

**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 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:



Gabriela Martinez, Department Secretary


Gary Loe, Chair