

CITY OF LOS ALAMITOS
Council Chamber
3191 Katella Ave., Los Alamitos CA 90720

PLANNING COMMISSION/SUBDIVISION COMMITTEE
AGENDA
REGULAR MEETING

Wednesday, June 28, 2023 – 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 City Clerk's Office or on the City's website at www.cityoflosalamitos.org once the agenda has been publicly posted.

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

Agenda-related documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5) will be made available for public inspection at the meeting. Such documents will also be available at the City Clerk's office, 3191 Katella Ave., Los Alamitos, CA 90720.

In compliance with the Americans with Disabilities Act, Assistive Listening headphones are available and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (562) 431-3538, ext. 220. Notification at least 42 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling the City Clerk's Office at least 42 hours in advance.

If you are unable to attend this meeting in person, you may submit comments on any agenda item or on any item not on the agenda by email to cityclerk@cityoflosalamitos.org with the subject line "PLANNING COMMISSION PUBLIC COMMENT". Comments received by 3:00 p.m. the day of the meeting will be compiled, provided to the Planning Commission, and made available to the public before the start of the meeting. Staff will not read email comments at the meeting. You may also view the meeting live on local cable channel 3.

If, as an attendee, or a participant at this meeting, you will need special assistance beyond what is normally provided, please contact the City Clerk's Office at (562) 431-3538, extension 220, 48 hours prior to the meeting so that reasonable arrangements may be made.

1. CALL TO ORDER

2. ROLL CALL

Chair Loe
Vice Chair Cuilty
Commissioner Andrade
Commissioner DeBolt
Commissioner Grose
Commissioner Sofelkanik
Commissioner Zellmer

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. Please state if you wish to speak on an item on the Agenda. **Remarks are to be limited to not more than five minutes.**

5. CONSENT CALENDAR

All Consent Calendar items may be acted upon by one motion unless a Planning Commissioner requests separate action on a specific item.

A. Approve the Minutes of the Regular Meetings of March 22, 2023 and May 24, 2023

6. PUBLIC HEARING

7. DISCUSSION

8. STAFF REPORT

A. Discussion of Noise Source Hours for Property Maintenance, etc. on Weekends and Federal Holidays.

A discussion concerning Los Alamitos Municipal Code Section 17.20.020 concerning acceptable noise standards made by constituents on weekends and federal holidays.

Recommendation:

A discussion to revise the Los Alamitos Municipal Code to provide the ability for residents, businesses, and property owners to conduct noisemaking activities, such as maintenance, hobbies, or construction on weekends and federal holidays.

Applicant: Planning Commission initiated
Location: Citywide
Environmental: No determination required for current discussion.

Approval Criteria: If changes to the code are recommended by the Planning Commission, they shall direct Staff to draft a resolution to forward a written recommendation to the Council of whether to approve, or approve in modified form, an amendment based on the findings contained in Section 17.58.060 (Findings and Decision) of the Los Alamitos Municipal Code (LAMC). The recommendations of the Planning

Commission on a proposed amendment shall be adopted by a majority of the total voting members of the Planning Commission (LAMC § 17.58.040).

Noticing: If the Planning Commission direct staff to explore the revision of a specified Code, a notice will be placed in the Event News Enterprise.

Staff recommends discussion of the subject pertaining to allowable hours for working outdoors on weekends and federal holidays; and, if appropriate, direct Staff to draft a Resolution and a draft Ordinance based on their recommendation. If directed, a Resolution and draft Ordinance will be brought back at an upcoming Planning Commission meeting for consideration. If the Planning Commission recommends approval of the Resolution and draft Ordinance, it will be taken to an upcoming City Council meeting for approval.

9. ITEMS FROM THE DEVELOPMENT SERVICES DEPARTMENT

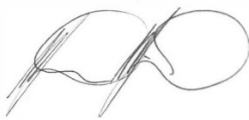
10. COMMISSIONER REPORTS

11. ADJOURNMENT

APPEAL PROCEDURES

Any final determination by the Planning Commission may be appealed to the City Council, and must be done so in writing at the Development Services Department, within ten (10) business 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 \$1,101.00 (resident)/ \$2,349.00 (non-resident) in accordance with Los Alamitos Municipal Code Section 17.60 and Fee Resolution No. 2022-11.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the Los Alamitos City Hall, 3191 Katella Ave. and online at www.cityoflosalamitos.org not less than 72 hours prior to the meeting.



Michelle Müller
Management Analyst
Date: 6/22/23

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

REGULAR MEETING – March 22, 2023

1. CALL TO ORDER

The Planning Commission/Subdivision Committee met in Regular Session at 7:00 p.m., Wednesday, March 22, 2023 in the Council Chamber located at 3191 Katella Ave., Los Alamitos, CA 90720, Vice Chair Loe presiding.

2. ROLL CALL

Present: Commissioners: Chair Loe
Cuiilty, Grose, and Sofelkanik

Staff: Ron Noda, Development Services Director
Michael Daudt, City Attorney
Tom Oliver, Associate Planner
Maria Veronica Enciso, Department Secretary

3. PLEDGE OF ALLEGIANCE

Vice Chair Loe led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

Chair Loe opened oral communication.

Chair Loe closed oral communication.

5. CONSENT CALENDAR

All Consent Calendar items may be acted upon by one motion unless a Planning Commissioner requests separate action on a specific item.

A. Approve the Minutes for the Special Meetings of December 14, 2022 and January 11, 2023, and the Regular Meeting of January 15, 2023.

Motion/Second: Grose/DeBolt

Carried 6/0 (Andrade abstained): The Planning Commission approved the Special Meeting minutes of December 14, 2022.

Motion/Second: Grose/Cuiilty

Carried 4/0 (Andrade, Loe, Zellmer abstained): The Planning Commission approved the Special Meeting of January 11, 2023.

Motion/Second: Grose/Cuiilty

Carried 4/0 (Andrade, DeBolt, Zellmer abstained): The Planning Commission approved the Regular Meeting of January 25, 2023.

6. PUBLIC HEARING

A. Conditional Use Permit (CUP) 23-01 Health/Fitness - Large

Development Services Director Noda introduced the staff report.

Associate Planner Oliver summarized the staff report.

Commissioner DeBolt asked and received clarification from Associate Planner Oliver confirming that no letters were received from the surrounding businesses.

Commissioner Grose asked and received confirmation from Associate Planner Oliver confirming the hours of operations to be Monday through Friday, with limited hours on Saturdays.

Chair Loe opened the Public Hearing.

Applicant Laura Gutierrez briefly discussed the nature of the business.

Chair Loe asked and received clarification from Ms. Gutierrez about the hours of operation to be from 9am to 11am and 4:15pm to 8pm.

Chair Loe asked and received a response from Ms. Gutierrez stating that she has read the conditions and has no concerns.

Chair Loe closed the Public Hearing.

Chair Loe asked and received clarification from Associate Planner Oliver about the previous designation for recreational uses in the light industrial zone, stating that the designation was eliminated as part of the zoning code. Additionally, Associated Planner Oliver noted that the designation remains on the general plan but not the zoning code.

Chair Loe asked about future consideration of including safety components when reviewing projects. Development Services Director Noda advised that this is an existing practice when a project is proposed.

Associate Planner Oliver briefly discussed the rezoned area behind the Los Alamitos Medical Center, which now has a medical overlay zone.

Motion/Second: Grose/Zellmer

Carried 7/0: Adopt PC Resolution No. 2023-03, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, Approving CONDITIONAL USE PERMIT (CUP) 23-01 TO ALLOW A HEALTH/FITNESS FACILITY – LARGE IN A 4,200 SQUARE FOOT UNIT IN THE PLANNED LIGHT INDUSTRIAL (P-L-I) ZONING DISTRICT AT 4260 CERRITOS AVENUE (APPLICANT: LAURA GUTIERREZ), APN 241-251-04."

7. DISCUSSION

A. Zoning Ordinance Amendment (ZOA 23-02) Short-Term Rentals

Director Noda introduced the staff report.

Associate Planner Oliver summarized the staff report.

Commissioner Grose asked and received clarification from Associate Planner Oliver about how many rooms would be classified as a hotel or motel, stating that a hotel/motel is defined by a rental of less than 30 days and not by the number of rooms.

Vice Chair Cuijty asked and received clarification from Associate Planner Oliver about the subjectivity to hotel tax for these types of rentals, stating that these types of rentals would be subject to the hotel tax [Transient Occupancy Tax (TOT) tax].

Development Services Director Noda advised that the current TOT tax in the City is 8%, Seal Beach is 15%, La Palma is 12%, Garden Grove 14.5% and Cypress is 10%.

Commissioner Zellmer inquired about the possible amount of Airbnb's that could be established based on the number of calls received, and inquired about the possible revenue that could be generated annually from these rentals. Associate Planner Oliver and Director Noda briefly discussed the different variables which make it difficult to quantify prospective Airbnb locations and the expected revenue with regards to the TOT tax at this time.

Commissioner Grose asked and received a response from Development Services Director Noda as to why the TOT tax is low, stating that she is not aware of the history behind this approval, however identified that any changes would have to go before the voters for consideration.

City Attorney Daudt clarified that the TOT tax was enacted in 1964.

Commissioner DeBolt inquired about whether other cities were contacted as part of this research. Associate Planner Oliver advised that they were not, as there was plenty of information available on the websites.

Commissioner DeBolt inquired about whether there was any information available which identifies problems faced from transient occupants. Associate Planner Oliver advised that there are no records however, he was able locate that changes have been made along the way to establish a maximum number or Airbnb's in a town, and requiring a Conditional Use Permit (CUP), as done by the City of Seal Beach.

Development Services Director Noda briefly discussed Airbnb requirements in the desert cities, which establish guidelines identifying a maximum occupancy, which imposes fines if exceeded. Also included are noise ordinances to restrict noise after 10:00 p.m.

Commissioner Andrade briefly discussed the current process in the city of Big Bear for Airbnb rentals.

Commissioner Grose asked and received clarification from Associate Planner Oliver about how these rentals would be enforced, identifying that the Code Enforcement Division would be a key role in enforcement.

The Planning Commission and staff briefly discussed possible options to track Airbnb rentals including the newspaper, VRBO, Airbnb, and third party.

Chair Loe opened the public hearing.

Speaker Leslie Whitley expressed support for Airbnb rentals and described the various options for the term of rentals. Ms. Whitley also proposed noise level conditions as part of this approval.

Commissioner Solfelkanik expressed opposition for allowing Airbnb rentals in the City, stating the following:

- Unsure about the efficacy of software tracking.
- Destroys the neighborhood.
- Owners have little control over the tenants.
- Neighborhoods become tourist zones.
- Complexion for neighboring residents.
- Potentially reduce housing units affecting available housing.
- Negative issues with crime and nuisance complaints.
- Take revenue and tenants from established hotels.
- Establish enough provisions and enforcement mechanisms from permitting Airbnb rentals.

Commissioner Zellmer discussed consideration to impose limits on the number of units permitted in a neighborhood. Additionally, Commissioner Zellmer expressed

that more research should be done about the potential impacts to the City, while working to take the next step forward.

Commissioner Grose expressed that both sides of the matter should be examined.

Commissioner Grose inquired about the number of Airbnb rentals allowed in Seal Beach. Associate Planner Oliver noted that this information is not currently known. Additionally, Commissioner Grose requested information about difficulties faced by some of the neighboring cities and information about the City's current TOT tax.

Commissioner Zellmer also expressed interest in additional information for comparable cities, and the impacts faced in those communities including Cypress, parts of Long Beach and Fullerton.

Commissioner Grose expressed concern in ensuring that these rentals prevent the use of a residence for the benefit of entering the school district.

Commissioner Zellmer described his experience with requests received for short-term rentals.

Commissioner DeBolt expressed the following concerns:

- The existing potential in an increase of Accessory Dwelling Units (ADUs) in neighborhoods and their potential use as short-term rentals.
- Current circumstance surrounding single-family tenancy and the desire to be part of the community and the school district.
- Not in favor of signage at Airbnb rentals in single-family neighborhoods.
- Concern over not wanting single-family neighborhoods to turn into multi-family neighborhoods.
- Concern over neighborhoods becoming further impacted.
- Concern over effective management of tracking of where Airbnb rentals would be allowed.
- Concern over applicable landlord-tenant laws and the transient nature of Airbnb rentals.

Commissioner Zellmer described the option of breaking down the allowable rentals per neighborhood based on the number of homes in the neighborhood.

Chair Loe asked and received clarification from City Attorney Daudt about the possibility of approving for a term and re-considered after that expiration date. City Attorney Daudt stated that he has not seen an ordinance that proposes a sunset date at the local level. Additionally stating that it could be proposed as

such by the Planning Commission however, the City Council will have the ability to make a final determination.

Commissioner Zellmer asked and received clarification from City Attorney Daudt whether it would be possible to incorporate the sunset date, stating that it is possible however its enforceability is questionable.

Commissioner Solfekanik briefly discussed the information he found from other cities, which have implemented efforts to further enforce or re-evaluate these rentals after approval, to either oppose or reduce it. Additionally, Commissioner Solfekanik noted concerns over the increase in density and the takeaway from traditional neighborhood feel.

Commissioner Zellmer asked and received clarification from Director Noda as to whether rentals can be limited to other zones other than R1, stating that additional research will need to be conducted.

Commissioner Andrade briefly discussed how Airbnb rentals are becoming more regulated in communities where they are currently permitted. Additionally, Commissioner Andrade discussed reaching out to these communities, and learning about their experiences and how issues have been rectified along with way.

Commissioner Grose expressed concern over the limited community involvement at this point in the process. Additionally, Commissioner Grose asked for community outreach to take place in order to provide the opportunity for input from the City.

Development Services Director Noda described the process for this item should it move forward, and the community outreach that it would involve stating that it would be a public hearing with the City Council which would be noticed on the City website, social media, mass mailers, and newspaper advertising.

City Attorney Daudt described the process for approval of this item, stating that the zoning code amendment would involve a public hearing before the Planning Commission, followed by a second public hearing with City Council for the first of two introductions of the ordinances. Ultimately, providing three opportunities for individuals to get involved in the process.

Commissioner Zellmer asked and received clarification from City Attorney Daudt about the process for noticing, stating that the zoning code amendment would include a public hearing that would notice the community.

Commissioner Culty asked about the noticing process. Development Services Director Noda described the noticing efforts which include the newspaper, City website, mass mailers, and social media platforms.

Commissioner Andrade briefly discussed the potential benefits of utilizing Nextdoor for community noticing.

Commissioner DeBolt briefly discussed the efficacy of delivering door-to-door mailers.

Commissioner DeBolt and staff briefly discussed the process for review by the Planning Commission, which ultimately leads to City Council consideration of the item.

Vice Chair Culty briefly discussed the possibility of community outreach occurring at this level of the process before it reaches the level of approval. Commissioner Zellmer asked and received clarification from Director Noda about the possibility of releasing a survey to the community, stating that this is an option for this process.

The Planning Commission discussed various forms of noticing efforts to reach community members.

Commissioner DeBolt discussed the community impact from not providing adequate noticing for input.

Director Noda advised that going through the process for noticing the community will take some time.

The Planning Commission and staff further discussed noticing the community stating the following:

- Provide noticing to attend a Planning Commission meeting to be involved in this discussion for feedback.
- Minimizing the cost of the noticing for this survey.
- Number of subscribers which can be reached via the City e-news.
- Notifying the R-1 zones.
- Notifying property owners.

Ms. Whitley briefly discussed limiting the number of rentals per operator in the initial stage as an option.

Commissioner Zellmer discussed learning from other cities instead of using this as a trial and error, to help identify the benefits of short-term rentals for the community.

Commissioners Zellmer, Grose, Andrade and Vice Chair Cuijly favor additional outreach, discussion, and research as part of this process.

Chair Loe and Commissioners DeBolt and Sofelkanik do not favor additional outreach and research as part of this process.

The Planning Commission and staff briefly discussed the timeline for outreach efforts to be within 180 days.

Commissioner DeBolt suggested distributing the survey via tax bills or hand-delivery. Additionally, Commissioner DeBolt expressed importance of ensuring delivery to the R-1 zones of the survey. Director Noda clarified that the current budget provides opportunity for noticing via bulk mail, the newspaper and door hangers for this item.

Motion/Second: Grose/Zellmer

Carried 5/2: direct staff to conduct further research about experiences for adjoining cities with Airbnb rentals, conduct public outreach and low-cost surveys, and advertise a future discussion at an unspecified date to further discussion of this item for consideration.

Roll Call

Chair Loe	No
Vice Chair Cuijly	Yes
Commissioner Andrade	Yes
Commissioner DeBolt	Yes
Commissioner Grose	Yes
Commissioner Sofelkanik	No
Commissioner Zellmer	Yes

8. STAFF REPORT

None.

9. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

Development Services Director Noda discussed the following:

- Housing Element was submitted to the State of California
- Upcoming Spring Carnival on Saturday, April 8th from 9:30 a.m. to 12:00 p.m. at Little Cottonwood Park.
- Upcoming Parklet series on Pine Street from 6:30 p.m. to 8:30 p.m. starting on April 20th and ending on May 12th.

Associate Planner Oliver briefly discussed community outreach efforts and sought suggestions for other strategies to reach constituents. The Planning Commission and staff briefly discussed alternative options like Nextdoor.

Associate Planner Oliver briefly discuss the role that the Planning Commission serves.

The Planning Commission and Associate Planner Oliver briefly discussed options for communicating with the community.

10. COMMISSIONER REPORTS

Commissioner Grose discussed the following:

- Request the evaluation of the TOT tax to consider taking this item to City Council for consideration.
- Whether the gym [dance studio] has relocated. Director Noda advised that they are still in construction for tenant improvements.
- The absence of movement on the hospital project and inquired about the ramification from not following through on the project plan. Associate Planner Oliver advised that there has been a change in leadership. Additionally, he clarified that their timeline has expired, which now gives the opportunity re-evaluate the expansion of the hospital.

11. ADJOURNMENT

The Planning Commission adjourned the meeting at 8:33 p.m. to April 26, 2023.

ATTEST:

Gary Loe, Chair

Michelle Müller, Management Analyst

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

REGULAR MEETING – May 24, 2023

1. CALL TO ORDER

The Planning Commission/Subdivision Committee met in Regular Session at 7:00 p.m., Wednesday, May 24, 2023 in the Council Chamber located at 3191 Katella Avenue, Los Alamitos, CA 90720, Chair Loe presiding.

2. ROLL CALL

Present: Commissioners: Chair Loe
Andrade, DeBolt (absent), Cuijly, Grose,
Sofelkanik, Zellmer

Staff: Ron Noda, Development Services Director
Michael Daudt, City Attorney
Tom Oliver, Associate Planner
Michelle Müller, Management Analyst

3. PLEDGE OF ALLEGIANCE

Vice Chair Loe led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

Chair Loe opened oral communication.

Resident Frank Marchese thanked the Planning Commission for their dedication and hard work.

Chair Loe closed oral communication.

5. CONSENT CALENDAR

All Consent Calendar items may be acted upon by one motion unless a Planning Commissioner requests separate action on a specific item.

None.

8. STAFF REPORT

Development Services Director Noda summarized the staff report.

Associate Planner Oliver provided a brief presentation to the Planning Commission about the National Pollution Discharge Elimination System (NPDES).

The Planning Commission and staff briefly discussed the information provided in the presentation.

9. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

Development Services Director Noda discussed the following:

- HCD certified the City's housing element.
- Short-term rental survey is now available through the end of July.
- Next City Council Meeting is on Tuesday, June 20.
- Introduced Department Secretary Gabriela Martinez.
- Advised that Development Services Manager, Irving Montenegro Jr., will be taking over the Planning Commission meetings in the near future.

10. COMMISSIONER REPORTS

Commissioner Zellmer requested clarification and future discussion about the ability to conduct construction work on Sundays.

Motion/Second: Zellmer/Grose

Carried 6/0 (DeBolt absent): review and discuss the code section which identifies allowable construction work hours on Sundays, at a future Planning Commission meeting.

Commissioner Grose commemorated the upcoming Memorial Day holiday weekend.

11. ADJOURNMENT

The Planning Commission adjourned the meeting at 7:43 p.m. to June 28, 2023.

ATTEST:

Gary Loe, Chair

Michelle Müller, Management Analyst

City of Los Alamitos

PLANNING COMMISSION/SUBDIVISION COMMITTEE

AGENDA REPORT

MEETING DATE: June 28, 2023

ITEM NUMBER: 8A

To: Chair Loe & Members of the Planning Commission

Presented By: Tom Oliver, Associate Planner
Irving Montenegro Jr., Manager

Subject: Discussion of Noise Source Hours for Property Maintenance, etc. on
Weekends and Federal Holidays

SUMMARY

A discussion concerning Los Alamitos Municipal Code Section 17.20.020 concerning acceptable noise standards made by constituents on weekends and federal holidays.

RECOMMENDATION

A discussion to revise the Los Alamitos Municipal Code to provide the ability for residents, businesses, and property owners to conduct noisemaking activities, such as maintenance, hobbies, or construction on weekends and federal holidays.

Applicant: Planning Commission initiated

Location: Citywide

Environmental: No determination required for current discussion.

Approval Criteria: If changes to the code are recommended by the Planning Commission, they shall direct Staff to draft a resolution to forward a written recommendation to the Council of whether to approve, or approve in modified form, an amendment based on the findings contained in Section 17.58.060 (Findings and Decision) of the Los Alamitos Municipal Code (LAMC). The recommendations of the Planning Commission on a proposed amendment shall be adopted by a majority of the total voting members of the Planning Commission (LAMC § 17.58.040).

Noticing: If the Planning Commission direct staff to explore the revision of a specified Code, a notice will be placed in the Event News Enterprise.

Staff recommends discussion of the subject pertaining to allowable hours for working outdoors on weekends and federal holidays; and, if appropriate, direct Staff to draft a Resolution and a draft Ordinance based on their recommendation. If directed, a Resolution and draft Ordinance

will be brought back at an upcoming Planning Commission meeting for consideration. If the Planning Commission recommends approval of the Resolution and draft Ordinance, it will be taken to an upcoming City Council meeting for approval.

BACKGROUND

During Commissioner comments at the May 24, 2023 Planning Commission meeting, Commissioner Zellmer spoke concerning the restrictions on noisemaking activities on weekends and federal holidays. The matter arose through the City's Code Enforcement Division issuing a Notice of Violation (NOV) to a resident, due to a noise complaint received about construction at a home. As a result, Commissioner Zellmer has requested that the Planning Commission consider lifting noise restrictions in the code section below:

17.20.020 Exemptions

The following activities shall be exempt from the provisions of this chapter:

D. Noise sources associated with construction, repair, remodeling, or grading of any real property, provided a permit has been obtained from the City, and further provided the activities do not take place between the hours of 8:00 p.m. and 7:00 a.m. on weekdays and on Saturdays, or at any time on Sundays or Federal holidays;

E. Noise sources associated with the maintenance of real property, provided the activities take place between the hours of 8:00 a.m. and 8:00 p.m. on weekdays and on Saturdays, or between the hours of 9:00 a.m. and 6:00 p.m. on Sunday or a Federal holiday;..."

During the May 2023 meeting, the Planning Commission approved a motion directing Staff to bring the item forward to a future Planning Commission meeting, for the review and discussion of the code section which identifies allowable construction work hours on Sundays and federal holidays.

DISCUSSION

As it pertains to City Council discussion for this specific code section, staff was unable to locate a historical timeline addressing restrictions on noise during specified weekend hours and federal holidays.

Staff has researched five surrounding cities to find their municipal codes regular noise standards as it relates to specified noise sources. Below are some provisions extracted from the various cities.

City of Stanton, CA
9.28.070 Special Provisions

E. Noise sources associated with construction, repair, remodeling, or grading of any real property provided said activities do not take place between the hours of 8:00 p.m. and 7:00 a.m. on weekdays, including Saturday, or at any time on Sunday or a federal

holiday;

I. Noise sources associated with the maintenance of real property provided said activities take place between the hours of 7:00 a.m. and 8:00 p.m. on any day except Sunday or federal holiday, or between the hours of 9:00 a.m. and 8:00 p.m. on Sunday or federal holiday;...”

City of Cypress, CA
Sec 13-70 Special Provisions

The following activities shall be exempted from the provisions of this chapter:..

(e) Noise sources associated with construction, repair, remodeling or grading of any real property, provided said activities do not take place between the hours of 8:00 p.m. and 7:00 a.m. on weekdays, before 9:00 a.m. and after 8:00 p.m. on Saturday, or at any time on Sunday or a federal holiday...

(i) Noise sources, excepting leaf blowers as defined in section 13-72.1(a) of this Code, associated with the maintenance of real property provided said activities take place between the hours of 7:00 a.m. and 8:00 p.m. on any day except Saturday, Sunday or federal holiday, or between the hours of 8:00 a.m. and 8:00 p.m. on Saturday, Sunday or federal holiday...

City of La Palma, CA

(d) General regulations to control noise

(1) Loading and unloading. Loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects shall not occur between the hours of 10:00 p.m. and 7:00 a.m. in a manner that would cause a noise disturbance to a residential zoning district. Loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects shall not occur in commercial or industrial areas abutting residential zoning districts between the hours of 7:00 p.m. and 7:00 a.m....

(2) Vehicle repairs and testing. Repairs, rebuilding, modifying, or testing of motor vehicles, motorcycles, motorboats, or other motorized vehicles shall not occur between the hours of 7:00 p.m. and 7:00 a.m. in a manner that would cause a noise disturbance to a residential zoning district...

(3) Maintenance activities. Maintenance activities in landscape and parking areas (i.e., mechanical sweeping, mechanical grass cutting, mechanical blowing) shall not occur between the hours of 8:00 p.m. and 8:00 a.m. in a manner that would cause a noise disturbance to a residential zoning district.

(4) Construction activities. Construction activities shall include noise generated at the site during site preparation and construction, which includes utilizing various types of machinery and equipment. Construction activity also includes the transport of workers and export of debris and import of construction materials from the site. Construction

activity shall be limited to the following:

TABLE III-3. RESTRICTED HOURS FOR CONSTRUCTION ACTIVITIES

Day	Time *
Monday — Friday	7:00 a.m.—5:00 p.m.
Saturday	9:00 a.m.—5:00 p.m.
Sunday and Federal Holidays	No construction permitted

*Modification of construction hours may be granted for temporary uses per Section 44-1007(7). Note— Section 26-202(g) provides for modification of hours for temporary uses...

City of Garden Grove, CA
8.47.060 Special Noise Sources

D. CONSTRUCTION OF BUILDINGS AND PROJECTS. It shall be unlawful for any person within a residential area, or within a radius of 500 feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects, or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day in such a manner that a person of normal sensitiveness, as determined utilizing the criteria established in Section 8.47.050(B), is caused discomfort or annoyance unless such operations are of an emergency nature.

City of Seal Beach, CA
7.15.025 Exemptions

E. Noise associated with construction, repair, remodeling or grading of real property performed in the following periods: between 7:00 a.m. and 8:00 p.m. on weekdays; and between 8:00 a.m. and 8:00 p.m. on Saturday...

F. Noise associated with real property maintenance performed in the following periods: between 7:00 a.m. and 8:00 p.m. on weekdays; between 8:00 a.m. and 8:00 p.m. on Saturday; and between 9:00 a.m. and 8:00 p.m. on Sunday or a holiday...

In addition to discussing the primary question of whether the municipal codes concerning noise while conducting work on private property on weekends and federal holidays, staff suggests that the Planning Commission also discuss whether consideration should be made for other noise restrictions.

FISCAL IMPACT

None.

Attachment: None

