

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

PLANNING COMMISSION/SUBDIVISION COMMITTEE
AGENDA
REGULAR MEETING

Wednesday, October 25, 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 Development Services Department or on the City's website at www.cityoflosalamitos.org once the agenda has been publicly posted.

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

Agenda-related documents provided to a majority of the Planning Commission after distribution of the Planning Commission agenda packet (GC §54957.5) will be made available for public inspection at the meeting. Such documents will also be available at the Development Services 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 by the Department Secretary. If you need special assistance to participate in this meeting, please contact the Department Secretary at (562) 431-3538, ext. 110. 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 Development Services 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 gmartinez@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.

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 500, 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 Meeting of September 27, 2023

6. PUBLIC HEARING

A. Site Development Permit (SDP) 23-01 - Three-Story, Four Unit, Multiple-Family Residential Project

Consideration of a Site Development Permit application to construct a 3,634 square foot, three-story, four unit building, in anticipation of an Accessory Dwelling Unit project on a vacant parcel at 10912 Walnut Street (Siraj Aboulhosn).

Recommendation:

1. Open the Public Hearing; and,
2. Take testimony; and,
3. Adopt Resolution No. 23-04, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT (SDP) 23-01 TO PERMIT CONSTRUCTION OF A 3,634 SQUARE FOOT, THREE-STORY, FOUR UNIT BUILDING PROJECT ON A VACANT PARCEL AT 10912 WALNUT STREET IN THE MULTIPLE-FAMILY RESIDENTIAL ZONE (R-3), APN 242-202-06 (APPLICANT: SIRAJ ABOULHOSN)."

**B. Zoning Ordinance Amendment (ZOA 23-05)
Noise Standard Exemptions Associated with Construction and Property Maintenance Activities**

Consideration of a resolution recommending to the City Council adoption of the Zoning Ordinance Amendment;(ZOA 23-05) concerning noise standard exemptions associated with construction and property maintenance activities.

Recommendation:

1. Open the Public Hearing; and,
2. Take testimony; and,
3. Adopt Resolution No. 2023-05, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA,

RECOMMENDING THE CITY COUNCIL ADOPT ORDINANCE 2023-05 AMENDING AND RESTATING SECTION 17.20.020 OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING NOISE STANDARD EXEMPTIONS ASSOCIATED WITH CONSTRUCTION AND PROPERTY MAINTENANCE ACTIVITIES (ZOA 23-05) (CITY INITIATED)

7. DISCUSSION

8. STAFF REPORT

A. Discussion of Electric Vehicle Charging Stations

A report from Staff, at the request of the Commission, concerning Orange County Fire Authority standards for Electric Vehicle Charging Stations.

Recommendation:

Receive report and file.

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.



Gabriela Martinez
Department Secretary

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

REGULAR MEETING – September 27, 2023

1. CALL TO ORDER

The Planning Commission/Subdivision Committee met in Regular Session at 7:00 p.m., Wednesday, September 27, 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, Cuijly, Grose, Sofelkanik,
Zellmer

Staff: Gabriela Martinez, Department Secretary
Irving Montenegro Jr., Development Services
Manager
Michael Daudt, City Attorney
Tom Oliver, Associate Planner

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 of the Regular Meetings of August 23, 2023

Motion/Second:

Carried 6/0 (Grose/DeBolt), Sofelkanik abstained: The Planning Commission approved the Regular Meeting minutes of August 23, 2023.

6. PUBLIC HEARING

A. Site Development Permit (SDP) 23-01 - Continuance to a future meeting for a Three-Story, Four Unit, Multiple-Family Residential Project

Chair Loe opened the public hearing.

Commissioner Grose recused herself due to living within 500 feet of the project location.

Motion/Second:

Carried 6/0 (Culity/Zellmer) Grose recused: The Planning Commission approved the continuation of this item to the October 25th Planning Commission Meeting.

7. DISCUSSION

A. Noise Standard Exemptions and Definitions of Maintenance and Construction

Commissioner Grose rejoined the dais.

Development Services Manager Montenegro Jr. summarized the staff report and briefly discussed the following:

- Request to continue discussion.
- Shared the current noise standards and definitions of maintenance and construction.
- Staff research findings found that surrounding cities such as Stanton, Cypress, and La Palma have similar language for repair and maintenance.
- Code Enforcement is always educational first before citing.
- Suggested change [to the code] to replace the term “Do Not” and “You Can” is what is really causing confusion to the code.
- Suggested to remove the word “permit” to help with confusion and consistency on the term maintenance & construction.

Commissioner Andrade asked for clarification that this is not a time change but only providing clarification on the language.

Development Services Manager Montenegro Jr. clarified that it was agreed on by the Commission to discuss changes to the language only, to provide a bit more consistency.

Commissioner Zellmer expressed his concern and confusion as to why there is a change to the wording for time exemptions.

City Attorney Daudt clarified that the change is being suggested to help provide consistency but can go either way [with the change].

Chair Loe and Commissioner DeBolt briefly discussed that the allowable start time for construction and maintenance should be the same.

Commissioner Andrade briefly discussed the difference between maintenance and construction.

Chair Loe shared his concern with the difference in start time between maintenance and construction and it possibly causing confusion.

City Attorney Daudt advised that the item can be brought back for discussion if it is the consensus. Additionally, he asked and received confirmation from the Commission to keep the timeframe of maintenance on federal holidays from 9am - 6pm.

Development Manager Montenegro Jr. briefly described the requirement for street projects to not commence any time before 8 am.

The Planning Commission briefly discussed the following:

- The permitted hours for construction on street projects.
- It is difficult to read when the code has specific timeframes for different things.
- Replacing the word “do not” with a specified time frame.
- A suggestion of changing the maintenance start time to 7am Current practices for some maintenance activities
- The potential of changing maintenance permitted time to 7am to match construction.

Development Manager Montenegro Jr. summarized the discussion between Commission, identifying the 7am maintenance start time and the removal of the term “Do Not”.

Commissioner Sofelkanik asked and received clarification from City Attorney Daudt as to whether maintenance noise before 8am violates the code, stating that there is the potential based on the noise level exceedances.

Commissioner Sofelkanik asked about the potential of changing the hours to be consistent across the entire week.

Commissioner Andrade shared his thoughts on construction and maintenance on Saturdays.

Development Manager Montenegro Jr. briefly discussed the intention behind modifying the allowable hours on Saturdays and Sundays.

Commissioners Andrade and Zellmer briefly discussed scenarios of loud noise which could result in a violation such as loud music.

Development Services Manager Montenegro Jr. briefly discussed common scenarios for construction and maintenance related work.

Commissioner Zellmer briefly discussed the common noise production between certain construction and maintenance work such as tree trimming and building a shed.

Commissioner Grose expressed support for the modification to the verbiage pertaining to maintenance and construction activities. Additionally, expressed support for consistency in the hours.

The Commission briefly discussed different project scopes and how they differ between maintenance and construction.

Development Services Manager Montenegro Jr. briefly discussed the findings from researching other cities as it relates to the definition of maintenance and construction.

Commissioner Andrade inquired about the potential of limiting licensed contractors from doing work on Sundays and federal holidays.

The Commission briefly discussed the advantages and disadvantages of modifying the language to apply only to licensed contractors. City Attorney Daudt briefly discussed the potential additional scope this change would add for the Code Enforcement [Division].

Commissioner Andrade inquired about the frequency of complaints stemming from construction outside of permitted hours.

The Commission shared viewpoints on what constitutes maintenance and construction.

Commissioner Zellmer briefly discussed his previous concerns with regards to the task and whether it constitutes a violation.

The Commission shared ideas of pros and cons from possible time changes for maintenance and construction on Sundays & Federal Holidays.

Commissioners Andrade and Zellmer expressed support for changing allowable construction hours on Sunday from 9am to 6pm.

Development Manager Montenegro Jr. briefly discussed the intention behind the proposed changes to the verbiage, and the potential impacts of modifying the scope for construction work.

The Commission briefly discussed whether they are in favor of the proposed changes.

Commissioner DeBolt supports having the maintenance hours consistent with the construction hours of 7am to 8pm.

The Commission briefly discussed whether they are in favor of the federal holiday limitations.

Commissioner Zellmer briefly expressed his concern over the activities not permitted and also stating that he is not in favor of the new proposed time change.

Commissioner DeBolt briefly discussed that there is a general sensitivity to weekend activities as it relates to maintenance of property and the distinction between construction type of noise and maintenance noise.

Chair Loe stated that there will always be subjectivity, which will create a standstill as there is no way to pinpoint ever possible scenario.

Chair Loe asked and received clarification from City Attorney Daudt stating that a motion can be made but is not needed as staff has received more than enough information to bring it back for a Public Hearing [at a future meeting].

B. Electric Vehicle Charging Stations (EVCS)

Associate Planner Oliver summarized the staff report.

Commissioner Grose asked the following questions:

- Whether the Fire Department provided input on where these EVCS can/will go.
- Whether Emergency Services get to where they need to get to with no blocking in case of an emergency
- Whether EVCS are paying a tax and whether anything is coming from it
- Whether something could be done with legislators to to get tax money out of it
- Whether new housing [developments] require addressing charging stations
- Whether local gas stations have been contacted to discuss the change that is coming with EVCS

City Attorney Daudt shared a brief response that there are discussions of what will happen once gasoline tax funds start dropping and how that will be addressed with electric vehicles. For the new buildings, there are code requirements that the Building Division must abide by.

Associate Planner Oliver shared that the Building Division follows the Green Building Code and it states that residential must have the infrastructure for future possible access to a EVCS hookup, while commercial is based on the table presented in the report.

Development Manager Montenegro Jr. clarified that laws for building codes are updated every three years.

Commissioner Andrade shared that he inquired and was told that local gas stations will not be putting these charging stations in their lots due to the lack of space, no revenue and new cleaner fuel options.

Chair Loe and Commissioner Andrade shared their interest in seeing how electric vehicles migrates forward.

Associate Planner Oliver stated that they will bring back information about the Fire Department involvement in the review process.

Commissioner Grose shared her praise for city staff for the hard work on researching the information that was asked.

C. Community Development Block Grant (CDBG) – Fiscal Year 2024-25

Associate Planner Oliver summarized the staff report.

Commissioner Zellmer asked and received clarification from Associate Planner Oliver about the level of importance of the project based on its place in the line, stating that the high priority projects are the ones pursued and typically selected by the County.

Commissioner Grose asked and received clarification from Associate Planner Oliver as to why Katella Avenue was not on the list, stating that if it is between two different zones and commercial, which is not considered low income.

Vice Chair Cuijly briefly discussed the poor condition of Reagan Street near the fire station. Associate Planner Oliver advised that the City Engineer evaluates the streets and identifies those in the worst conditions.

Associate Planner Oliver stated that any street within a low-income area that is in need of repair is considered a high [priority].

Associate Planner Oliver provided clarification on the chart, its readings and how the zones work.

Commissioner DeBolt spoke on the following about the Apartment Row neighborhood:

- Existing parking issues
- The possibility of creating parking spaces
- Location of red curbs

Commissioner Zellmer briefly described tenant experiences with limited parking conditions now and suggested the possibility of incorporating permit parking.

Development Manager Montenegro Jr. briefly shared information about the upcoming street sweeping and neighborhood permit parking survey.

Commissioner DeBolt expressed concern for Apartment Row, and the need for it to be swept weekly like other residential neighborhoods.

City Attorney Daudt provided direction for the Commission to get back on track with the CBDG item discussion.

Commissioner Zellmer is concerned with CDBG, and as homelessness has increased over the last several years.

Commissioner Grose briefly discussed the current mandate for beds available to the homeless. Additionally, Commissioner Grose expressed support for the recommended street repairs.

8. ITEMS FROM THE DEVELOPMENT SERVICES DEPARTMENT

Development Services Manager Montenegro Jr. briefly discussed the following:

- Upcoming Street Sweeping & Permit Parking Survey.
- Distribution of Commissioner polos and upcoming photos at the next meeting.
- Celebrate Los Al event and Pine strEATS.
- Sunset Saturday is coming up on October 14 and will feature a Halloween theme.
- The Youth Center has vacated the building, and the City is evaluating what the building could become.
- The museum will be closed for remodeling all December and will re-open in January [2024].

Associate Planner Oliver briefly discussed the upcoming Autumn Fest running from Friday to Sunday.

9. COMMISSIONER REPORTS

Commissioner Grose shared that Celebrate Los Al was great and heard a lot of positive feedback. Additionally, Commissioner Grose provided a reminder for the Trunk-or-Treat event on Saturday October 21st at Little Cottonwood Park.

Associate Planner Tom Oliver stated that the November Planning Commission meeting is on Thanksgiving. During the October 25th meeting, there will be a discussion as to whether the November meeting will get pushed [to another date].

Commissioner Sofelkanik expressed concern over the Commission not following the process when providing input during item discussions.

Commissioner Andrade expressed concern over the customer service provided by Universal Waste Systems (UWS). Additionally expressing concern over an instance where a hydraulic line leaked fluid on a newly paved street.

Commissioner Zellmer also expressed concern over the customer service provided by UWS.

Commissioner Culty shared that she has had a good experience thus far with UWS.

Development Manager Montenegro Jr. shared that he would pass the concerns along to the UWS team.

Commissioner DeBolt briefly discussed a concern for proper service and billing at individual apartment units for bulky item collections. Additionally, stating that property owners of those locations should be reminded of this service.

11. ADJOURNMENT

The Planning Commission adjourned the meeting at 8:17 p.m. to September 27, 2023.

ATTEST:

Gary Loe, Chair

Gabriela Martinez, Department Secretary

City of Los Alamitos

PLANNING COMMISSION/SUBDIVISION COMMITTEE

AGENDA REPORT

MEETING DATE: October 25, 2023

ITEM NUMBER: 6A

To: Chair Loe & Members of the Planning Commission

Presented By: Tom Oliver, Associate Planner

Subject: Site Development Permit (SDP) 23-01 - Three-Story, Four Unit, Multiple-Family Residential Project

SUMMARY

Consideration of a Site Development Permit application to construct a 3,634 square foot, three-story, four unit building, in anticipation of an Accessory Dwelling Unit project on a vacant parcel at 10912 Walnut Street (Siraj Aboulhosen).

RECOMMENDATION

1. Open the Public Hearing; and,
2. Take testimony; and,
3. Adopt Resolution No. 23-04, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT (SDP) 23-01 TO PERMIT CONSTRUCTION OF A 3,634 SQUARE FOOT, THREE-STORY, FOUR UNIT BUILDING PROJECT ON A VACANT PARCEL AT 10912 WALNUT STREET IN THE MULTIPLE-FAMILY RESIDENTIAL ZONE (R-3), APN 242-202-06 (APPLICANT: SIRAJ ABOULHOSN)."

BACKGROUND

Mr. Aboulhosen has submitted a Site Development Permit application proposing to construct a 3,634 square feet, three-story, four-unit building, in addition to constructing a two-story Accessory Dwelling Unit (ADU) project on a vacant parcel at 10912 Walnut Street. As a reminder, due to California State Law, ADUs will be considered separately without Planning Commission consideration. Each unit in the main building will consist of two bedrooms and two baths.

Applicant: Siraj Aboulhosen

Project Location: 10912 Walnut St., Los Alamitos, CA 90720

Notice: The Public Notice of this meeting was mailed out on September 13, 2023, to property owners and tenants within 500 ft. Additionally, this was published in the News Enterprise on Wednesday,

September 13, 2023.

Environmental:

A categorical exemption – Section 15332, Class 32 (in-fill development project) will be prepared for the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines.

Approval Criteria:

Section 17.44.020 of the Los Alamitos Municipal Code (LAMC) requires that a Site Development Permit (SDP) be approved by the Planning Commission. Any multi-family residential development project, including duplex developments, with the Commission's review limited to adherence of the project to the objective design criteria established in this title and any applicable design guidelines.

Prior Approvals:

None.

DISCUSSION

The property at 10912 Walnut Street is located mid-block on the east side between Florista Street and Katella Avenue. The adjacent properties are all developed and with multiple units in the Multiple Family Residential (R-3) zone.

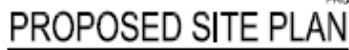


Access and Parking

Vehicle access is entered from the east side of the property in the alley, and the project requires 12 parking spaces. The Applicant proposes 11 parking spaces, one space less than the City's requirements. One space needs to be added where the proposed common space appears on the Site Plan. Staff has conditioned this in the proposed Resolution of approval (Condition #27). The following information describes the proposed project:

<u>Parking Calculations</u> <u>R-3 Parking</u>			
	Bedrooms	Requirement	Spaces Needed
4 Proposed Units	2	2.75	11
Guest Space	0	1	1
	Total Spaces Required	12	
	Spaces Proposed	11	

Site Plan



<u>R-3 Residential Development Standards</u>			
	Required	Proposed Project	Requirement Met?
Parcel Area	7,200 sq. ft.	7,500 – 125 for Alley = 7,375	Yes
Parcel Width (Interior)	60 ft.	50 ft.	No, but legal nonconforming Parcel
Parcel Depth	100 ft.	150 ft. – 2.5 for alley = 147.5	Yes
Maximum Density	25 du/ac	24 du/ac	Yes
Minimum Dwelling Area (gross floor area, not including garage)	800 sq. ft. for 2 Bed	Smallest New Unit 854 sq. ft.	Yes
Maximum Height Limit – Main Structures	35 ft.	31 ft.	Yes
Maximum Site Coverage	50%	34%	Yes
Outdoor Living Space	200 sq. ft. per dwelling for a total of 800	60 sq. ft. each private balcony plus 1,540 total landscaping 1,770	Yes
Distance between structures (1 parcel)	10 ft.	10 ft.	Yes
Storage Space	600 cubic ft. per unit	Common	Yes

		assigned	
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<u>Setbacks</u>			
	Required	Proposed Project	Requirement Met?
Front	20 ft.	20 ft.	Yes
Side	5 ft.	5 ft. both sides	Yes
Rear	10 ft.	12 ft. + 2.5 ft. dedication	Yes

In addition to the requirements set forth above, there are additional Los Alamitos Municipal Code requirements. The table below lists those other requirements:

<u>GENERAL DEVELOPMENT AND USE STANDARDS</u>			
	Code Section	Requirement Met?	Notes
Vehicle Access - Residential Zones	17.16.120	Yes	Vehicular access will be provided along the alley.
Exterior lighting	17.16.050	Yes	Building plans are to include exterior light fixtures on the structure, as conditioned by staff (condition #24), and require direct light only to the subject property.
Fences, hedges, and walls	17.16.020	Yes	A new 6 ft. vinyl fence
Paving of front setback requirements	17.16.070	Yes	Paving of 50% not exceeded

Projections into required setbacks	17.16.080	Yes	None.
Refuse and recycling storage areas	17.16.090	Yes	Less than five units, so the project will use individual trash cans
Vehicular Access Rights & Abutters' Rights to Arterial Highways & Local Streets	16.14.030	Yes	The project adds 2 ½ ft. of property to the rear setback for future dedication to widen the alley.
Screening and buffering	17.16.100	Yes	Utilities will be required to be screened in the resolution (condition #26)
Utilities and utility equipment	17.16.160	Yes	One of the A/C condensers shows in the front setback. It will be required to be moved when the ADU is permitted.
Landscaping	17.18.030 & 13.05.020	No	LAMC Section 13.05.020 <i>Landscape Area Requirements Applicability</i> speaks to landscaping requirements that multi-family uses shall provide. The applicant must maintain a minimum of 15 percent of the site in landscaped areas. The applicant shows in the plans the current landscaping for the project. However, this project will require a new landscape plan that meets the City's

			Water Efficient Landscape Ordinance (WELO), so that has been noted in the Resolution as Conditions #20 & 21
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Architecture and Design

The architecture is demonstrated in the elevation of this four-unit building in the attached plans as well as in the renderings. The proposed architecture is white stucco with brown/gray roof tiles. The windows have surrounding details that define them a bit, and there will be a Mountain Ledge, Durango style, stacked stone-based veneer around the bottom of the building. The architectural interest shown in the project is minimal. Staff suggests that the Planning Commission affirm Condition # 30, which reads: "The Applicant shall add, at a minimum, a total of six randomly placed ornamental wrought iron window boxes to front and side elevations, second story, windows."

Conclusion

Staff recommends that the Planning Commission approve the applicant's project with the conditions listed in the Resolution. The proposed use complies with the Multiple Family Residential (R-3) Development Standards and the City's Land Use Element of the General Plan.

FISCAL IMPACT

None.

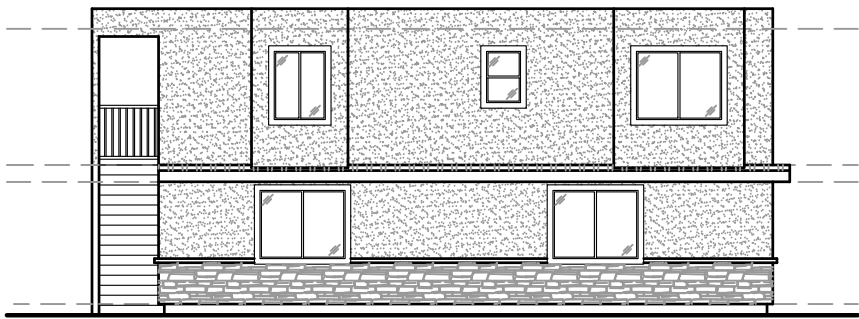
- Attachment:
1. 10912 Walnut St_9-21-2023
 2. 10912 Walnut 3D_9-21-2023
 3. Sample Board 1
 4. Sample Board 2
 5. Resolution (1)

TABLE OF CONTEXT:

TS	TITLE SHEET
SP	EXISTING SITE/ ROOF PLAN
A1.0	PROPOSED FLOOR PLAN (1ST FLOOR)
A1.1	PROPOSED FLOOR PLAN (2ND FLOOR)
A1.2	PROPOSED FLOOR PLAN (3RD FLOOR)
A2.0	PROPOSED ELEVATIONS (GARAGES 1-4/ UNITS 1-4)
A2.1	PROPOSED ELEVATIONS (GARAGES 1-4/ UNITS 1-4)
A2.2	PROPOSED ELEVATIONS (STORAGE & GARAGE #5/ ADU)
A3.0	PROPOSED COLOR ELEVATIONS
A3.1	PROPOSED COLOR ELEVATIONS CONT.
A3.2	PROPOSED COLOR ELEVATIONS CONT.

MAGNUM PROPERTY LLC

10912 WALNUT ST., LOS ALAMITOS, CA 90720



CODE ANALYSIS:

APPLICANT/ DEVELOPER SHALL COMPLY WITH APPLICABLE PROVISIONS OF:

2022 CALIFORNIA RESIDENTIAL CODE
2022 CALIFORNIA BUILDING CODE
2022 CALIFORNIA PLUMBING CODE
2022 CALIFORNIA ELECTRICAL CODE
2022 CALIFORNIA MECHANICAL CODE
2022 CALIFORNIA FIRE CODE
2022 GREEN BUILDING CODE
2022 CALIFORNIA ENERGY CODE

W/ CITY OF LOS ALAMITOS AMENDMENTS

LOT COVERAGE:

GARAGE #1-5 + STORAGE+
A.D.U. STAIRS @1ST FLOOR: 2,552 SQ.FT.

2,552 SQ.FT./ 7,500 SQ.FT.= 34%

LANDSCAPE PERCENTAGE:

1,348 SQ.FT./ 7,500 SQ.FT.= 18%

PROJECT SUMMARY:

PROPOSED UNIT 1 @ 2ND FLOOR:	854 SQ.FT.
PROPOSED UNIT 2 @ 2ND FLOOR:	963 SQ.FT.
PROPOSED UNIT 3 @ 3RD FLOOR:	854 SQ.FT.
PROPOSED UNIT 4 @ 3RD FLOOR:	963 SQ.FT.
PROPOSED A.D.U @2ND FLOOR ABOVE STORAGE/ GARAGE #5:	752 SQ.FT.
TOTAL LIVING AREA:	4,386 SQ.FT.

PROPOSED BALCONY
UNIT 1 @ 2ND FLOOR: 60 SQ.FT.

PROPOSED BALCONY
UNIT 2 @ 2ND FLOOR: 60 SQ.FT.

PROPOSED BALCONY
UNIT 3 @ 3RD FLOOR: 60 SQ.FT.

PROPOSED BALCONY
UNIT 4 @ 3RD FLOOR: 60 SQ.FT.

PROPOSED GARAGE #1
@ 1ST FLOOR: 434 SQ.FT.

PROPOSED GARAGE #2
@ 1ST FLOOR: 425 SQ.FT.

PROPOSED GARAGE #3
@ 1ST FLOOR: 434 SQ.FT.

PROPOSED GARAGE #4
@ 1ST FLOOR: 425 SQ.FT.

PROPOSED GARAGE #5
@ 1ST FLOOR: 425 SQ.FT.

PROPOSED STORAGE
@ 1ST FLOOR: 327 SQ.FT.

SCOPE OF WORK:

*PROPOSED 854 SQ.FT. UNIT 1 LOCATED @ 2ND FLOOR ABOVE (N) 434 SQ.FT. GARAGE #1 & (N) 425 SQ.FT.GARAGE #2 @ 1ST FLOOR. -(N) 60 SQ.FT. BALCONY FOR UNIT 1

*PROPOSED 963 SQ.FT. UNIT 2 LOCATED @ 2ND FLOOR ABOVE (N) 434 SQ.FT. GARAGE #3 & (N) 425 SQ.FT.GARAGE #4 @ 1ST FLOOR. -(N) 60 SQ.FT. BALCONY FOR UNIT 2

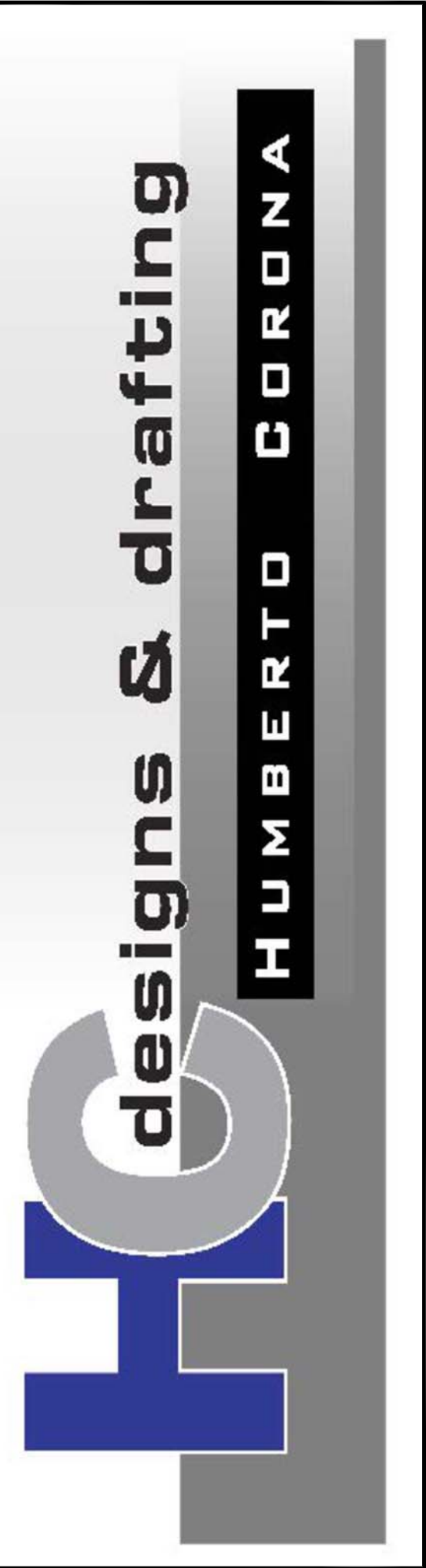
*PROPOSED 854 SQ.FT. UNIT 3 LOCATED @ 3RD FLOOR. -(N) 60 SQ.FT BALCONY FOR UNIT 3

*PROPOSED 963 SQ.FT. UNIT 4 LOCATED @ 3RD FLOOR -(N) 60 SQ.FT. BALCONY FOR UNIT 4

*PROPOSED 752 SQ.FT. ACCESSORY DWELLING UNIT @ 2ND FLOOR ABOVE (N) 327 SQ.FT. STORAGE & (N) 425 SQ.FT. GARAGE #5 @ 1ST FLOOR.

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OFFICE: 562. 514.2322
hcdesigns.drafting@yahoo.com

REVISIONS :

DATE	DESCRIPTION

CLIENT :

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11662 WEATHBY RD
LOS ALAMITOS, CA 90720
562.481.6227
NFARAJI@GMAIL.COM

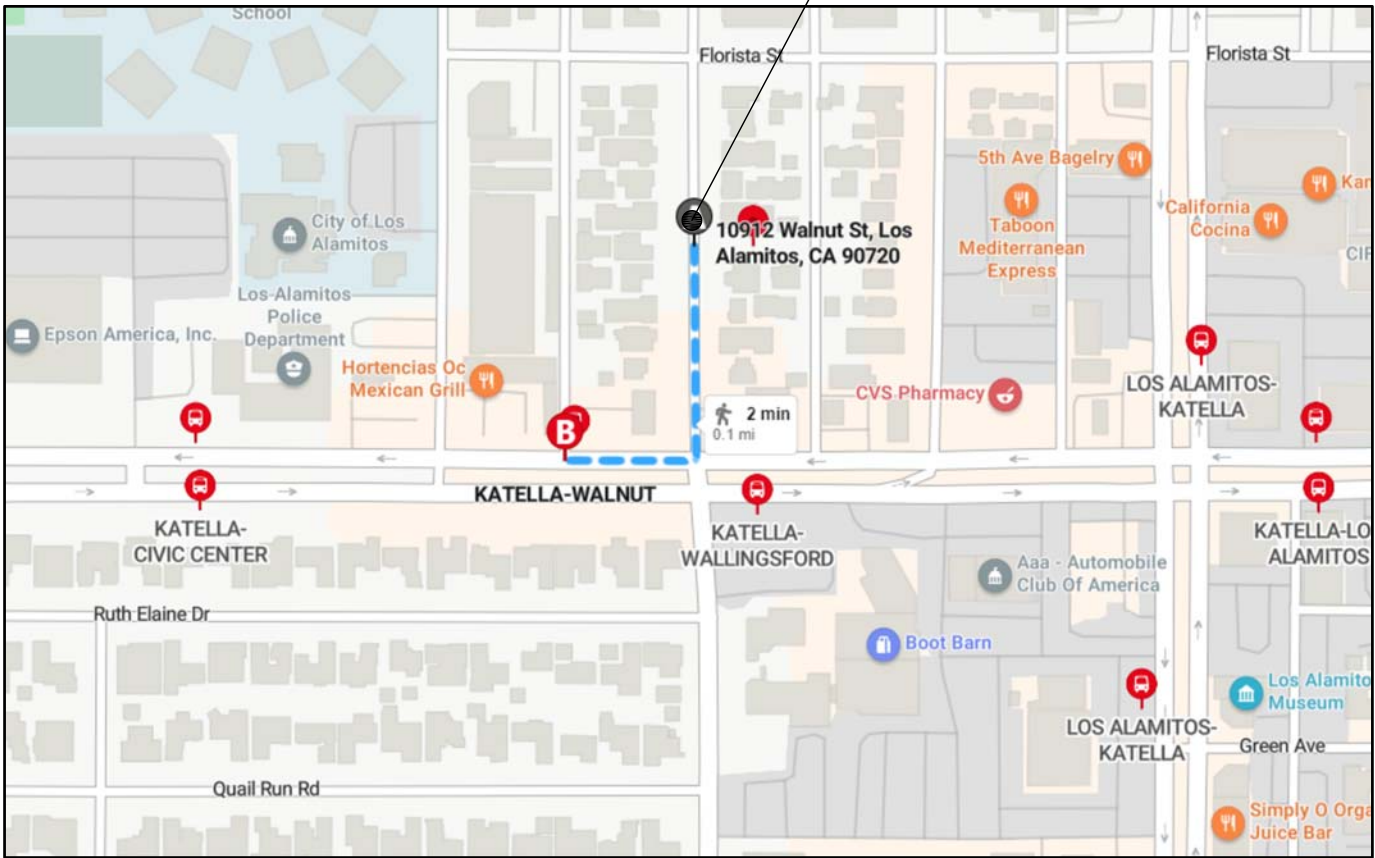
LOCATION :

10912 WALUNT ST
LOS ALAMITOS, CA 90720

date: MAY 2023	drawn by: H.C.
scale: NONE	title: TITLE SHEET
sheet:	TS

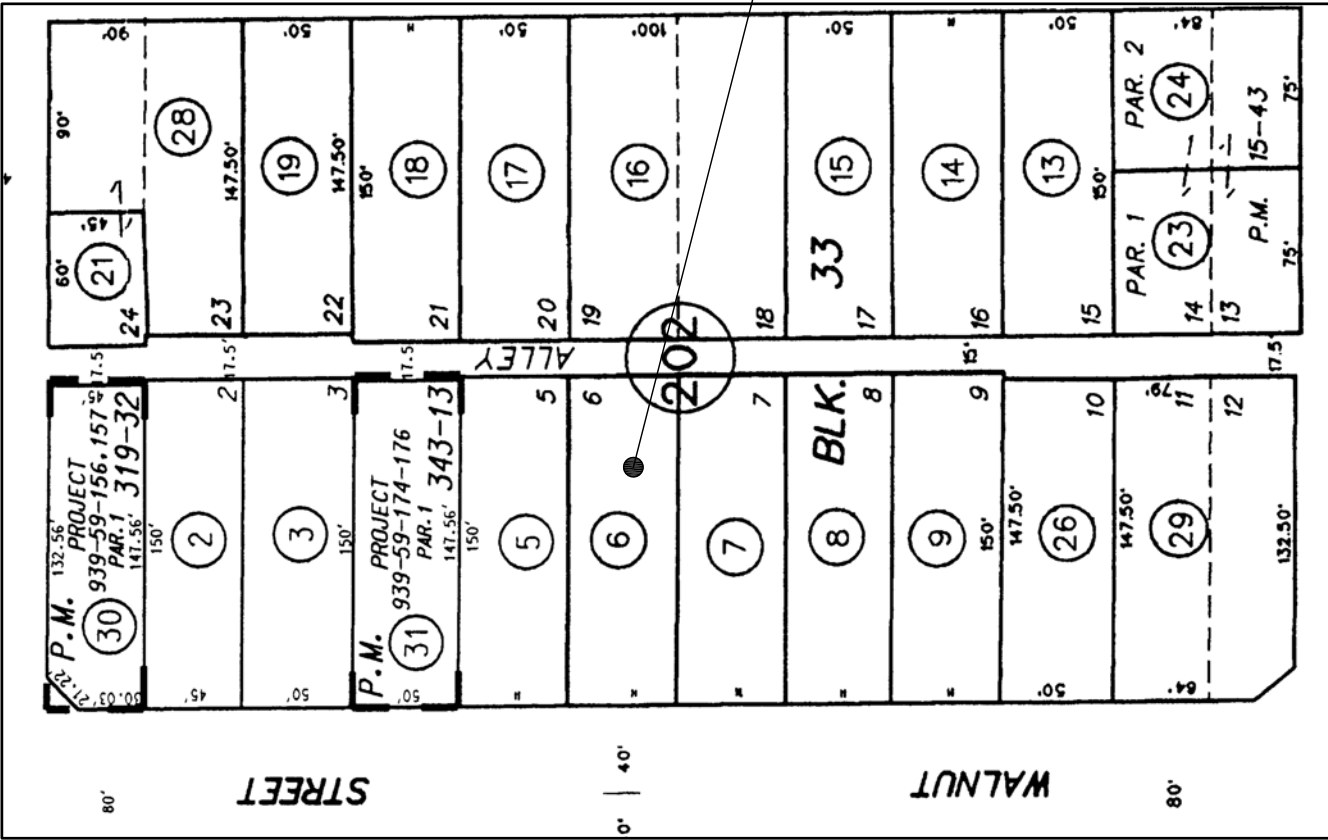
VICINITY MAP:

0.2 MI
PROJECT LOCATION



PARCEL MAP:

PROJECT LOCATION



LOT DATA:

A.P.N.: 242-202-06

LOT SIZE: 7,500 SQ. FT.

ZONE: R-3

FIRE SPRINKLERED: NO

CONSTRUCTION: TYPE V-B

OCCUPANCY: R-3/ U

DIG ALERT (811) IS TO BE CONTACTED AND MUST COMPLY WITH EXCAVATION SAFETY IN ACCORDANCE WITH GOVERNMENT CODE 4216 WILL BE FOLLOWED PRIOR TO ANY EXCAVATION TAKING PLACE.

X

ACKNOWLEDGEMENT OF OWNER OR CONTRACTOR REPRESENTING OWNER

NOTE:

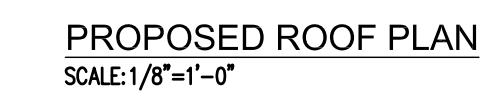
PRIOR TO COMMENCEMENT OF WORK, IT'S OWNER'S/ CONTRACTOR RESPONSIBILITY TO VERIFY ALL PROPERTY LINES. A PROFESSIONAL SURVEYOR IS RECOMMENDED IF OWNER/ CONTRACTOR CAN NOT DETERMINE SUCH PROPERTY LINE. DESIGNER/ ENGINEER SHOULD BE CONTACTED AND NOTIFY OF ANY DISCREPANCIES PRIOR TO BEGINNING OF WORK.

DATE	DESCRIPTION

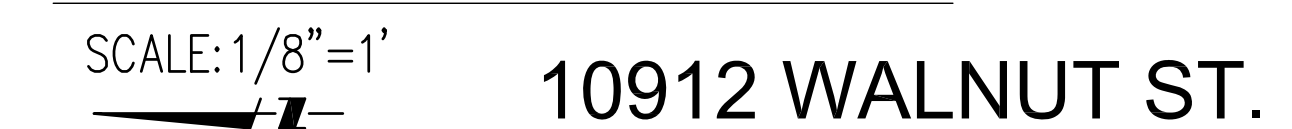
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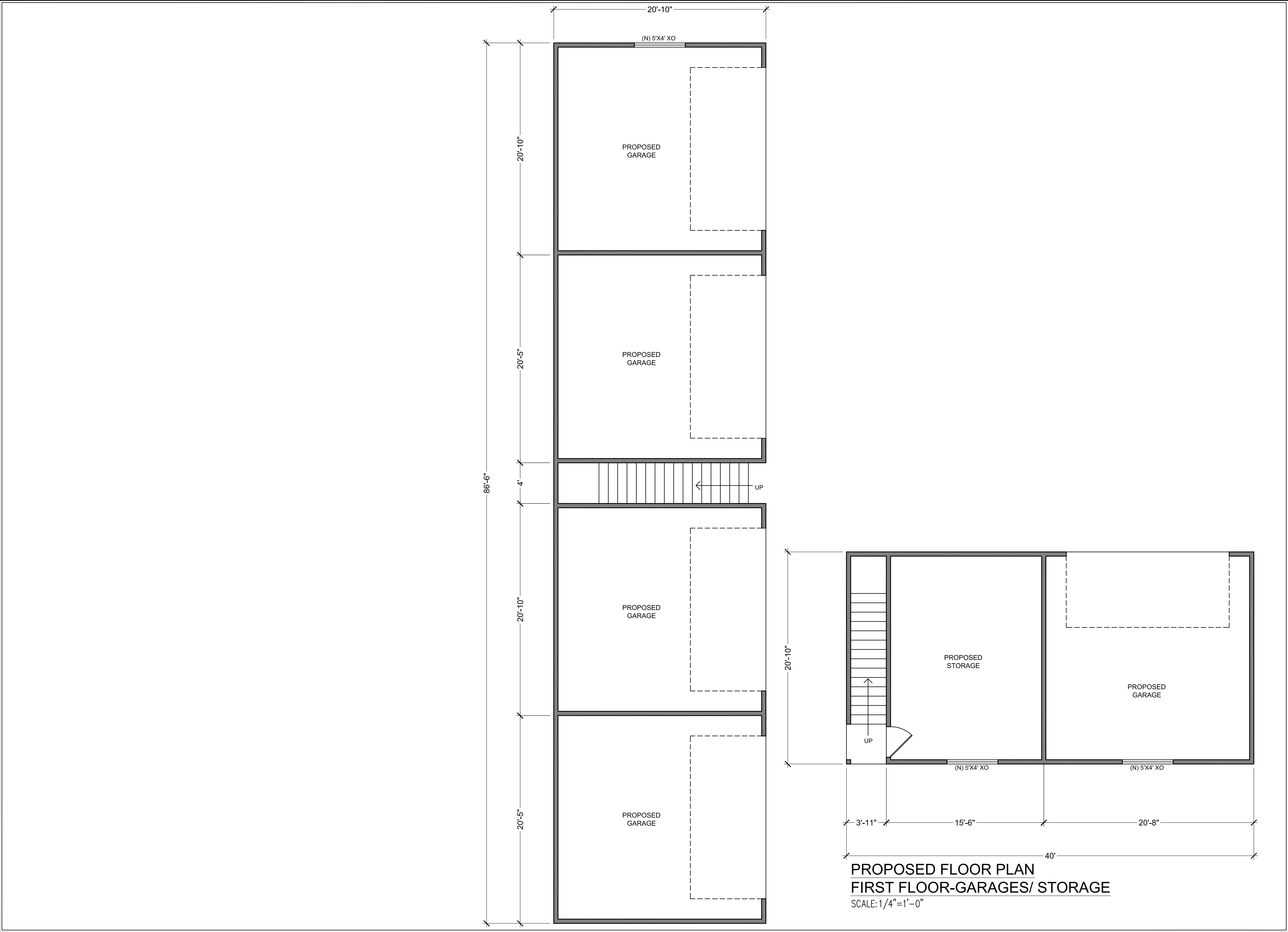
10912 WALUNT ST
LOS ALAMITOS, CA 90720

SP



EXISTING SITE PLAN





PROPOSED FLOOR PLAN
FIRST FLOOR-GARAGES/ STORAGE
SCALE: 1/4"=1'-0"

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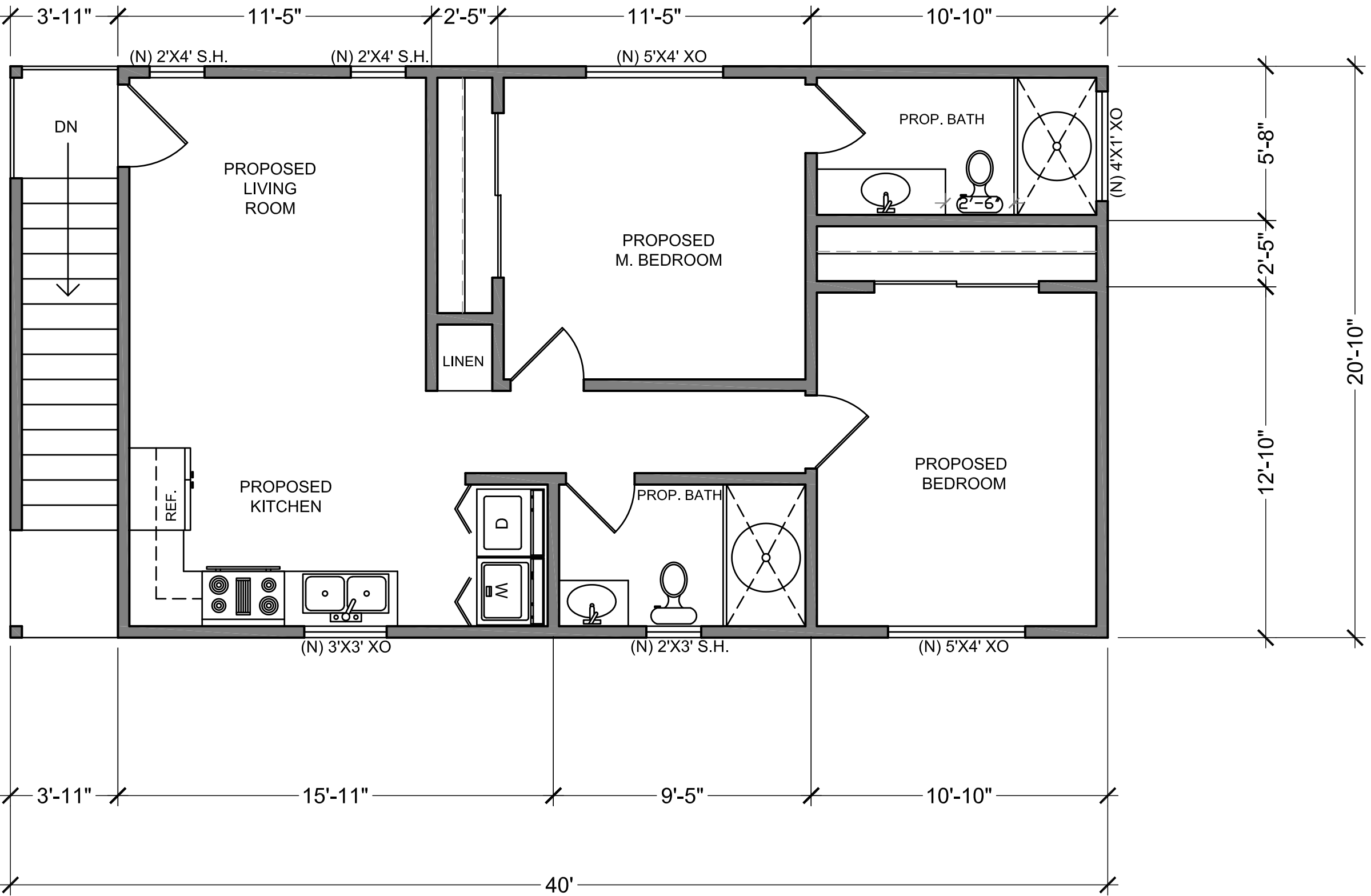
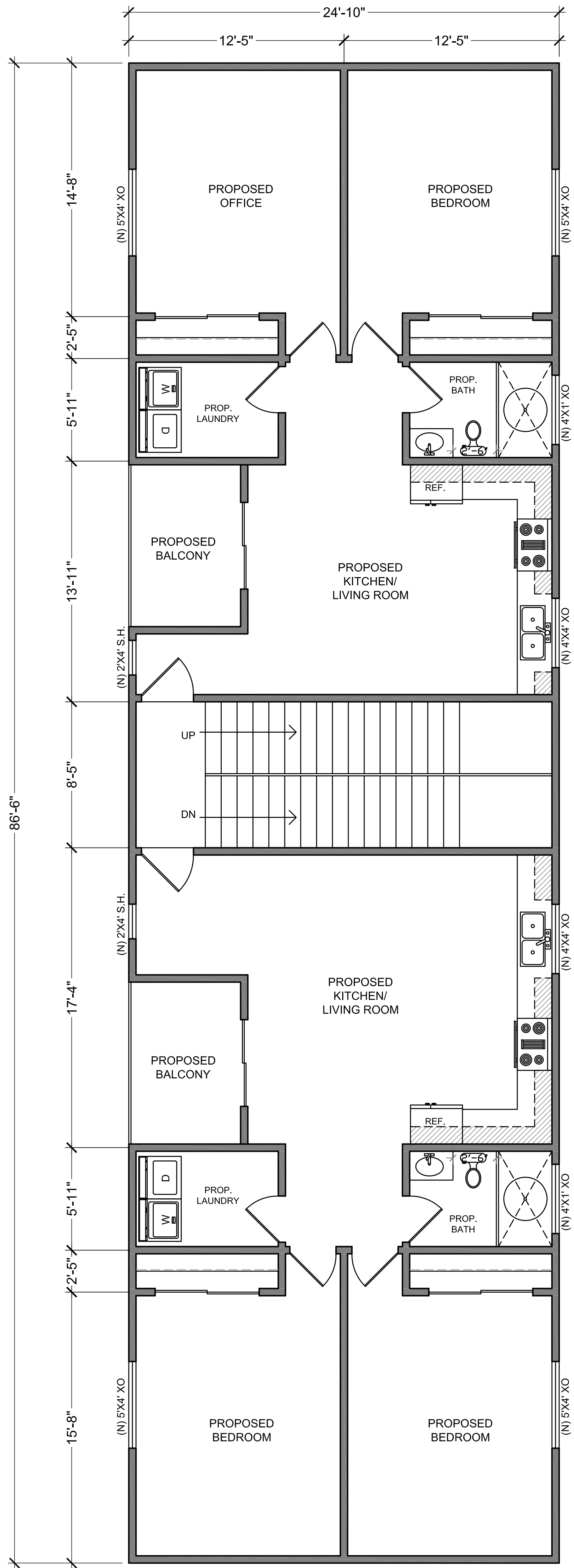
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scale: 1/4"=1'	title: PROPOSED 1ST FLOOR
sheet: A1.0	



PROPOSED FLOOR PLAN
2ND FLOOR- UNITS 1&2/ A.D.U.
SCALE: 1/4"=1'-0"

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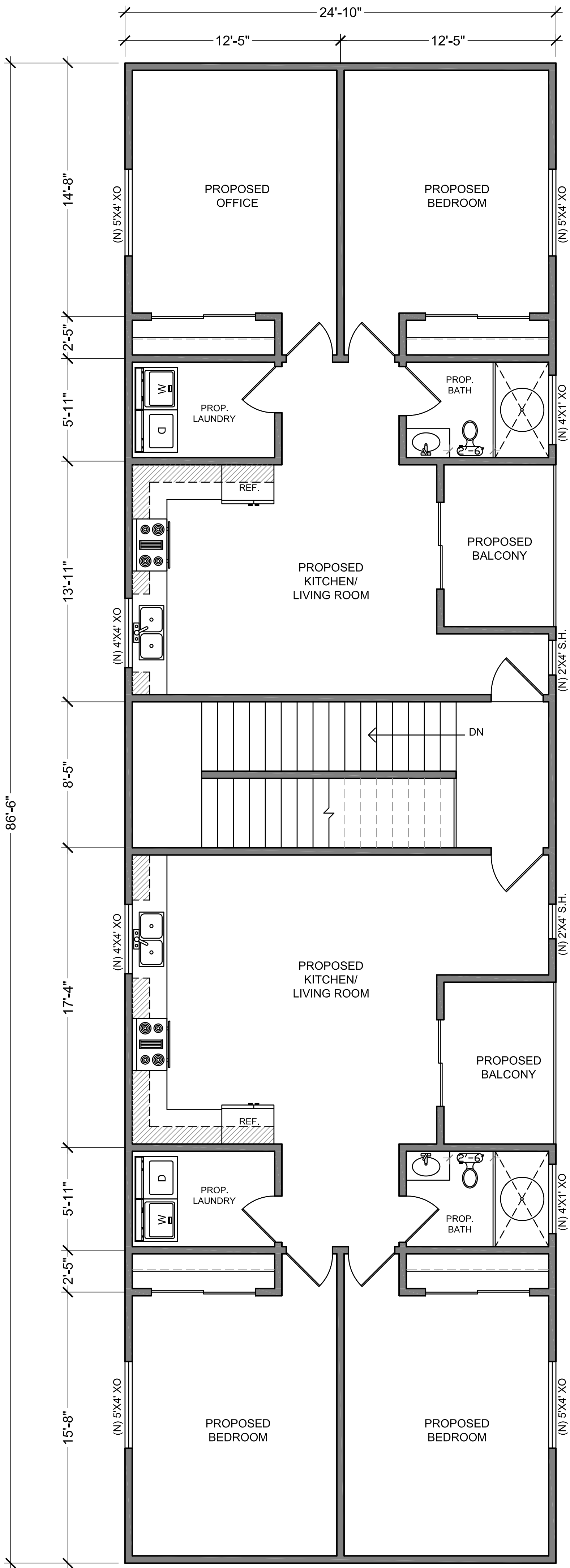
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scale: 1/4"=1'	title: PROPOSED 2ND FLOOR
sheet:	A1.1



PROPOSED FLOOR PLAN
3RD FLOOR-UNITS 3 & 4
SCALE: 1/4"=1'-0"

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scale: 1/4"=1'	title: PROPOSED 3RD FLOOR
sheet:	A1.2

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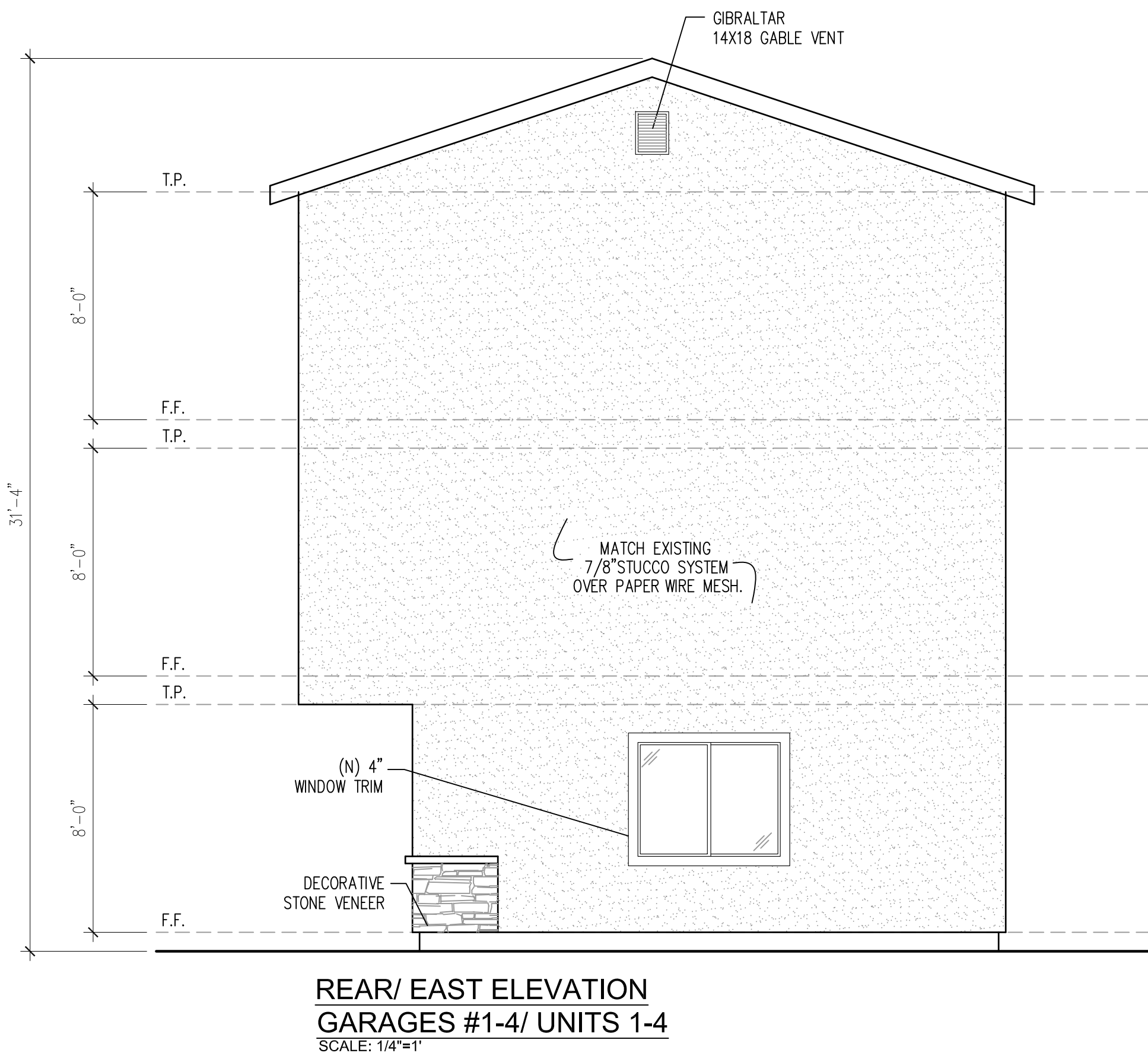
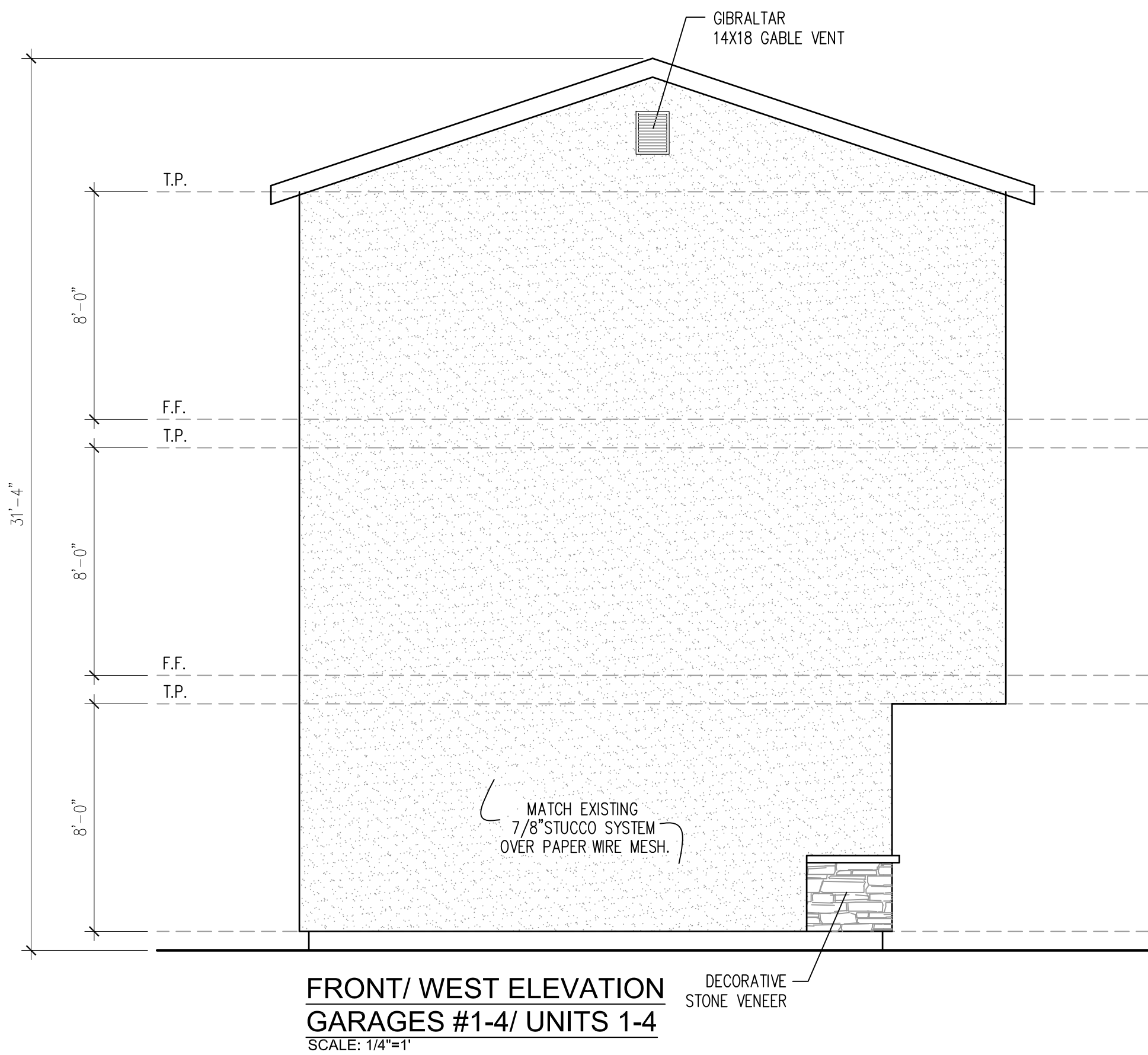
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date: MAY 2023	drawn by: H.C.
scale: 1/4"=1'	title: PROPOSED ELEVATIONS

sheet:
A2.0



NOTE: WOOD FRAMING MEMBERS THAT REST ON CONCRETE OR MASONRY EXTERIOR FOUNDATION LESS THAN 8 INCHES FROM EXPOSED EARTH SHALL BE OF NATURALLY DURABLE OR PRESERVATIVE-TREATED WOOD.

REQUIRE DRIP EDGE AT EAVES AND RAKE EDGES OF SHINGLE ROOF PER R 905.2.8.5.

VENTILATION:
ATTIC VENTILATION NEEDS TO BE AT LEAST 1/150 OF THE AREA WITH 50% REQUIRED VENTING LOCATED AT LEAST 3' ABOVE EAVE OR CORNICE VENTS WITH THE BALANCE OF REQUIRED VENTING PROVIDED BY EAVES OR CORNICE VENTS AND SHALL HAVE CROSS VENTILATION FOR EACH SEPARATE SPACE. THE AREA OF VENTILATION MAY BE REDUCED TO 1/300 PROVIDED A VAPOR RETARDER IS INSTALLED ON THE WARM SIDE OF THE ATTIC INSULATION. (2019 CBC 1203.2)

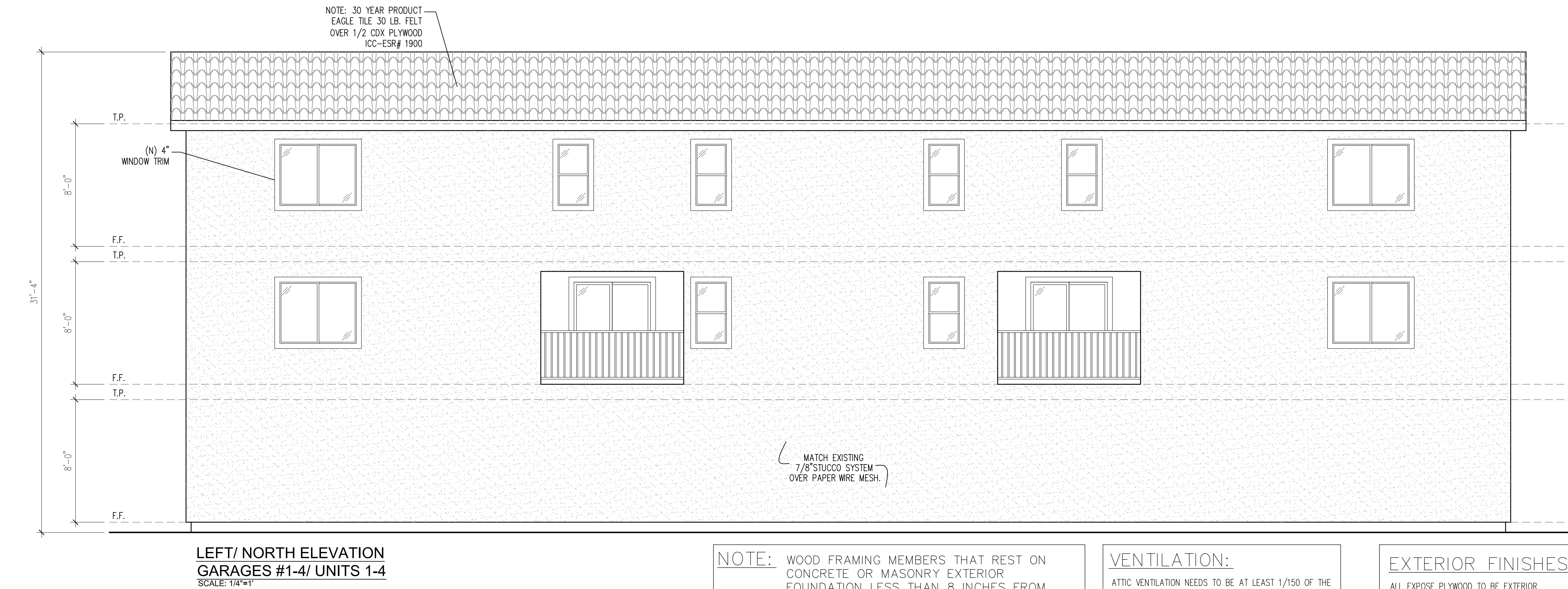
RADIANT BARRIER

*RADIANT BARRIER: THE RADIANT BARRIER SHALL HAVE AN EMITTANCE VALUE OF LESS THAN OR EQUAL TO 0.05 AND BE INSTALLED IN THE UPPER PORTION OF THE BUILDING'S TRUSS/RAFTERS, COVERING THE ENTIRE ROOF/ATTIC (INCLUDING ALL GABLE END), WITH THE REFLECTIVE SURFACE FACING DOWN TOWARD THE ATTIC.

EXTERIOR FINISHES
ALL EXPOSE PLYWOOD TO BE EXTERIOR GRADE.
ALL EXPOSE TRIM AND PLYWOOD TO BE RESAWN.

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ROOF COVERINGS SHALL BE MIN. CLASS 'A' ASSEMBLY

TYPICAL ROOF OVERHANG AT RAKE CONDITION TO BE 12" UNLESS NOTED OTHERWISE ON PLAN
EXTERIOR LATH: PROVIDE TWO LAYERS OF GRADE D PAPER OVER ALL WOOD BASE SHEATHING.



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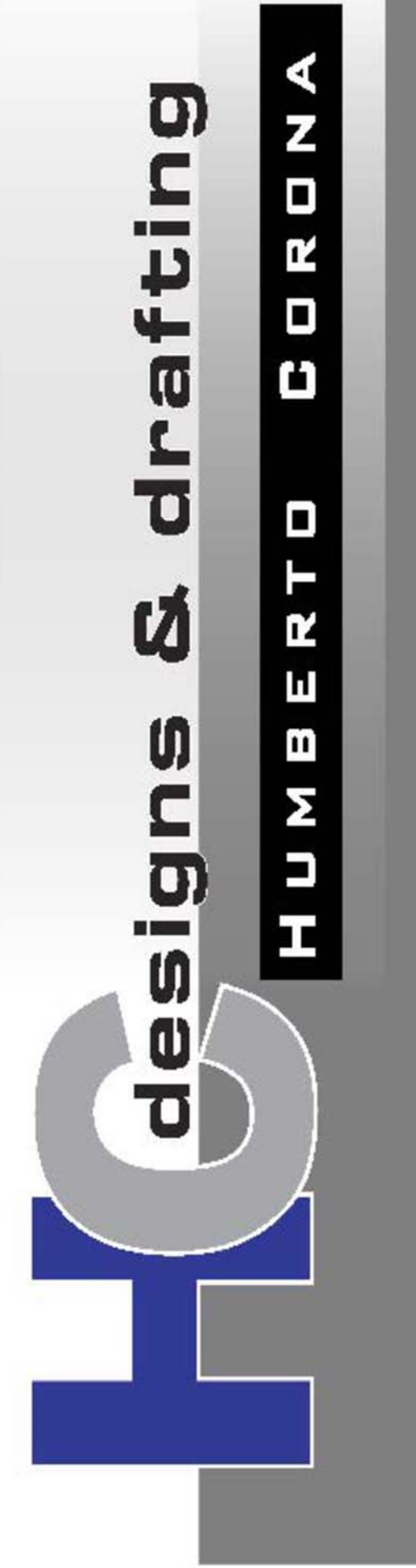
LOCATION :

10912 WALUNT ST
LOS ALAMITOS, CA 90720

date: MAY 2023	drawn by: H.C.
scale: 1/4"=1'	title: PROPOSED ELEV. CONT.
sheet: A2.1	

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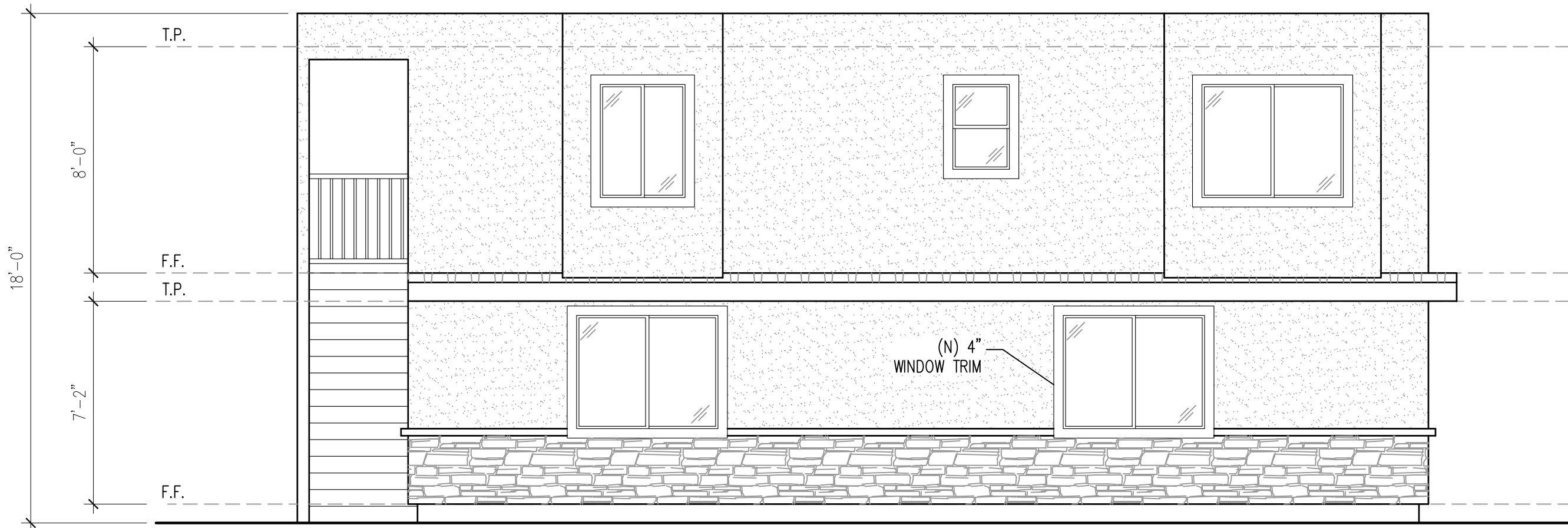
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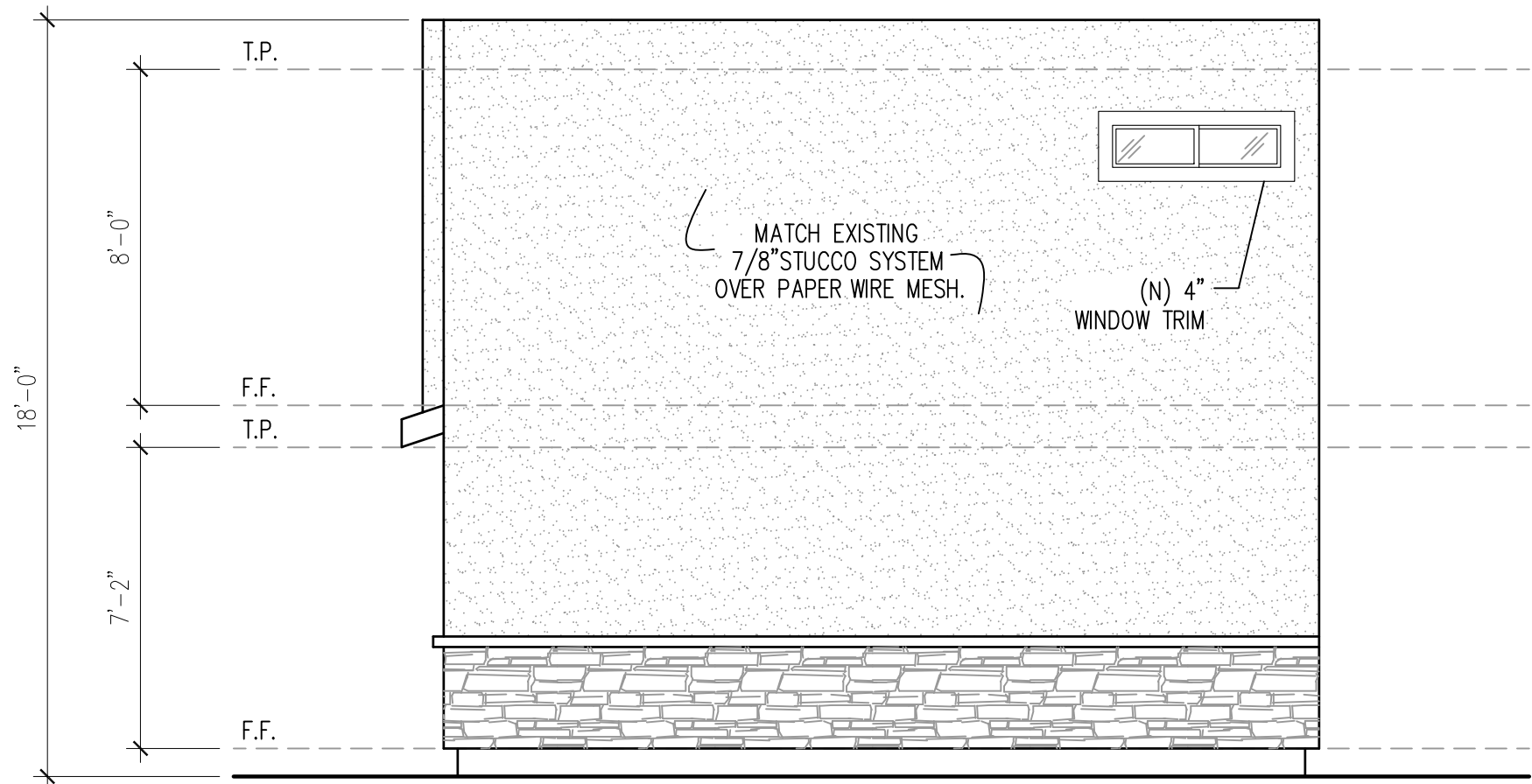
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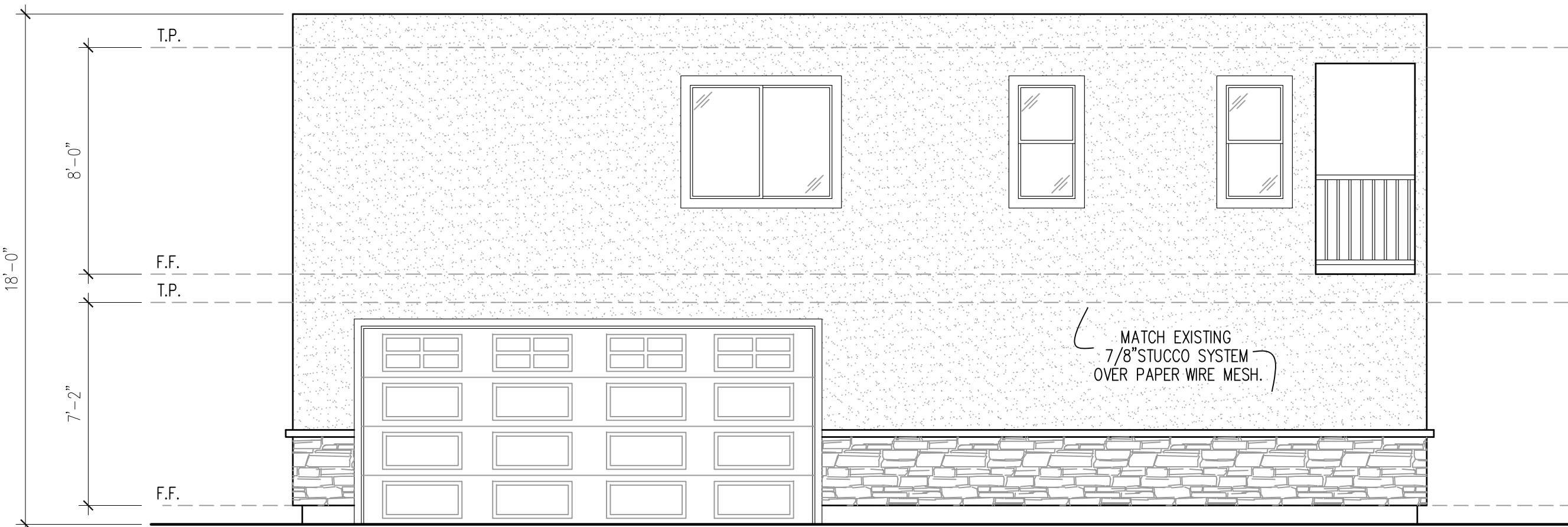
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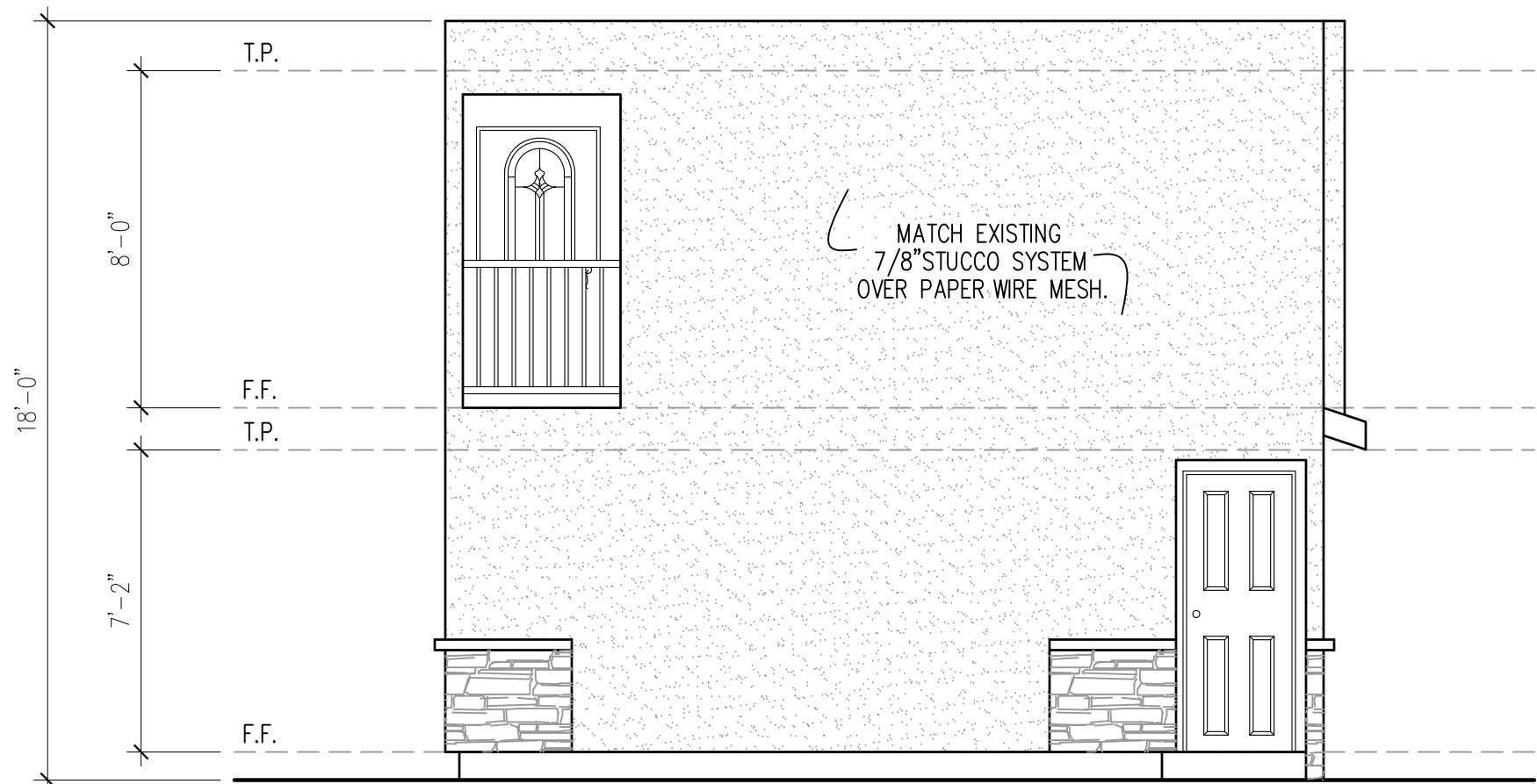
FRONT/ WEST ELEVATION
STORAGE & GARAGE #5/ A.D.U.
SCALE: 1/4"=1'



RIGHT/ SOUTH ELEVATION
STORAGE & GARAGE #5/ A.D.U.
SCALE: 1/4"=1'



REAR/ EAST ELEVATION
STORAGE & GARAGE #5/ A.D.U.
SCALE: 1/4"=1'



LEFT/ NORTH ELEVATION
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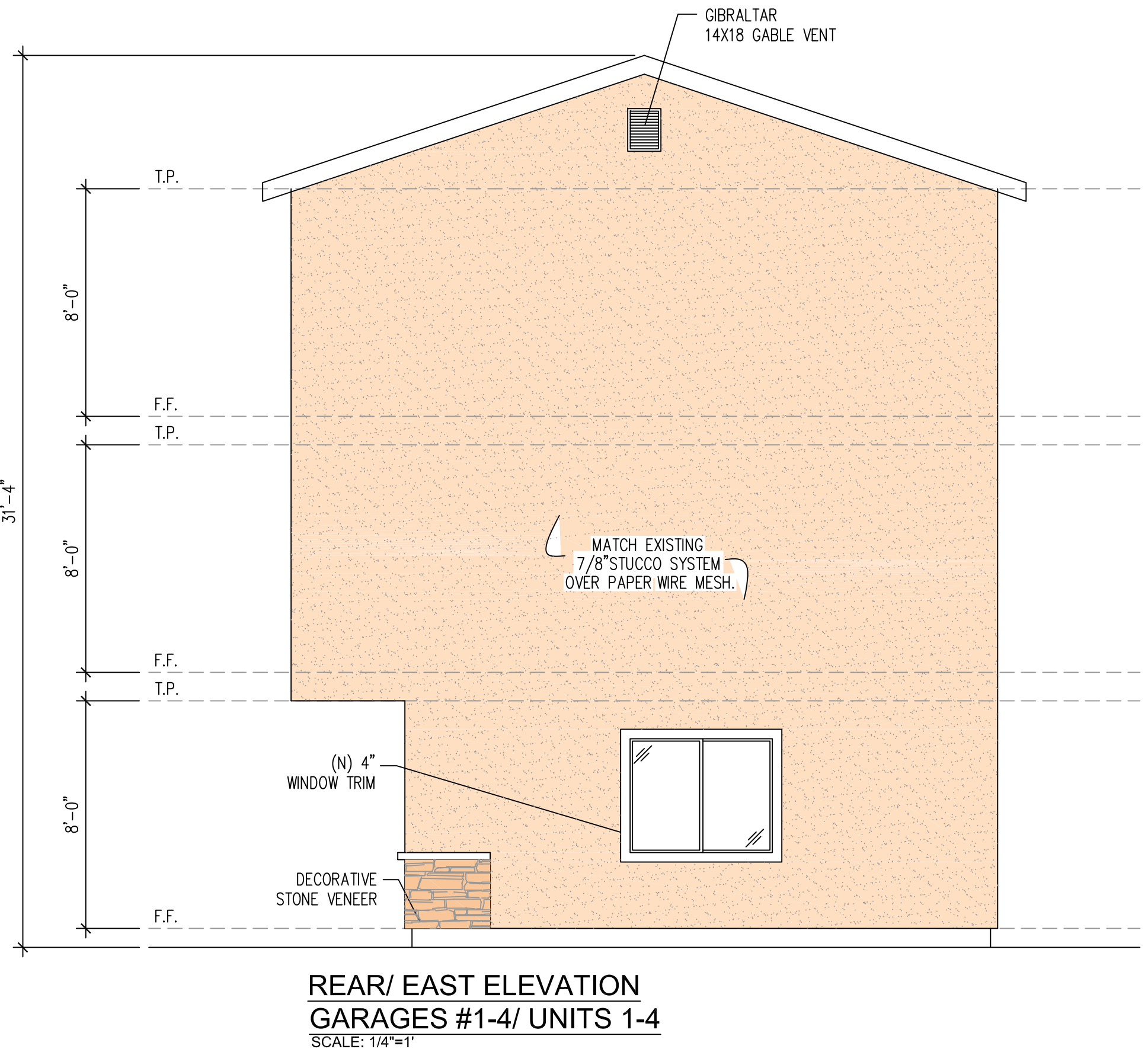
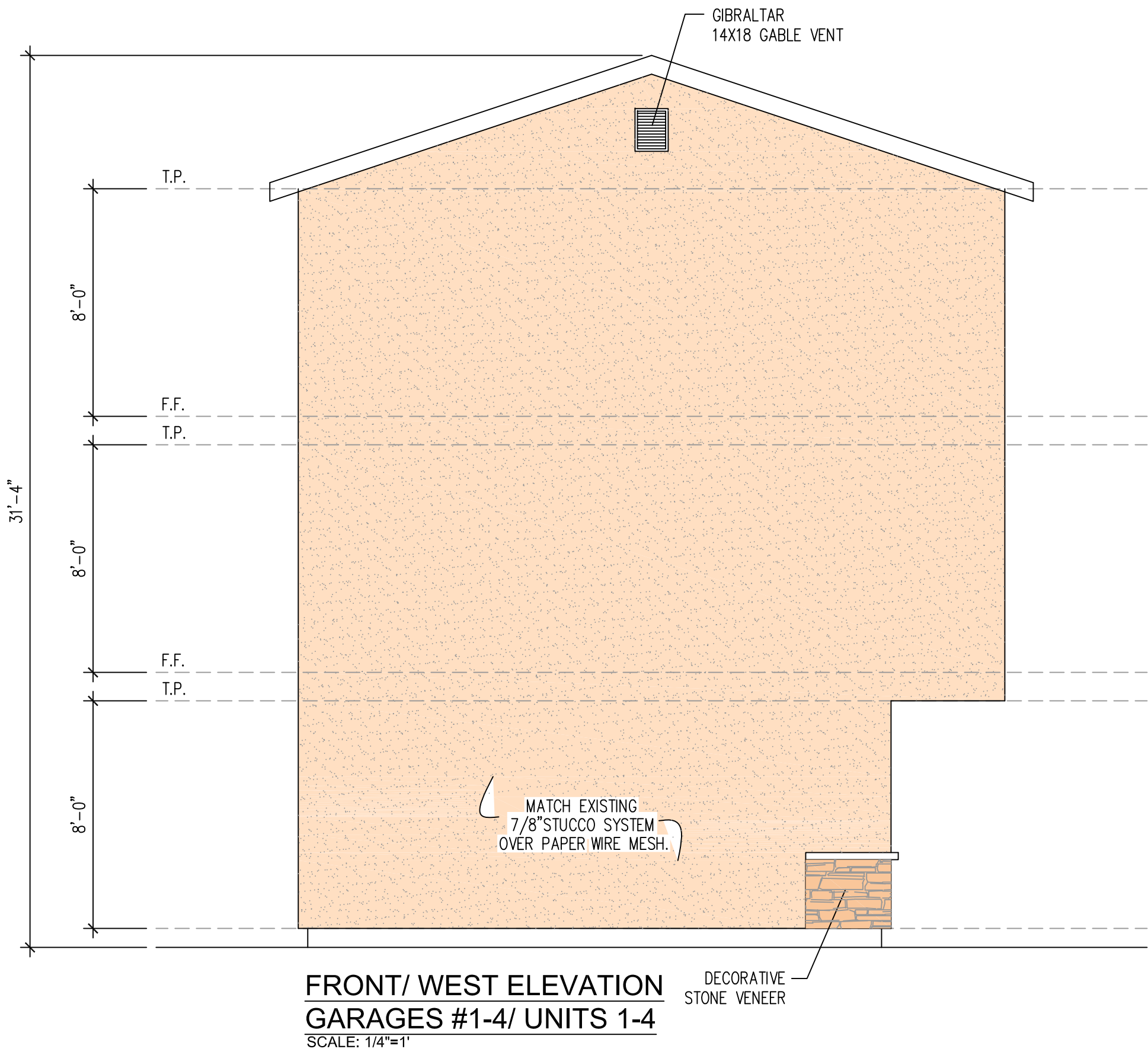
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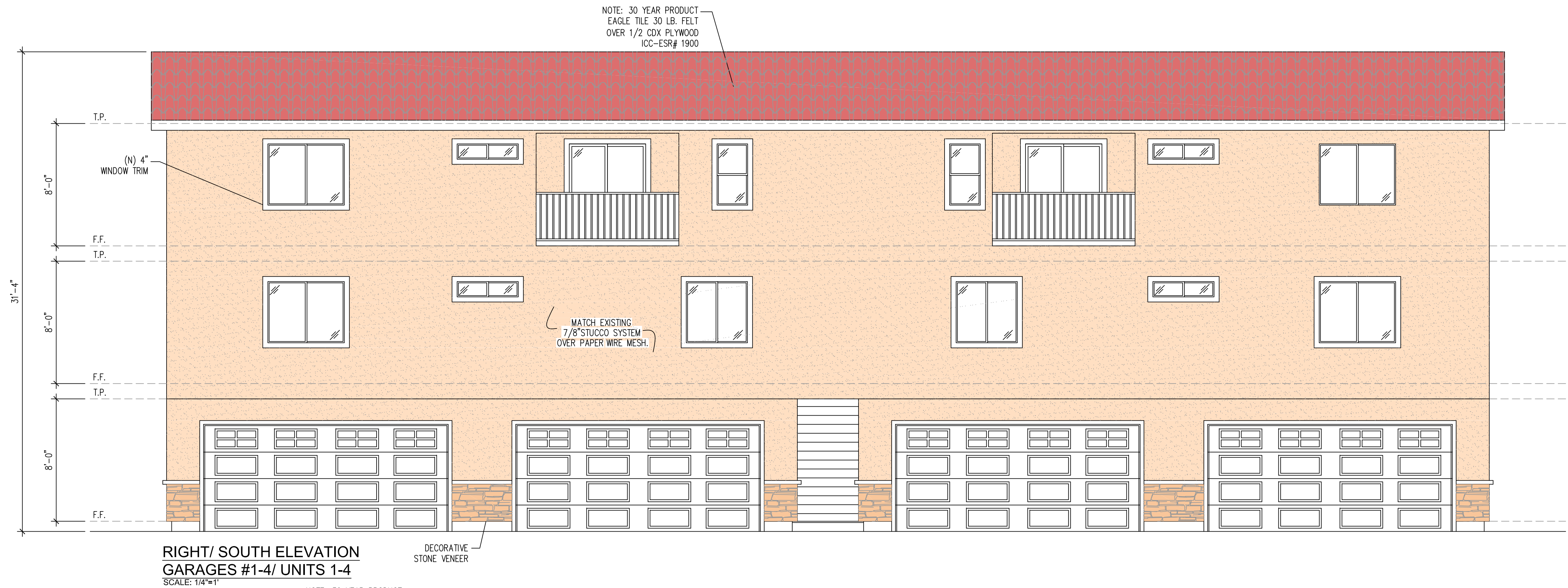
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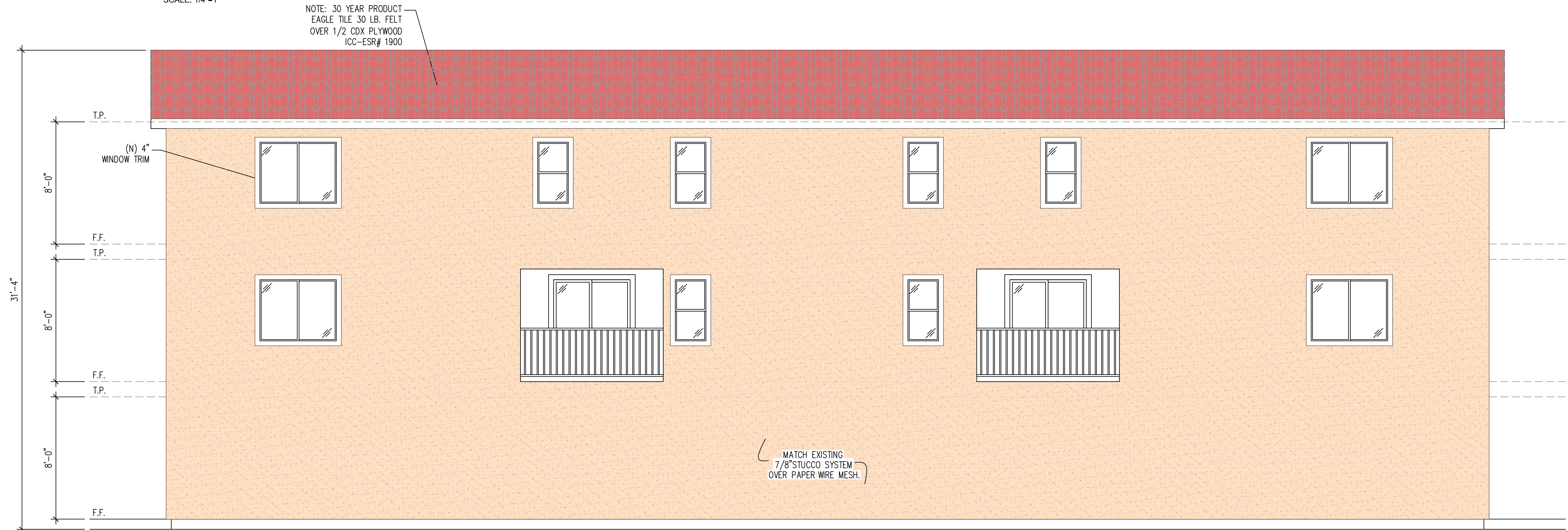
date: MAY 2023	drawn by: H.C.
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sheet: A3.0	



NOTE:
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FOR MATERIAL NAMES
AND/OR MODEL NUMBERS



RIGHT/ SOUTH ELEVATION
GARAGES #1-4/ UNITS 1-4
SCALE: 1/4"=1'



LEFT/ NORTH ELEVATION
GARAGES #1-4/ UNITS 1-4
SCALE: 1/4"=1'

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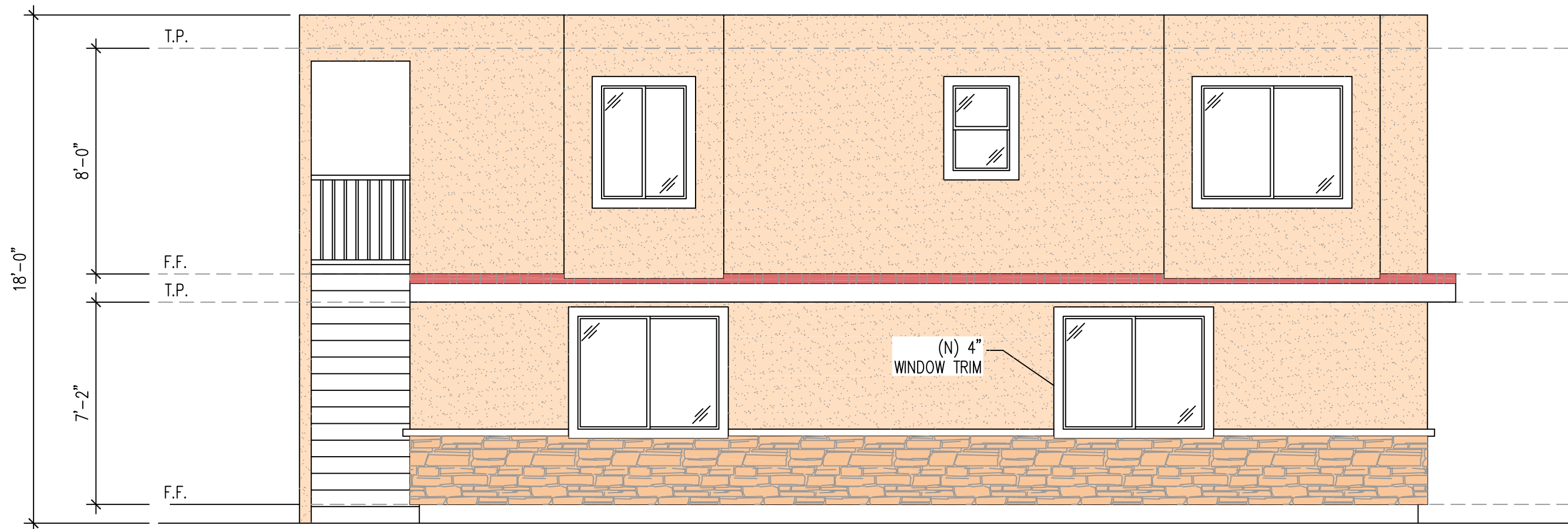
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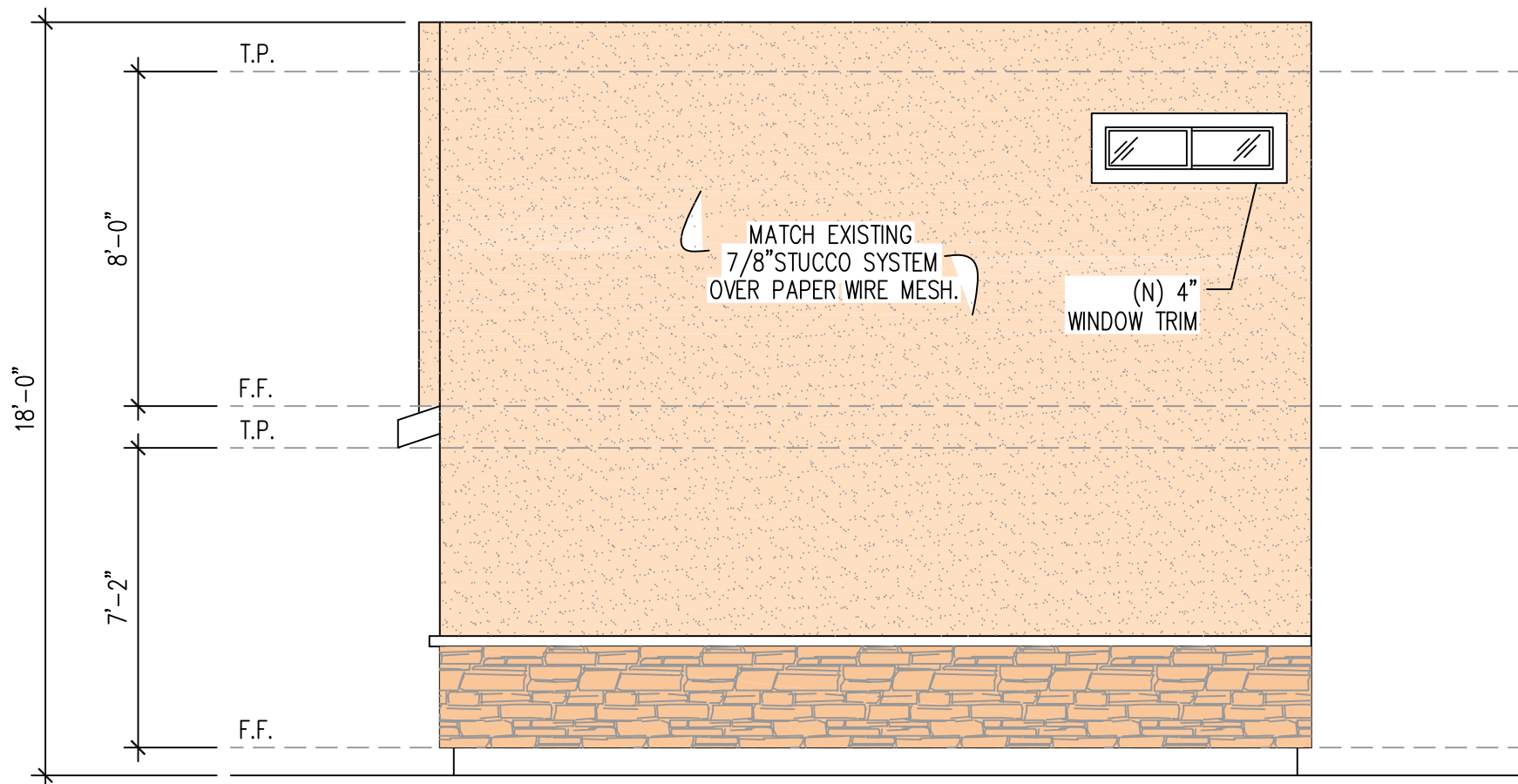
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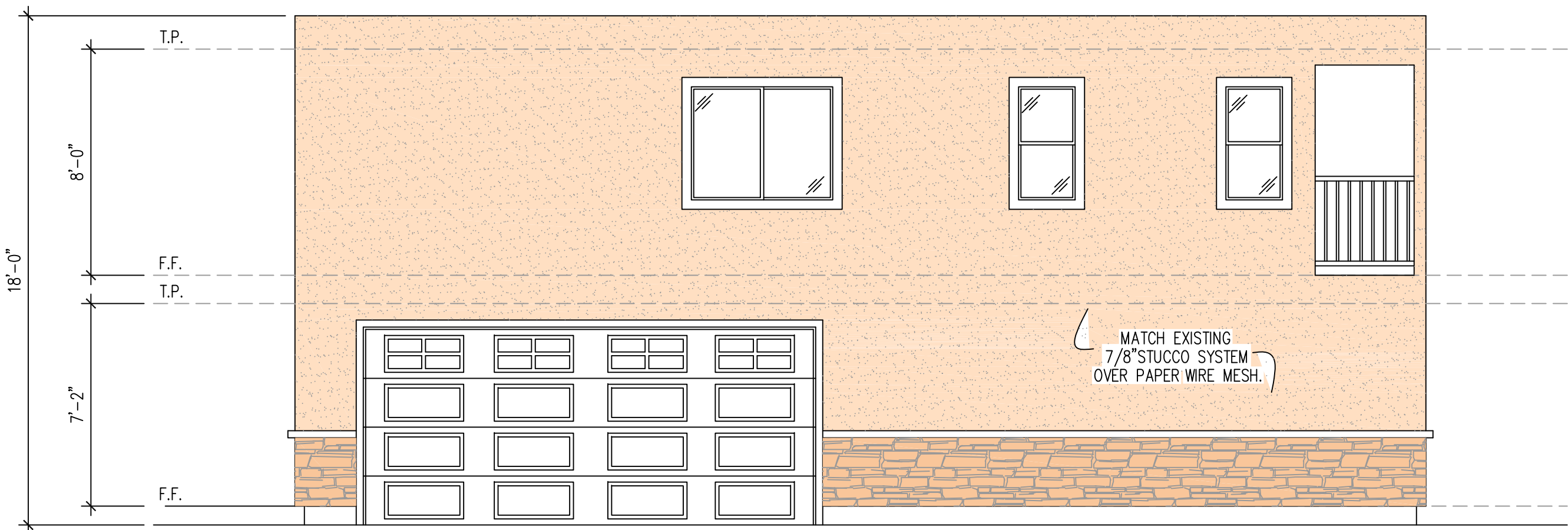
Page 29 of 64



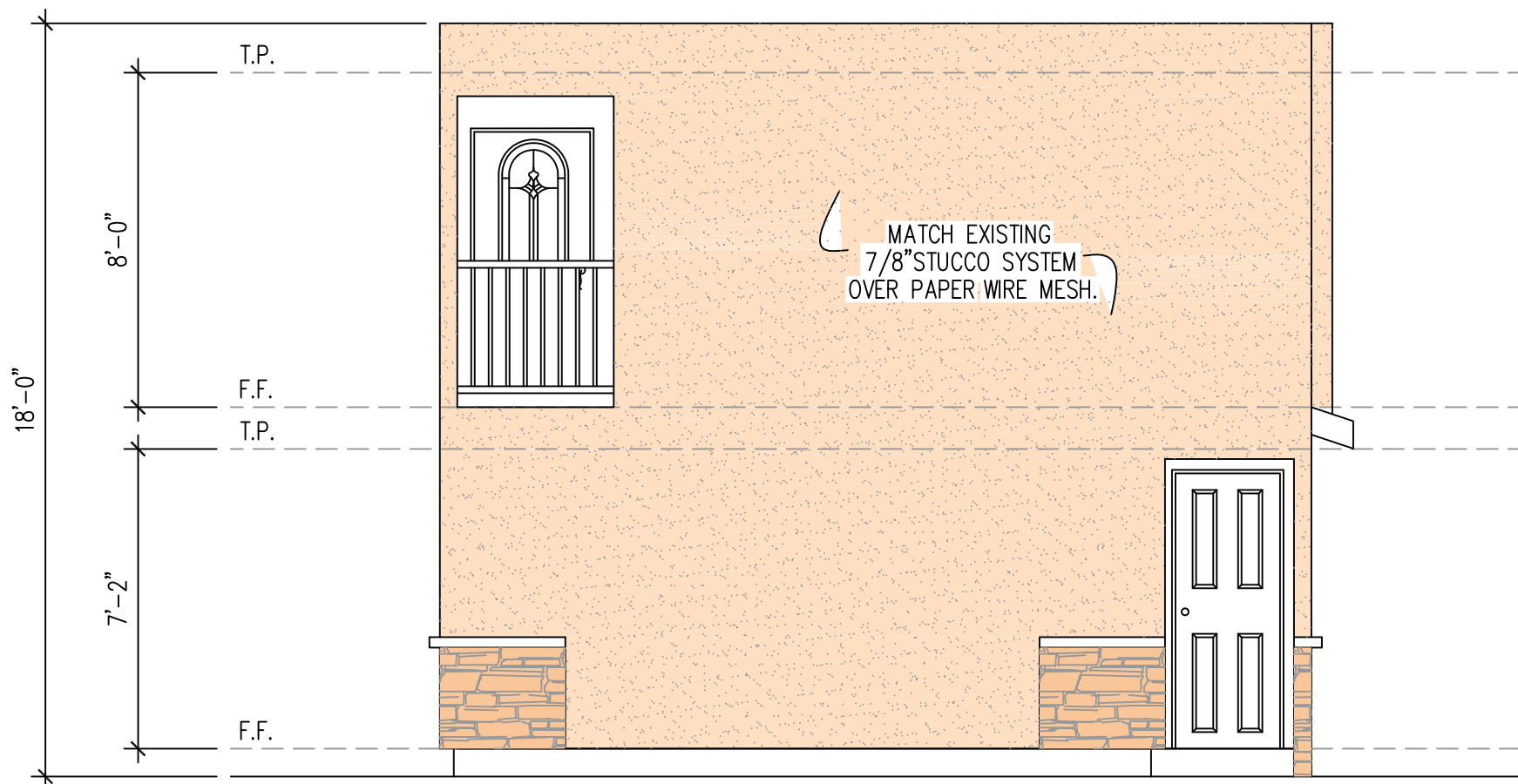
FRONT/ WEST ELEVATION
STORAGE & GARAGE #5/ A.D.U.
SCALE: 1/4"=1'



RIGHT/ SOUTH ELEVATION
STORAGE & GARAGE #5/ A.D.U.
SCALE: 1/4"=1'



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STORAGE & GARAGE #5/ A.D.U.
SCALE: 1/4"=1'



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sheet:	A3.2







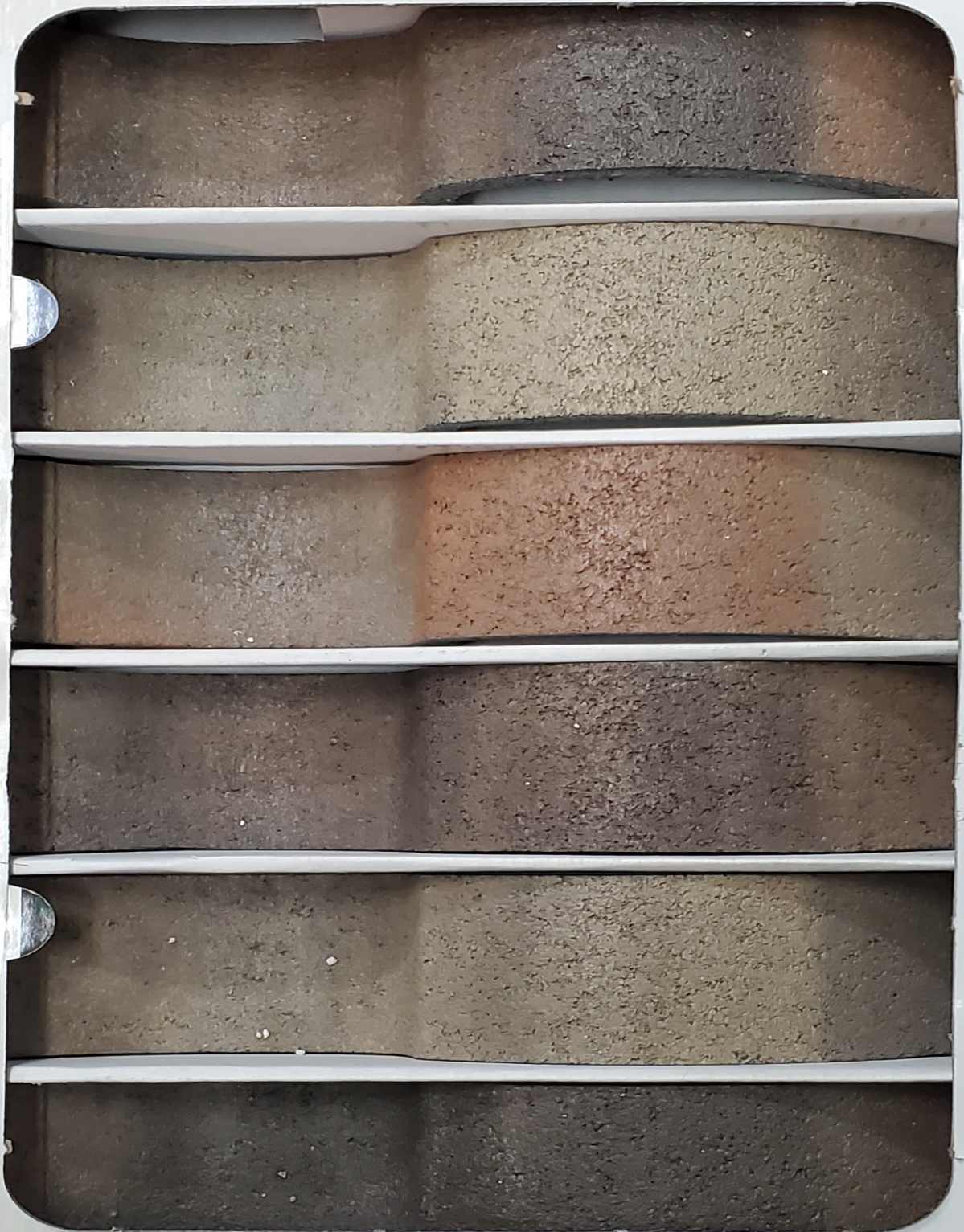
Standard Select



Notice: This tile is from a factory-blended color range consisting of several colors or darker pigments that create a pleasing effect on the roof. It is necessary to keep several tiles in order to maintain the blended appearance.



573



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Lightweight, Firesafe Roof Tile

USA Owned. USA Made.

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10912 WALNUT ST SAMPLE OF MOUNTAIN LEDGE DURANGO



PC RESOLUTION NO. 2023-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT (SDP) 23-01 TO PERMIT CONSTRUCTION OF A 3,634 SQUARE FOOT, THREE-STORY, FOUR UNIT BUILDING PROJECT ON A VACANT PARCEL AT 10912 WALNUT STREET IN THE MULTIPLE-FAMILY RESIDENTIAL ZONE (R-3), APN 242-202-06 (APPLICANT: SIRAJ ABOULHOSN).

WHEREAS, an application for a Site Development Permit was submitted by Siraj Aboulhosen on behalf of the property owner of 10912 Walnut Street for approval a 3,634 square foot, three-story, four unit building on a vacant parcel at 10912 Walnut Street on a vacant in the Multiple Family Residential (R-3) Zoning District; and,

WHEREAS, said verified submission constitutes an application as required by Chapter 17.44 Site Development Permit of the Los Alamitos Municipal Code (LAMC); and,

WHEREAS, the Planning Commission considered said application at a duly noticed public hearing on October 25, 2023; and,

WHEREAS, at this public hearing the Applicant, Applicant's representatives, and members of the public were provided the opportunity to present written and oral testimony.

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

SECTION 1. The Planning Commission of the City of Los Alamitos, California, finds that the above recitals are true and correct.

SECTION 2. The Planning Commission hereby makes the following findings in accordance with Section 17.44.060 of the LAMC, based on all of the evidence presented, both written and oral;

1. The proposed project is allowed within the subject zone: constructing additional residential units, up to the zone density, are a permitted use in the Multiple Family Residential (R-3) Zoning District.
2. The proposed project complies with all of the applicable criteria identified in 17.44.030(B) (Application Processing, Filing, and Review—Generally), which include:

i. Compliance with this title and all other applicable City regulations and policies. The proposed project has been compared to, and complies with, the Los Alamitos Zoning Code (Title 17) and all other applicable City regulations and policies.

ii. Efficient site layout and design; The layout and design of the project are efficient.

iii. Applicable environmental review; Pursuant to the California Environmental Quality Act (CEQA) Guidelines, a categorical exemption for a Section 15332, Class 32, for in-fill development projects, will be prepared for the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines.

iv. Compatibility with neighboring properties and developments with regard to setbacks, building heights, massing, location of parking facilities, and similar site design and building design features that shape how a property appears within a broader, definable neighborhood or zone context; The new structure will be compatible in design for this location, and is of a style that has become customary in this zone of the City. The structure will be newly built and will be easily serviceable and add to the value of the surrounding community. The project area is in the Multiple Family Residential zone and is intended to have limited environmental impact in terms of noise, traffic, odors, hazardous materials use/production, and vibration. The setbacks for the project follow the development standards of the zone.

v. Efficiency and safety of public access and parking and loading facilities; The site will now enter from the alley as required by the current code, and 2.5 feet in the length of the property will be dedicated to the alley for widening,

vi. The compatibility in scale and aesthetic treatment of proposed structures with public areas; The design is in harmony with existing development and has been designed to blend with the existing structure.

vii. The adequacy of proposed driveways, landscaping, parking spaces, onsite and off-site parking, pedestrian improvements; The new addition will be adequately accommodated by the new on-property parking and driveways.

viii. The placement and use of private open space; The addition of private open space through a balcony is included as a part of this project.

ix. The use of design techniques such as façade articulation, use of a smooth stucco building finish, window trim, varied rooflines, and stepped-

back areas to break up building massing; The new structure will meet the minimum standard for design.

x. Privacy considerations with regard to the placement and orientation balconies and windows; There is no view or orientation toward other residential windows and no problematic window placements toward other residential buildings.

xi. Appropriate open space and use of water-efficient landscaping both to enhance overall site design and to provide privacy screening; The Applicant will be required to comply with the City's water conservation ordinances in accordance with Chapter 13.04 (Water Conservation), Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code, and any provisions in the California Green Code.

xii. Consistency with the General Plan and any applicable specific plan; The use is consistent with the R-3 Zone, and with the General Plan through policies such as:

Land Use Policy 4.4 Scale and Character. Ensure that all new development in residential neighborhoods is compatible with the scale and character of the surrounding neighborhood.

And,

Land Use Action 4.5 Development standards. Review development standards in residential zoning districts to provide specific guidance on maximum development intensity, minimum open space, and minimum setback standards to ensure that all new development in residential neighborhoods is compatible with the surrounding scale and character.

xiii. Consistency with any adopted design guidelines, policies, and standards applicable to the property and in particular, the provisions of Section 17.08.045 (Design Standards). There are no design guidelines, policies, or standards applicable in this zone.

3. The proposed project is in keeping with the character of the neighborhood, in terms of the structure(s) general appearance; The design and layout of the structure would not interfere with the neighboring development. It is surrounded by similar homes.

4. The design of the proposed development will provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, texture, and color, and will remain aesthetically appealing and retain an appropriate level of maintenance; The design of the

project and ease of maintenance for this home would provide an acceptable environment for the residents, and the visiting public, and neighbors through a satisfactory use of materials and texture.

The proposed development would not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity; The new residential unit will not change the character of the multiple family residential area, as infill projects are generally a quiet and inconspicuous land use for a city.

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

1. Approval of this application is to approve a 3,634 square foot, three-story, four unit building project on a vacant parcel at 10912 Walnut Street in the Multiple Family Residential (R-3) Zoning District with such additions, revisions, changes or modifications as required by the Planning Commission for Site Development Permit noted thereon, and on file in the Development Services Department (Exhibit A). Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of the plans dated May 2023 (as may be amended during the hearing), a request for an amendment of this approval must be submitted to the Development Services Director. If the Development Services Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Development Services Director without requiring a public meeting.
2. The duration of the Site Development Permit approval shall be twenty-four (24) months from the date the site plan is approved. If construction is commenced within this twenty-four (24) month period and construction is being pursued diligently toward completion, the Site Development Permit approval shall stay in full force and effect.
3. The Development Services Director may, upon receipt in writing from the Applicant before the expiration date, grant an extension of time up to twelve (12) months maximum. If an extension of time is not granted, the Site Development Permit approval shall expire, and a new application shall be made.
4. The Applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or

administrative officers for the subject application. The City will promptly notify the Applicant of any such claim, action or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

5. The property owner/Applicant shall file an Acknowledgment of Conditions of Approval with the Development Services Department within 30 days of final approval of all resolutions. The property owner/Applicant shall be required to record the Acknowledgment of these Conditions of Approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Development Services Department prior to the issuance of any permits.
6. Failure to satisfy and/or comply with the Conditions herein may result in a recommendation to the Planning Commission and/or City Council for revocation of this approval.
7. The Applicant shall comply with applicable City, County, and/or State regulations.
8. The Applicant shall be required to comply with the Seismic Hazards Mapping Act of 1990, including the Guidelines for Evaluating and Mitigating Seismic Hazards in California 1997.
9. All electrical, telephone, CATV and similar utility services, which provide service to the proposed development, shall be installed underground in a manner meeting the approval of the appropriate department or agency, where possible.
10. The Applicant and Applicant's successors in interest shall be responsible for payment of all applicable fees.
11. California Government Section 66020(d)(1) requires that the Applicant be notified of all fees, dedications, reservations, and other exactions imposed on the development for purposes of defraying all or a portion of the cost of public facilities related to development. Fees for regulatory approvals, including planning processing fees, and building permit fees are not included under this noticing requirement.
12. Pursuant to Government Code Section 66020(d)(1), the Applicant is hereby notified that fees, dedications, reservations, and other exactions imposed upon the development, which are subject to notification, are as follows:

Fees: n/a

Dedications: n/a
Reservations: n/a
Other Exactions: n/a

The Applicant may appeal the imposition or amount of the fees described above within ninety (90) days following the adoption of this resolution and pursuant to the procedures set forth in the Government Code.

13. The Applicant shall submit complete plans, including necessary engineered drawings, for plan check prior to building permit application for any tenant improvements.
14. All demolition and construction shall be done in accordance with Los Alamitos Municipal Code Demolition Chapter 8.13.
15. Project plans for the development shall be subject to a complete code compliance review with the Development Services Department when the plans are submitted for plan check and shall comply with all applicable City of Los Alamitos ordinances, regulations, and policies prior to building permit issuance, including, but not limited to, the requirements established or authorized by Title 15, 16, and 17 of the City of Los Alamitos Municipal Code.
16. The site shall be kept reasonably clean during construction and maintained in a safe, nuisance, and hazard-free condition. Dust control measures shall be employed to include spraying water on dry soil to ensure dust does not migrate onto adjacent properties.
17. During construction the site shall be maintained and kept clear of all trash, weeds, and overgrown vegetation.
18. The project shall comply with all requirements of Chapter 17.20, Noise Control, of the Los Alamitos Municipal Code.
19. Hours and days of demolition, grading, and construction operations shall be prohibited between the hours of 8:00 P.M. and 7:00 A.M. on weekdays and Saturday. There shall be no construction activities on Sunday, or a Federal holiday celebrated by the City of Los Alamitos without express approval by the Development Services Director.
20. Detailed hardscape, landscape, and irrigation plans are to be prepared by a licensed landscape architect. Such plans will be designed in accordance with the "Landscape and Irrigation Design Requirements" of the City and approved by the Development Services Director prior to the commencement of construction. Any landscape and irrigation plan shall be submitted for review and to comply with the City's Xeriscape Ordinance (Ord. No. 563). All required landscaping and irrigation shall be installed prior to the issuance of a Certificate of Occupancy.

21. Landscaping shall comply with the City's water conservation ordinances in accordance with Chapter 13.04 (Water Conservation) and Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code.
22. All landscaping on the site, including, without limitation, trees, shrubs and other vegetation, drainage and irrigation systems, shall be permanently maintained in good, first-class condition, healthy, without deterioration, free of waste and debris, through all phases of construction and after. Dead or diseased plants shall be promptly replaced with landscaping similar in type, size, and quality. Automatic Irrigation systems shall be properly maintained, and other reasonable and adequate landscape maintenance facilities and procedures shall be provided to fulfill the foregoing requirements.
23. Prior to permit issuance, Applicant shall submit a lighting plan to the Development Services Department to the satisfaction of the Development Services Director. The Applicant shall provide adequate exterior lighting that maintains performance standards and directs light only on the subject property as described in Chapter 8.48 *Lighting Performance Standards* in the Los Alamitos Municipal Code.
24. All exterior mechanical equipment shall be screened from view.
25. All utility meters, when not enclosed in a cabinet, shall be screened from view from any place on or off site, by either plant materials or decorative screen, while allowing sufficient access for reading.
26. Any signs shall comply with the provisions under Chapter 17.26 (Signs) of the Los Alamitos Municipal Code and shall be subject to the approval of the Development Services Director.
27. The Applicant shall maintain 12 parking spaces that meet the dimensions required by the City's Municipal Code, on the site, for this approval, unless part of that parking is removed for the construction of Accessory Dwelling Units.
28. All water runoff must be designed to infiltrate the ground on the site.
29. All code enforcement issues shall be remedied prior to any building permit issuance.
30. The Applicant shall add, at a minimum, a total of six randomly placed ornamental wrought iron window boxes to front and side elevations, second story, windows.

BUILDING DEPARTMENT

31. The Applicant shall submit grading and building plans for review.

ENGINEERING AND PUBLIC WORKS

32. The Applicant shall provide 4-foot sidewalks and gutters with the latest ADA accessibility features required by state and federal law.
33. There shall not be any vehicle access from Walnut.
34. The Applicant shall submit Improvement Plans prepared by a Registered Civil Engineer for public works (off-site) improvements, and on-site improvements. Plan check fees shall be paid in advance.
35. An on-site grading and drainage plan shall be prepared and submitted to the City Engineer for approval. Plan shall be 24" x 36", with elevations to nearest 0.01 foot, minimum scale 1" = 20'. Plan shall be prepared by Registered Civil Engineer. Public works improvements may be shown on this plan. Grading plan check fees must be paid in advance.
36. Hydrologic and hydraulic calculations demonstrating adequate site drainage from a 10-year return frequency storm (25-year frequency in sump areas) prepared by a Registered Civil Engineer shall be submitted with the Grading Plan.
37. Parking lot slope shall be a minimum slope of 1%.
38. Driveway slope shall be a minimum slope of one (1) percent for asphalt and .5% for concrete.
39. If utility cuts in the street are excessive, the street must be have a grid and overlay place on it per the satisfaction of the City Engineer.
40. All existing off-site public improvements (sidewalk, curb & gutter, driveways, and street paving) at the development site which are in a damaged condition or demolished due to the proposed work shall be reconstructed to the satisfaction of the City Engineer, and per OCPFRD Standard Plan.
41. A City public works permit shall be taken out for all work in public right-of-way prior to start of work. All work shall be done in accordance with APWA Standards and to the satisfaction of the City Engineer and must be completed before issuance of Certificate of Occupancy.
42. A bond or surety device shall be posted with the City in an amount and type sufficient to cover the amount of off-site and on-site work to be done, as approved by the City Engineer.
43. Pad certification by the Design Civil Engineer and Soil Engineer is required prior to the commencement of structural construction.

44. Final compaction report prepared by a qualified Soil Engineer shall be submitted to the City Engineer for review and approval prior to the commencement of structural construction.
45. The Applicant shall install 1-2 new trees on Walnut Street evenly spaced in the parkway in front of the subject parcel. Please call the public works Superintendent at 562-431-3538 for type and specifications.
46. The Applicant shall install irrigation to each of the City trees planted. The irrigation shall be a bubbler sprinkler NOT a tree well type of bubbler sprinkler.
47. The Applicant shall dedicate 2½ feet of the property to the City to widen the alley by occupancy of the units.

ROSSMOOR/LOS ALAMITOS SEWER DISTRICT

48. The Applicant shall provide the Sewer District with the engineering plans and proposed sewage flow for the project before connecting to the District's sewer.
49. The Applicant shall comply with all requirements of the Rossmoor/Los Alamitos Area Sewer District for sewer connections and sewer improvements.
50. The Applicant shall pay all applicable Sewer District connection, permit, plan check and inspection fees.

OCFA

51. Here are the OCFA conditions, below. If you need additional information, or clarification, please contact OCFA by phone or email: (714) 573-6110, andyguzman@ocfa.org.
 - a. Group-R occupancies that are required by CBC 1031.1 to have rescue openings shall have a walkable path free of obstructions between the fire lane and each rescue opening. Also, a clear, flat space for laddering rescue openings shall be provided beneath each rescue opening. The Applicant must demonstrate by illustrating on the plan that the required laddering pads will fit within the required distances to property boundaries and other structures. See OCFA Guideline B-01, pages 21 through 23.
 - b. The plan does not show all the public fire hydrants within 300-feet of the property or illustrate the location and distances to the property.
 - c. The plan does not illustrate the 150-foot "Hose Pull" distance to the most remote point of the exterior wall around the building. See OCFA Guideline B-01, page 19.

*The Conditions set forth above shall be binding on and enforceable against, and, whenever used herein, the term "Applicant" shall mean and refer to, each of the

following: the project Applicant (Siraj Aboulhosn), the owner(s) of the property, and each of their respective successors and assigns.

SECTION 4. Based upon such findings and determinations, the Planning Commission hereby approves Site Development Permit 23-01, as represented by the plans and elevations in "Exhibit A" and subject to the Conditions herein.

SECTION 5. The Secretary of the Planning Commission shall forward a copy of this Resolution to the Applicant and any person requesting the same, and Staff shall file a Notice of Determination with the County Clerk.

PASSED, APPROVED, AND ADOPTED this 25th day of October 2023, by the following vote:

ATTEST:

Chair

Irving Montenegro Jr., Development Services Manager

APPROVED AS TO FORM:

Michael S. Daudt, City Attorney

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

I, Irving Montenegro Jr., Development Services Manager 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 25th day of October 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:
ABSTAIN:

Irving Montenegro Jr., Development Services Manager

City of Los Alamitos

PLANNING COMMISSION/SUBDIVISION COMMITTEE

AGENDA REPORT

MEETING DATE: October 25, 2023

ITEM NUMBER: 6B

To: Chair Loe & Members of the Planning Commission

Presented By: Irving Montenegro Jr., Manager

**Subject: Zoning Ordinance Amendment (ZOA 23-05)
Noise Standard Exemptions Associated with Construction and
Property Maintenance Activities**

SUMMARY

Consideration of a resolution recommending to the City Council adoption of the Zoning Ordinance Amendment;(ZOA 23-05) concerning noise standard exemptions associated with construction and property maintenance activities.

RECOMMENDATION

1. Open the Public Hearing; and,
2. Take testimony; and,
3. Adopt Resolution No. 2023-05, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL ADOPT ORDINANCE 2023-05 AMENDING AND RESTATING SECTION 17.20.020 OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING NOISE STANDARD EXEMPTIONS ASSOCIATED WITH CONSTRUCTION AND PROPERTY MAINTENANCE ACTIVITIES (ZOA 23-05) (CITY INITIATED)

BACKGROUND

APPLICANT:

City Initiated

LOCATION:

Citywide

ENVIRONMENTAL:

Public Resources Code § 21065 defines "project" as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed

Resolution does not have the potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, as the resolution does not call for any change in the existing environmental conditions within the City. Instead, the proposed Resolution merely recommends that the City Council adopt Zoning Ordinance Amendment (ZOA) 21-02. Accordingly, the proposed Resolution is not a “project” subject to the California Environmental Quality Act (CEQA). (Public Resources Code § 21065; CEQA Guidelines § 15378(a).)

Even if this action could be construed to be a project subject to CEQA, the proposed Resolution is exempt pursuant to CEQA Guidelines Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The Planning Commission, as a recommending body, does not commit the City to any specific course of action, and the proposed Resolution does not constitute “approval” of any identifiable projects.

APPROVAL CRITERIA:

If changes to the code are recommended by the Planning Commission, they shall adopt the resolution recommending to the City Council approval, or approval 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:

On October 19, 2023, a Notice of Public Hearing was posted at City Hall. It was also published in the News Enterprise on October 11, 2023 as a 1/8th of a page notice.

On July 26, 2023, the Planning Commission reviewed and discussed the noise standard exemptions for noise associated with construction and property maintenance activities set forth in paragraphs (D) and (E) of LAMC section 17.20.020, which reads:

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

17.20.020 Exemptions

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 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;

On September 27, 2023, following further discussion and deliberation, the Planning Commission directed staff to draft a resolution recommending to the City Council adoption of an ordinance amending LAMC section 17.20.020 to clarify the language and resolve the ambiguity between the noise standard exemptions for construction and property maintenance activities.

DISCUSSION

Based on directions from the Planning Commission, staff has prepared the proposed Ordinance attached to this report, as well as a resolution recommending City Council approval of the proposed Ordinance. If approved, Section 17.20.020 of the LAMC would be amended and restated to read:

17.20.020 Exemptions

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

1. School bands, school athletic events, and school entertainment events, provided these events are conducted on school property or authorized by special permit from the City;
2. Activities lawfully conducted in public parks, public playgrounds, and public or private school grounds;

3. A mechanical device, apparatus, or equipment used, related to, or connected with emergency machinery, vehicle, or work;
4. Noise sources associated with construction activities, provided the activities take place between the hours of 7:00 a.m. and 8:00 p.m. on weekdays and on Saturdays, and do not take place at any time on Sundays or Federal holidays;
5. Noise sources associated with the maintenance of real property, provided the activities take place between the hours of 7:00 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 Sundays or Federal holidays;
6. An activity or equipment to the extent that design regulation of it has been preempted by State or Federal laws.

B. For the purposes of this section, the following definitions shall apply:

1. The term “construction activities” means the building or enlargement of any structure, demolition, excavation, modification, alteration, substantial repair, remodeling, or grading of any real property.
2. The term “maintenance of real property” means the routine, recurring, and usual work for the preservation or protection of real property and improvements, including lawn mowing, tree trimming, pruning, painting, power washing, gutter cleaning, or similar undertakings that do not constitute construction activities.”

A track changes version of this language is included as Attachment 2 to the proposed Ordinance (deleted text in ~~strike through~~; new text in underline). The proposed amendment ensures internal consistency within the Zoning Code by resolving any ambiguity regarding exemptions from noise standards. This clarification will help residents understand the noise standard exemptions and assist City Code Enforcement.

FISCAL IMPACT

None

Attachment: 1. Ordinance_Noise Standard Exemption_Construction and Maintenance
 2. PC Resolution_ZOA_Noise Standard Exemptions

ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING AND RESTATING SECTION 17.20.020 OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING NOISE STANDARD EXEMPTIONS ASSOCIATED WITH CONSTRUCTION AND PROPERTY MAINTENANCE ACTIVITIES (ZOA 23-XX) (CITY INITIATED)

WHEREAS, Chapter 17.20 of the Los Alamitos Municipal Code (“LAMC”) includes noise standards intended to prohibit the generation of excessive noise. Paragraphs (D) and (E) of LAMC section 17.20.020 includes noise standard exemptions for noise sources associated with certain construction and maintenance activities on real property, subject to specified limitations; and,

WHEREAS, the text of existing LAMC section 17.20.020 is included as Attachment 1 to this Ordinance; and,

WHEREAS, on July 26, 2023, the Planning Commission reviewed and discussed the LAMC section 17.20.020 noise standard exemptions and determined that the distinction between “construction” in Paragraph (D) and “maintenance” in paragraph (E) of LAMC section 17.20.020 is unclear; and,

WHEREAS, on September 27, 2023, following further discussion and deliberation, the Planning Commission directed Staff to draft a resolution recommending to City Council adoption of an ordinance amending the LAMC section 17.20.020 to clarify the language and resolve the ambiguity between the noise standard exemptions for construction and property maintenance activities (the “Amendment”); and,

WHEREAS, on October 25, 2023, the Planning Commission held a duly noticed Public Hearing concerning the proposed Amendment, and recommended City Council approval of this Ordinance; and,

WHEREAS, the City Council opened a duly noticed Public Hearing concerning the proposed Amendment on ____ 2023; and,

WHEREAS, the City Council considered all applicable Staff reports and all public testimony and evidence presented at the Public Hearing.

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

SECTION 1. The foregoing recitals are true and correct, and are incorporated herein by reference.

SECTION 2. Pursuant to Section 17.58.060 of the Los Alamitos Municipal Code, the following findings are made in support of this code amendment:

1. *This Ordinance ensures and maintains internal consistency with the actions, goals, objectives, and policies of the General Plan, and would not create any inconsistencies with the Zoning Code.*

The proposed Amendment does not conflict with any of the actions, goals, objectives, or policies of the General Plan and will not create any inconsistencies with the Zoning Code.

2. *This Ordinance will not be detrimental to the public convenience, health, interest, safety, or welfare of the City.*

The proposed Amendment will enhance the public convenience, health, interest, safety, and welfare of the City by resolving an ambiguity in the existing Zoning Code regarding exemptions from noise standards. This clarification will help residents understand the noise standard exemptions and assist City Code Enforcement.

3. *This Ordinance has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's environmental review procedures.*

The proposed Amendment will not result in any physical change to the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b) (3) – the project is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

4. *The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.*

The proposed Amendment ensures internal consistency within the Zoning Code by resolving an ambiguity regarding exemptions from noise standards. This clarification will help residents understand the noise standard exemptions and assist City Code Enforcement.

SECTION 3. Section 17.20.020 (Exemptions) of Chapter 17.20 (Noise) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby amended to and restated in its

entirety to read as follows:

“17.20.020 Exemptions

- A. The following activities shall be exempt from the provisions of this chapter.
1. School bands, school athletic events, and school entertainment events, provided these events are conducted on school property or authorized by special permit from the City;
 2. Activities lawfully conducted in public parks, public playgrounds, and public or private school grounds;
 3. A mechanical device, apparatus, or equipment used, related to, or connected with emergency machinery, vehicle, or work;
 4. Noise sources associated with construction activities, provided the activities take place between the hours of 7:00 a.m. and 8:00 p.m. on weekdays and on Saturdays, and do not take place at any time on Sundays or Federal holidays;
 5. Noise sources associated with the maintenance of real property, provided the activities take place between the hours of 7:00 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 Sundays or Federal holidays;
 6. An activity or equipment to the extent that design regulation of it has been preempted by State or Federal laws.
- B. For the purposes of this section, the following definitions shall apply:
1. the term “construction activities” means the building or enlargement of any structure, demolition, excavation, modification, alteration, substantial repair, remodeling, or grading of any real property.
 2. the term “maintenance of real property” means the routine, recurring, and usual work for the preservation or protection of real property and improvements, including lawn mowing, tree trimming, pruning, painting, power washing, gutter cleaning, or similar undertakings that do not constitute construction activities.”

A track changes version of this language is included as Attachment 2 to this Ordinance (deleted text in ~~strike through~~; new text in underline).

SECTION 4. 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 5. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a Certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this ___ day of ____, 2023.

Tanya Doby, Mayor

ATTEST:

Windmera Quintanar, MMC, City Clerk

APPROVED AS TO FORM:

Michael S. Daudt, City Attorney

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

I, Windmera Quintanar, MMC, City Clerk of the City of Los Alamitos, do hereby

CC ORD _____

certify that the foregoing Ordinance No. _____ was duly introduced and placed upon its first reading at a regular meeting of the City Council on the ____ day of _____, 2023 and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the ____ day of _____, 2023, by the following roll-call vote, to wit:

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

Windmera Quintanar, MMC, City Clerk

Attachment 1

Existing LAMC §17.20.020

17.20.020 Exemptions

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

- A. School bands, school athletic events, and school entertainment events, provided these events are conducted on school property or authorized by special permit from the City;
- B. Activities lawfully conducted in public parks, public playgrounds, and public or private school grounds;
- C. A mechanical device, apparatus, or equipment used, related to, or connected with emergency machinery, vehicle, or work;
- 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;
- F. An activity or equipment to the extent that design regulation of it has been preempted by State or Federal laws.

Attachment 2

Track Changes Revisions to LAMC §17.20.020

17.20.020 Exemptions

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

1. A. School bands, school athletic events, and school entertainment events, provided these events are conducted on school property or authorized by special permit from the City;

2. B. Activities lawfully conducted in public parks, public playgrounds, and public or private school grounds;

3. C. A mechanical device, apparatus, or equipment used, related to, or connected with emergency machinery, vehicle, or work;

4. D. Noise sources associated with construction activities, 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 7:00 a.m. 8:00 p.m. and 8:00 p.m. 7:00 a.m. on weekdays and on Saturdays, or and do not take place at any time on Sundays or Federal holidays;

5. E. Noise sources associated with the maintenance of real property, provided the activities take place between the hours of 7:00 a.m. 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 Sundays or a Federal holidays;

6. F. An activity or equipment to the extent that design regulation of it has been preempted by State or Federal laws. (Ord. 19-03 § 3, 2019; Ord. 688 § 1, 2006)

B. For the purposes of this section, the following definitions shall apply:

1. The term “construction activities” means the building or enlargement of any structure, demolition, excavation, modification, alteration, substantial repair, remodeling, or grading of any real property.

2. The term “maintenance of real property” means the routine, recurring, and usual work for the preservation or protection of real property and improvements including lawn mowing, tree trimming, pruning, painting, power washing, gutter cleaning, or similar undertakings that do not constitute construction activities.

PC RESOLUTION NO. 2023-05

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF LOS ALAMITOS, CALIFORNIA,
RECOMMENDING THE CITY COUNCIL ADOPT
ORDINANCE NO. 2023-05 AMENDING AND
RESTATING SECTION 17.20.020 OF THE LOS
ALAMITOS MUNICIPAL CODE CONCERNING NOISE
STANDARD EXEMPTIONS ASSOCIATED WITH
CONSTRUCTION AND PROPERTY MAINTENANCE
ACTIVITIES (ZOA 23-05) (CITY INITIATED)**

WHEREAS, Chapter 17.20 of the Los Alamitos Municipal Code (“LAMC”) includes noise standards intended to prohibit the generation of excessive noise. Paragraphs (D) and (E) of LAMC section 17.20.020 includes noise standard exemptions for noise sources associated with certain construction and maintenance activities on real property, subject to specified limitations; and,

WHEREAS, on July 26, 2023, the Planning Commission reviewed and discussed the LAMC section 17.20.020 noise standard exemptions and determined that the distinction between “construction” in Paragraph (D) and “maintenance” in paragraph (E) of LAMC section 17.20.020 is unclear; and,

WHEREAS, on September 27, 2023, following further discussion and deliberation, the Planning Commission directed Staff to draft a resolution recommending to City Council adoption of an ordinance amending the LAMC section 17.20.020 to clarify the language and resolve the ambiguity between the noise standard exemptions for construction and property maintenance activities (the “Amendment”); and,

WHEREAS, on October 25, 2023, the Planning Commission held a duly noticed Public Hearing concerning the proposed Amendment; and,

WHEREAS, the Planning Commission considered all applicable Staff reports and all public testimony and evidence presented at the Public Hearing.

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

SECTION 1. The Planning Commission finds that the above recitals are true and correct.

SECTION 2. The Planning Commission hereby recommends that the City Council adopt Ordinance No. 2023-05 amending and restating Section 17.20.020 of the Los Alamitos Municipal Code concerning noise associated with construction and property maintenance activities, attached hereto as Exhibit “A”, based on the following findings, as specified in Section 17.58.060 of the Los Alamitos Municipal Code:

- a) *This Ordinance ensures and maintains internal consistency with the actions, goals, objectives, and policies of the General Plan, and would not create any inconsistencies with the Zoning Code.*

The proposed Amendment does not conflict with any of the actions, goals, objectives, or policies of the General Plan and will not create any inconsistencies with the Zoning Code.

- b) *This Ordinance will not be detrimental to the public convenience, health, interest, safety, or welfare of the City.*

The proposed Amendment will enhance the public convenience, health, interest, safety, and welfare of the City by resolving an ambiguity in the existing Zoning Code regarding exemptions from noise standards. This clarification will help residents understand the noise standard exemptions and assist City Code Enforcement.

- c) *This Ordinance has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's environmental review procedures.*

Public Resources Code § 21065 defines “project” as “an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” The proposed Resolution does not have the potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, as the resolution does not call for any change in the existing environmental conditions within the City. Instead, the proposed Resolution merely recommends that the City Council adopt the proposed Ordinance. Accordingly, the proposed Resolution is not a “project” subject to the California Environmental Quality Act (CEQA). (Public Resources Code § 21065; CEQA Guidelines § 15378(a).)

Even if this action could be construed to be a project subject to CEQA, the proposed Resolution is exempt pursuant to CEQA Guidelines Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The Planning Commission, as a recommending body, does not commit the City to any specific course of action, and the proposed Resolution does not constitute “approval” of any identifiable projects.

- d) *The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.*

The proposed Amendment ensures internal consistency within the Zoning Code by resolving an ambiguity regarding exemptions from noise standards. This clarification will help residents understand the noise standard exemptions and assist City Code Enforcement.

SECTION 3. The Secretary of the Planning Commission shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 25th day of October 2023.

Gary Loe, Chair

ATTEST:

Irving Montenegro Jr., Development Services Manager

APPROVED AS TO FORM:

Michael S. Daudt, City Attorney

STATE OF CALIFORNIA)

COUNTY OF ORANGE) ss

CITY OF LOS ALAMITOS)

I, Irving Montenegro Jr., Development Services Manager 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 25th day of October 2023, by the following vote, to wit:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Irving Montenegro Jr., Development Services Manager

City of Los Alamitos

PLANNING COMMISSION/SUBDIVISION COMMITTEE

AGENDA REPORT

MEETING DATE: October 25, 2023

ITEM NUMBER: 8A

To: Chair Loe & Members of the Planning Commission

Presented By: Tom Oliver, Associate Planner

Subject: Discussion of Electric Vehicle Charging Stations

SUMMARY

A report from Staff, at the request of the Commission, concerning Orange County Fire Authority standards for Electric Vehicle Charging Stations.

RECOMMENDATION

Receive report and file.

BACKGROUND

During Commissioner comments at the August 23, 2023 Planning Commission meeting, Commissioner Grose spoke concerning the possibility of creating development standards for electric vehicle (EV) charging stations. After the development standards discussion in the September 27, 2023 meeting, Commissioner Grose asked Staff to return to tonight's meeting with information from the Orange County Fire Authority (OCFA) concerning their agency's particular requirements for EV charging stations.

DISCUSSION

Preliminary research, conducted by the City Attorney's office, noted that local agencies have limited authority to regulate electric vehicle (EV) charging stations. Cal. Gov't Code. §65850.7 states that local jurisdictions must approve applications to install electric vehicle charging stations through a nondiscretionary permit. A local jurisdiction may only require an application for a use permit if it makes a finding, based on substantial evidence, that the charging station will have a specific adverse impact on "the public health or safety." The statute seeks to take away as much discretion as possible to encourage installation of EV charging stations. Any policy pertaining to EV charging stations must adhere to the legislature's stated intent to limit obstacles to EV charging stations and to prevent local agencies from adopting ordinances that create "unreasonable barriers to" or "unreasonably restrict" their installation.

Staff contacted OCFA Staff and spoke with Fire Safety Engineer, Robert Distaso, concerning Commissioner Grose's request, and found that they had little or no contact with persons who installed these charging stations since they do not have particular standards for the stations. Mr. Distaso responded that, "We don't routinely review EV charging stations in parking lots. Also, the newer Quick charge stations may contain a lithium battery. These are also not routinely plan checked by OCFA." What could be of concern, possibly, would be if a charging

station blocked access to the property for firefighting, but since the stations are placed within parking spaces, it has not been a concern. He said, "Our current concern would be if the charging stations were partially in a Fire Lane or blocking a fire hydrant."

If the public would like to have more information concerning EV charging stations, the State of California has published a guidebook that can be found at this website: https://www.opr.ca.gov/docs/ZEV_Guidebook.pdf

FISCAL IMPACT

None.

Attachment: None