

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

REGULAR MEETING – February 23, 2022

1. CALL TO ORDER

The Planning Commission/Subdivision Committee met in Regular Session at 7:01 p.m., Wednesday, February 23, 2022 in a video conference, Chair DeBolt presiding. As a result of the State of Emergency in California due to the threat of COVID-19 and pursuant to Governor Newsom Executive Order N-25-20 issued on March 12, 2020, all members of the Planning Commission attended telephonically.

2. ROLL CALL

Present: Commissioners:

Chair DeBolt
Vice Chair Loe
Andrade, Culty, Grose, and Riley

Absent:

Sofelkanik (excused)

Staff:

Ron Noda, Development Services Director
Irving Montenegro Jr., Development Services
Manager
Michael Daudt, City Attorney
Tom Oliver, Associate Planner
Maria Veronica Enciso, Department Secretary
Alan Loomis, Placeworks Consultant

3. PLEDGE OF ALLEGIANCE

Chair DeBolt led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

Chair DeBolt opened oral communications.

Department Secretary Enciso shared that there were no public comments received by the 4:00 p.m. cutoff time.

Chair DeBolt closed oral communications.

5. APPROVAL OF MINUTES

A. Approve the Minutes for the Regular Meeting of January 26, 2022

Motion/Second: Grose/Loe

Carried 5/0 (Sofelkanik absent, Andrade abstain): The Planning Commission approved the minutes of the Regular Meeting of January 26, 2022.

ROLL CALL VOTE

Chair DeBolt	Aye
Vice Chair Loe	Aye
Commissioner Andrade	Abstain
Commissioner Cuilty	Aye
Commissioner Grose	Aye
Commissioner Riley	Aye
Commissioner Sofelkanik	(Absent)

6. CONSENT CALENDAR

None.

7. PUBLIC HEARING**A. Town Center Mixed Use Zone Strategic Plan Consideration**

Development Services Director Noda quickly summarized the staff report.

Associate Planner Oliver shared information from the staff report.

Chair DeBolt asked and received confirmation from Associate Planner Oliver about the live work plan and the live would be above.

Chair DeBolt opened the public hearing.

Department Secretary Enciso shared there were no public comment received for the item.

Chair DeBolt closed the public hearing.

Commissioner Grose asked about the changes to live work as people find a way to adapt their work to home and if it helps or impacts it (live work). Consultant Loomis shared that he thinks one of the reasons why they put an emphasis on live work in the plan was precisely because they were seeing that trend (adapt work to home).

Motion/Second: Grose/Loe

Carried 6/0 (Sofelkanik absent): Adopt Resolution No. 2021-09, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPT THE CITY OF LOS ALAMITOS TOWN CENTER MIXED USE (TCMU) ZONE STRATEGIC PLAN, DATED FEBRUARY 23, 2022, TO INCLUDE ITS ENVIRONMENTAL IMPACT REPORT (EIR) ADDENDUM AND MITIGATION MONITORING AND REPORTING PROGRAM, BOTH DATED DECEMBER 2021 (CITYWIDE) (APPLICANT: CITY OF LOS ALAMITOS)."

ROLL CALL

Chair DeBolt	Aye
Vice Chair Loe	Aye
Commissioner Andrade	Aye
Commissioner Cui	Aye
Commissioner Grose	Aye
Commissioner Riley	Aye
Commissioner Sofelkanik	(Absent)

Development Services Director Noda thanked Consultant Loomis.

Consultant Loomis also thanks the Commission.

8. DISCUSSION

A. Zoning Ordinance Amendment (ZOA 21-01)

Permitting of Live Fowl

Development Services Director Noda summarized the staff report.

Associate Planner Oliver shared information from the staff report.

Chair DeBolt opened the Public Hearing.

Resident shared that she currently has chickens on her property and hopes to keep them.

Chair DeBolt closed the Public Hearing.

Chair DeBolt briefly explained his time during the City Council when the ordinance was first discussed (regarding this subject).

Commissioner Andrade shared that he has no issues with chickens, but agreed to limit [the amount]. He also shared to have language to have the coop being maybe 20 feet away from a dwelling.

Commissioner Grose suggested for the Commission to consider the design of the coop. She also shared that she is not against [allowing live fowl].

Commissioner Cui agreed with Commissioner Andrade and Grose, but suggests no roosters and to have limit on the amount of chickens.

Commissioner Loe agreed with all the other Commissioners and also with the no roosters. He suggested to maybe open the public again for information from the resident for feedback about owning a chicken.

Commissioner Riley agreed also (with the Commissioners) and to figure out how they'd not be a nuisance.

Commissioner Culty and Chair DeBolt asked what initiated the code issue and Development Services Director Noda shared that it was a noise complaint.

Chair DeBolt shared his concern of how close neighbors are to one another. He added that he can see this item being more a problem and prefers the code as it is and thinks it could be expanded to other animals.

Commissioner Andrade explained that the person that made the complaint is not present so the Commission cannot get information from them. He mentioned that he sees no issues with noise and smell and does not see this item being a widespread issue.

Chair DeBolt reopened the item to the public.

Resident shared information about taking care of chickens and the coop specifications.

Chair DeBolt shared consensus of the Commission allowing chickens and the need for requirements.

Commissioner Culty agreed with Chair DeBolt and shared that she liked the provisions that the City of Sacramento has.

Chair DeBolt shared to keep ordinance as is and have an exception to chickens.

Commissioner Loe asked if there is a way for City staff to have "teeth" should there be complaints and issues.

City Attorney Daudt shared that the City would be bounded by the City's existing code. Development Services Director Noda added that the process that is implemented by the Code Enforcement Division would help also.

Commissioner Loe asked if there is a code about smell. Associate Planner Oliver confirmed it is under nuisance.

Chair DeBolt discussed the permissive codes for fowl from other Cities. He then discussed the permitting fees and if the City should have them.

Commissioner Loe stated to stay away from [permitting fees].

Development Services Director Noda asked Associate Planner Oliver if the City has a fee for a dog. Associate Planner Oliver and Commissioner Loe confirmed that the City goes through the City of Long Beach.

Development Services Director Noda shared that he wanted to use a marker of \$10/\$15 fees.

Chair DeBolt shared he was inclined to agree with Commissioner Loe about not allocating costs.

Commissioner Andrade discussed the requirements that Sacramento has and liked what they provide.

The Planning Commission discussed the following:

- [coop] being 20 feet away from the dwelling
- Amount of chickens max being four

Chair DeBolt shared that staff can use the items discussed as a checklist should there be a complaint.

Chair DeBolt asked if anyone wanted to do a motion to do an exclusion on the fowl for chickens and then incorporate the requirements that the City of Sacramento has with the exception of fees, licensing, and permits.

Commissioner Grose added that it will include the enclosed container for the feces and it to be sealed.

Commissioner Andrade made a motion to include all that Chair DeBolt and Commissioner Grose mentioned but to also add the maximum of four [chickens].

Motion/Second: Andrade/Grose

Carried 6/0 (Sofelkanik absent): The Planning Commission approved the revision of the Los Alamitos Municipal Code to permit the keeping of live fowl through a Zoning Ordinance Amendment (ZOA 21-01).

ROLL CALL

Chair DeBolt	Aye
Vice Chair Loe	Aye
Commissioner Andrade	Aye
Commissioner Cui	Aye
Commissioner Grose	Aye
Commissioner Riley	Aye
Commissioner Sofelkanik	(Absent)

Chair DeBolt discussed regarding other animals.

Development Services Director Noda explained what has been discussed previously like tortoises and potbelly pigs. Also that this would be a good time for the Planning Commission to recommend to the City Council to revise the code.

Chair DeBolt refers to the list from the City of Anaheim or to have staff come back with a recommendation.

Commissioner Culty asked if it (the animal list Chair DeBolt was referring to) is already in the code.

Commissioner Andrade confirmed that it is already in the code.

Chair DeBolt asked for verification if the code does have a list of the animals and Associate Planner Oliver confirmed that the chapter does spread out further than what was given in the staff report.

Chair DeBolt recommended that the Planning Commission stop here and have staff comeback to revisit this issue.

Associate Planner Oliver and City Attorney Daudt quickly discussed if they have enough information as to the direction the Planning Commission would like returned to allowing chickens with the limited carve out and for staff to have the opportunity to consider whether or not there are other animals the Planning Commission should consider to residential zones.

Commissioner Andrade asked staff to provide information from other cities (their codes on animals in residential zones).

Development Services Director Noda added to Commissioner Andrade's request and shared his recommendation to bring back the item to the Planning Commission with a proposed resolution then bring back a discussion item about the additional animals.

Chair DeBolt asked if these items should be limited to residential parcels with single family dwellings. City Attorney Daudt clarified that it can be limited to R1 zone properties. Associate Planner Oliver added that there is a property in Apartment Row that has a house originally in the location and then a multifamily behind it and there was space for the animals.

Commissioner Andrade mentioned to use a dog as the basis for some decision making.

Commissioner Grose asked about code with domestic pet and having some other type (exotic) of pet and can say there are is a set of restrictions and limitations in areas in order to not get many types of pets in dense areas.

City Attorney Daudt shared that staff has enough direction specifically with the chickens in order to structure the code. He also added the need to take a look at the animal control provisions and the zoning provisions.

9. STAFF REPORT

A. Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings

City Attorney Daudt summarized the staff report.

Chair DeBolt asked if City Council is directing [the commission] to meet virtually or if each commission is different.

City Attorney Daudt shared that the City Council has been virtual and then confirmed with Development Services Director Noda that the next City Council meeting will be in person.

Development Services Director Noda then explained that City Council does not determine if the meetings will either be virtual or in person, instead the findings are due to COVID. He then shared that the next meetings (City Council and Commission) are scheduled to be in person.

Motion/Second: Grose/DeBolt

Carried 6/0 (Sofelkanik absent): Make the following findings by a majority vote of the Planning Commission:

1. A state of emergency has been proclaimed by California's Governor due to the COVID-19 pandemic, and continues to be in effect;
2. The Planning Commission has reconsidered the circumstances of the state of emergency; and
3. State and local officials continue to recommend measures to promote social distancing to slow the spread of COVID-19.

ROLL CALL

Chair DeBolt	Aye
Vice Chair Loe	Aye
Commissioner Andrade	Aye
Commissioner Cuijty	Aye
Commissioner Grose	Aye
Commissioner Riley	Aye
Commissioner Sofelkanik	(Absent)

10. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

Associated Planner Oliver discussed the following items:

- New Senate Bill (SB) 9 which is about the lot splits and how many homes can be on a single family residential property
- Next Planning Commission meeting will have a martial arts Conditional Use Permit and the housing element open house
- Won the CDBG grant for Sterns Park of \$350,000

Development Services Manager Montenegro Jr. invited the Planning Commission to the Good Morning, Los Alamitos event.

Development Services Director Noda updated on the following:

- Items that will be discussed at the City Council meeting
 - Redistricting maps
 - Update on the Urban Forest Program
 - Update on the establishment of rates of the waste hauler company

11. COMMISSIONER REPORTS

Commissioner Grose thanked the City for the new stop signs on Florista Street.

Chair DeBolt asked about the following:

- How often the Housing Element gets reviewed
 - Associate Planner Oliver confirmed that it gets done every 8 years
- Lot splits and ADU's in relation to SB 9
 - Associate Planner Oliver and City Attorney Daudt explained the changes

12. ADJOURNMENT

The Planning Commission adjourned the meeting at 8:18 p.m.

ATTEST:



Art DeBolt, Chair



Ron Noda, Secretary