

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

SPECIAL MEETING – January 23, 2019

1. CALL TO ORDER

The Planning Commission/Subdivision Committee met in Special Session at 6:05 p.m., Wednesday, January 23, 2019, in the Council Chamber, 3191 Katella Avenue, Chair DeBolt presiding.

2. ROLL CALL

Present: Commissioners: Chair DeBolt
Vice Chair Riley (arrived at 6:07 p.m.)
CUILTY, GROSE, LOE and SOFELKANIK

Absent: Commissioner Andrade

Staff: Les Johnson, Development Services Director
Michael Daudt, City Attorney
Michelle Müller, Department Secretary
Tom Oliver, Associate Planner
Laura Stetson, MIG

3. DISCUSSION

A. Study Session for the Zoning Code Update

The Planning Commission and Staff discussed potential changes to the Zoning Code which include:

- Division 5: Land Use and Permit Procedures
 - Local Landmarks
 - Reasonable Accommodations
 - Site Development Permit – Major and Minor
 - Temporary Use Permits
 - Zoning Consistency Review

- Division 6: Zoning Code Administration, Hearing Procedures, and Legislative Actions
 - Permit Implementation, Time Limits, and Extensions
 - Appeals

Reasonable Accommodations:

1. Re-assign responsibility from Planning Commission to Development Services Director.

Vice Chair Sofelkanik asked and received clarification from Laura Stetson with MIG as to if an accommodation that rose to the level that is not routine, the Director has the authority to bring forth to the Planning Commission.

Commissioner DeBolt asked and received clarification from Development Services Director Johnson as to if the Director's decision was to be appealed by the applicant, the applicant will not be required to produce anything supplemental as part of that review. The same record which was submitted to the Director for its initial review, will be presented to the Planning Commission. The production of those documents will likely be afforded by the City for the body considering the review.

Commissioner DeBolt asked whether the cost for this type of review would be minor and not the same as what it cost to have a regular appeal process; Ms. Stetson advised that the [City's] fee schedule can always be adjusted to allow different tier levels.

Development Services Director Johnson stated that he would review the City's fee schedule to determine whether there is a difference in cost between the review of an appeal by the Director as opposed to a Planning Commission appeal to the City Council.

Site Development Permit - Minor:

1. Director authority for 2,500 sf or less of additions/new construction (multi-unit residential, commercial, industrial, mixed use, private industrial).
2. Also duplex?

The Planning Commission is unanimously in favor of change number 1, assuming that all parking requirements and setbacks are met.

The Planning Commission unanimously agreed to keep the review for duplex projects at the Planning Commission level.

Temporary Use Permits (TUP):

1. Includes Special Event Permits (one-day events).
2. Director approval authority (codifies current practice).

Ms. Stetson advised that this is an administrative change, which proposes keeping a two-tiered system where the fee would be less for a Special Event permit.

Commissioner DeBolt stated that perhaps something to also consider, would be to take a look at when TUP's are required.

Vice Chair Sofelkanik added that having a permitting process in place for events that do not encroach on the right-of-way or on a parking lot, is to regulate and ensure that this is not being done on a regular basis.

Zoning Consistency Review:

1. Occurs concurrently with building permit process to confirm use is permitted.

Vice Chair Sofelkanik asked and received clarification from Ms. Stetson as to whether there is a provision where if someone comes in for a business license, does the city vet them of the limitations to uses at the proposed location. Ms. Stetson stated that this review would examine all applications to ensure it is the appropriate use.

Commissioner DeBolt stated that perhaps it should be considered to require all single family homes and duplexes that will be rentals, to have to obtain City business licenses.

Permit Implementation, Time Limits, and Extensions:

1. Two years to exercise a permit.
2. Three one-year extensions allowed.
3. Extensions approved by original review authority.
4. "Exercise" means:
 - a. Obtain building and grading permit.
 - b. Obtain occupancy permit.
 - c. Actually implement permit.

Vice Chair Sofelkanik stated that perhaps obtaining a grading permit is more challenging as it is common to face issues that could elongate for months, which prevents the permit from being obtained.

Development Services Director Johnson added that the proposed changes are common to see, as it shifts the project over from the Conditional Use Permit (CUP) to a building permit; if the permit is not in place, it is important that the applicant apply for an extension so that it does not expire. If the applicant is showing progress, getting an extension is favorable.

City Attorney Daudt asked and received clarification from Ms. Stetson stating that if on the eve of an entitlement/approval expiring, a building permit is obtained but no further action is taken on the permit, the applicant has a right to that entitlement without acting further on the permit.

City Attorney Daudt added that perhaps there should be consideration of policy change, which vests interest in a project by the applicant, rather than just the act of pulling the permit. Furthermore, adding articulated standards for permit extensions should be considered, to illustrate the standards by which such requests would be

reviewed as an effort to ensure the applicant remains interested in moving forward with the project.

The Planning Commission and staff discussed modifying the process to require that a building and/or grading permit is obtained and maintained; otherwise, the permit would expire along with the entitlement, unless an extension was granted prior to its expiration.

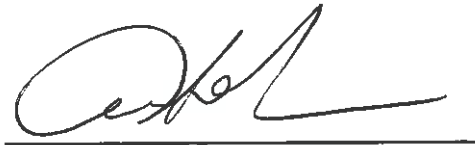
Appeals:

1. 10 business days for all entitlements (instead of current 20 calendar days).

The Planning Commission was unanimously in favor of this change.

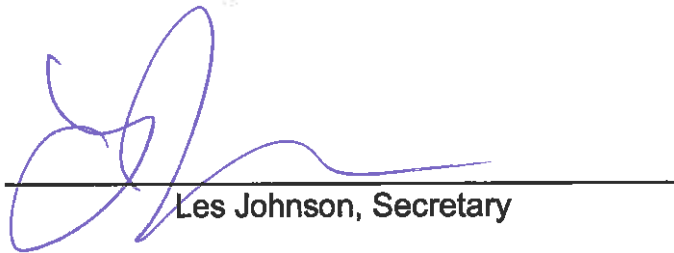
4. ADJOURNMENT

The Planning Commission adjourned at 6:55 p.m.



Art DeBolt, Chair

ATTEST:



Les Johnson, Secretary