development permit shall not be allowed without the approval of the director.
2. The applicant shall comply with restrictions or conditions required by the director, or by the commission on appeal, in the granting of a site development permit. If these conditions are not met, the commission may hold a public hearing to determine if the site development permit should be revoked or
modified. Upon the revocation of a site development permit, the further use of the property or structure by authority of the permit shall constitute a violation of this chapter.

3. Acts of the director shall be construed as administrative acts performed for the purpose of assuring that the intent and purpose of this chapter shall apply in individual cases, and shall not be construed as amendments to the provisions of this chapter, the zoning code, or to the official zoning map.

H. Time Limits and Voiding of Permits. The provisions of Chapter 17.62 (Permit Implementation, Time Limits, and Extensions) shall also apply to site development permits approved in compliance with this chapter. (Ord. 688 § 1, 2006)

17.30.110 Facility removal.

A. Abandonment. A facility that is inoperative or unused for a period of six continuous months shall be deemed abandoned. Upon reasonable suspicion of abandonment, the city shall provide a preliminary notice of abandonment to the operator of the facility and the owner(s) of the premises upon which the facility is located. The preliminary notice of abandonment may be delivered in person, or mailed to the address(es) stated on the facility permit application, and shall be deemed given at the time delivered or placed in the mail.

B. Removal of Abandoned Facility.

1. Within thirty (30) days after preliminary notice of abandonment is given, the operator of the facility and the owner(s) of the property on which it is located shall either: (a) remove the facility and restore the premises, or (b) provide the department with written objection to the city’s preliminary notice of abandonment and submit a request for administrative hearing to reconsider the abandonment. If after this time, the facility is not properly removed, or the city does not receive an objection to its preliminary notice of abandonment and request for administrative hearing, the director may make a determination of abandonment and provide notice in the same manner as the preliminary notice of abandonment.

2. If the city receives a timely written objection to the preliminary notice of abandonment and a request for administrative hearing, the director shall schedule an administrative hearing to commence within fifteen (15) days of receiving the objection. At the time and place scheduled for the administrative hearing, the operator of the facility or the owner(s) of the property on which it is located may present documents and other evidence that the facility was in use during the relevant six-month period and that it is presently operational. The director shall review the evidence, determine whether or not the facility was properly deemed abandoned, and make a determination of abandonment or a finding of continued use and provide notice in the same manner as provided for the preliminary notice of abandonment.

C. Removal by City. If the facility is not properly removed following thirty (30) days after the determination of abandonment, the facility shall be deemed a public nuisance and may be abated in compliance with Chapter 8.32 of the Los Alamitos Municipal Code. (Ord. 688 § 1, 2006)

17.30.120 Violations.

Violations of this chapter shall constitute a misdemeanor punishable by fine or imprisonment or both in compliance with Chapter 17.74 (Enforcement). Each day the violation continues is punishable as a separate offense. (Ord. 688 § 1, 2006)

(a) Purpose and Applicability

(1) Purpose

(A) The primary purpose of these Guidelines is to provide procedural and design guidance for project applicants proposing wireless telecommunication facilities in the public right-of-way that are subject to the requirements of FVMC Chapter 21.28 Wireless Communications. This document is also intended for use and reference by City staff in reviewing and approving designs and verifying compliance with the FVMC Chapter 21.28.

(B) Other regulations affecting wireless telecommunication facilities are potentially applicable and should be consulted for additional requirements. These regulations include but may not be limited to:

(i) Local, State and Federal Law;

(ii) Specific Plans, Master Plans, General Plan, or similar land use and planning documents and their Conditions of approval; and

(iii) General city and industry standards for construction.

(2) Applicability

(A) These Guidelines apply to wireless telecommunication facilities in the public right-of-way or on city infrastructure in the public right-of-way:

(b) General Guidelines.

(1) The applicant shall employ screening, undergrounding and camouflage design techniques in the design and placement of wireless telecommunications facilities in order to ensure that the facility is as visually screened as possible, to prevent the facility from dominating the surrounding area and to minimize significant view impacts from surrounding properties all in a manner that achieves compatibility with the community and in compliance with FVMC Chapter 21.28.

(2) Screening shall be designed to be architecturally compatible with surrounding structures using appropriate techniques to camouflage, disguise, and/or blend into the environment, including landscaping, color, and other techniques to minimize the facility’s visual impact as well as be compatible with the architectural character of the surrounding buildings or structures in terms of color, size, proportion, style, and quality.

(3) Facilities shall be located such that views from a residential structure are not significantly impaired. Facilities shall also be located in a manner that protects aesthetics of the built environment including the Public Right-of-Way, as encouraged in the city’s general plan, so that no significant aesthetic impairment results in accordance with FVMC Section 21.28.040. This provision shall be applied consistent with local, state and federal law.

(c) Traffic Safety. All facilities shall be designed and located in such a manner as to avoid adverse impacts on traffic safety.
(d) Blending Methods. All facilities shall have subdued colors and non-reflective materials that blend with the materials and colors of the surrounding area and structures.

(f) Equipment. The applicant shall use the least visible equipment possible. Antenna elements shall be flush mounted, to the extent feasible. Unless otherwise provided in this section, antennas shall be situated as close to the ground as possible.

(g) Poles.

(1) Only pole-mounted antennas shall be permitted in the right-of-way. All other telecommunications towers are prohibited, and no new poles are permitted that are not replacing an existing pole.

(2) Utility Poles. The maximum height of any antenna shall not exceed forty-eight (48) inches above the height of an existing utility pole, nor shall any portion of the antenna or equipment mounted on a pole be less than twenty-four (24) feet above any drivable road surface. All installations on utility poles shall fully comply with the California Public Utilities Commission general orders, including, but not limited to, General Order 95, as may be revised or superseded.

(3) Light Poles. The maximum height of any antenna shall not exceed four (4) feet above the existing height of a light pole. Any portion of the antenna or equipment mounted on a pole shall be no less than sixteen and a half (16 1/2) feet above any drivable road surface.

(4) Replacement Poles. If an applicant proposes to replace a pole in order to accommodate a proposed facility, the pole shall be designed to resemble the appearance and dimensions of existing poles near the proposed location, including size, height, color, materials and style to the maximum extent feasible.

(5) Pole mounted equipment, exclusive of antennas, shall not exceed six (6) cubic feet in dimension.

(6) New poles - An exception shall be required to place a new pole in the public right-of-way. If an exception is granted for placement of new poles in the right-of-way. Such new poles shall be designed to resemble existing poles in the right-of-way near that location, including size, height, color, materials and style, with the exception of any existing pole designs that are scheduled to be removed and not replaced.

(i) Such new poles shall not adversely impact the public view and shall be located to the extent feasible in an area where there is existing natural or other feature that obscures the view of the pole. The applicant shall further employ concealment techniques to blend the pole with said features including but not limited to the addition of vegetation if appropriate.

(ii) A new pole justification analysis shall be submitted to demonstrate why existing infrastructure cannot be utilized and demonstrating the new pole is the least intrusive means possible including a demonstration that the new pole is designed to be the minimum functional height and width required to support the proposed facility.

(iii) All cables, including, but not limited to, electrical and utility cables, shall be run within the interior of the pole and shall be camouflaged or hidden to the fullest extent feasible. For all wooden poles wherein interior installation is infeasible, conduit and cables attached to the exterior of poles shall be mounted flush thereto and painted to match the pole.

(h) Space. Each facility shall be designed to occupy the least amount of space in the right-of-way that is technically feasible.
(i) **Wind Loads.** Each facility shall be properly engineered to withstand wind loads as required by this Code or any duly adopted or incorporated code. An evaluation of high wind load capacity shall include the impact of modification of an existing facility.

(j) **Obstructions.** Each component part of a facility shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, incommode the public’s use of the right-of-way, or safety hazards to pedestrians and motorists and in compliance with FVMC Section 21.18.040 so as not to obstruct the intersection visibility triangle.

(k) **Public Facilities.** A facility shall not be located within any portion of the public right-of-way interfering with access to a fire hydrant, fire station, fire escape, water valve, underground vault, valve housing structure, or any other public health, safety facility or as to obstruct ADA access.

(l) **Screening.** All ground-mounted facility, pole-mounted equipment, or walls, fences, landscaping or other screening methods shall be installed at least eighteen (18) inches from the curb and gutter flow line.

(m) **Accessory Equipment.** Not including the electric meter, all accessory equipment shall be located underground, except as provided below:

1. Unless city staff determines that there is no room in the public right-of-way for undergrounding, or that undergrounding is not feasible, an exception shall be required in order to place accessory equipment above-ground and concealed with natural or manmade features to the maximum extent possible.

2. When above-ground is the only feasible location for a particular type of accessory equipment and will be ground-mounted, such accessory equipment shall be enclosed within a structure, and shall not exceed a height of five (5) feet and a total footprint of fifteen (15) square feet, and shall be fully screened and/or camouflaged, including the use of landscaping, architectural treatment, or acceptable alternate screening. Required electrical meter cabinets shall be screened and/or camouflaged. Also, while pole-mounted equipment is generally the least favored installation, should pole-mounted equipment be sought, it shall be installed as required in FVMC Chapter 21.28.

(n) **Landscaping.** Where appropriate, each facility shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs. Additional landscaping shall be planted, irrigated and maintained by applicant where such landscaping is deemed necessary by the city to provide screening or to conceal the facility.

(o) **Signage.** No facility shall bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the city.

(p) **Lighting.**

1. No facility may be illuminated unless specifically required by the Federal Aviation Administration or other government agency. Beacon lights are not permitted unless required by the Federal Aviation Administration or other government agency.

2. Legally required lightning arresters and beacons shall be included when calculating the height of facilities such as towers, lattice towers and monopoles.

3. Any required lighting shall be shielded to eliminate, to the maximum extent possible, impacts on the surrounding neighborhoods.
(4) Unless otherwise required under FAA or FCC regulations, applicants may install only timed or
motion-sensitive light controllers and lights, and must install such lights so as to avoid illumination
impacts to adjacent properties to the maximum extent feasible. The city may, in its discretion, exempt an
applicant from the foregoing requirement when the applicant demonstrates a substantial public safety
need.

(5) The applicant shall submit a lighting study which shall be prepared by a qualified lighting professional
to evaluate potential impacts to adjacent properties. Should no lighting be proposed, no lighting study
shall be required.

(q) Noise.

(1) Backup generators shall only be operated during periods of power outages, and shall not be tested on
weekends or holidays, or between the hours of 7:00 PM and 7:00 AM.

(2) At no time shall equipment noise from any facility exceed an exterior noise level of fifty-five (55)
dBA three (3) feet from the source of the noise if the facility is located in the public right-of-way adjacent
to a business, commercial, manufacturing, utility or school zone; provided, however, that for any such
facility located within five hundred (500) feet of any property zoned residential or improved with a
residential use, such equipment noise shall not exceed forty-five (45) dBA three (3) feet from the sources
of the noise.

(r) Security. Each facility shall be designed to be resistant to, and minimize opportunities for,
unauthorized access, climbing, vandalism, graffiti and other conditions that would result in hazardous
situations, visual blight or attractive nuisances. The director may require the provision of warning signs,
fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism when,
because of their location and/or accessibility, a facility has the potential to become an attractive nuisance.
Additionally, no lethal devices or elements shall be installed as a security device.

(s) Modification. Consistent with current state and federal laws and if permissible under the same, at the
time of modification of a wireless telecommunications facility, existing equipment shall, to the extent
feasible, be replaced with equipment that reduces visual, noise and other impacts, including, but not
limited to, undergrounding the equipment and replacing larger, more visually intrusive facilities with
smaller, less visually intrusive facilities.

(t) The installation and construction approved by a wireless telecommunications facility permit shall
begin within one (1) year after its approval or it will expire without further action by the city.

Examples of Acceptable Stealth Small Cells