

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

PLANNING COMMISSION/SUBDIVISION COMMITTEE
AGENDA
REGULAR MEETING

Wednesday, August 27, 2025 – 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 110, 48 hours prior to the meeting, so that reasonable arrangements may be made.

1. CALL TO ORDER

2. ROLL CALL

Chair Cuilty
Vice Chair Hastie
Commissioner Griego
Commissioner Heichman
Commissioner Legere

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. Approval of June 25, 2025 Planning Commission Minutes

Recommendation:

Receive and File.

6. PUBLIC HEARING

A. Zoning Ordinance Amendment (ZOA) 25-03

This item is for the consideration of Zoning Ordinance Amendment (ZOA) 25-03, an amendment to Title 17 (Zoning) of the Los Alamitos Municipal Code concerning the regulation of thrift stores and donation boxes, front yard landscaping requirements, screening of mechanical equipment, and to correct clerical errors and omissions, and to maintain internal consistency.

Recommendation:

1. Open the Public Hearing: and,
2. Consider the draft ordinance; and, if appropriate,
3. Planning Commission adopt Resolution No. 2025-04, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE ORDINANCE NO. 2025-03, AMENDING VARIOUS PROVISIONS OF TITLE 17 (ZONING) OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING THE REGULATION OF THRIFT STORES AND DONATION BOXES, FRONT YARD LANDSCAPING REQUIREMENTS, SCREENING OF MECHANICAL EQUIPMENT, AND TO CORRECT CLERICAL ERRORS AND OMISSIONS TO MAINTAIN INTERNAL CONSISTENCY (ZOA 25-03) (CITY INITIATED)."

B. Conditional Use Permit- Permanent Makeup

This item is for the consideration of a Conditional Use Permit (CUP 25-02) for the land use of a Personal Services, Restricted (Permanent Make-up/Microblading/Tattoo) Business in a 1,000 square-foot salon in a legal non-nonconforming commercial building. The building is located at 5072 Katella Avenue, APN 222-181-02, in the Multi-Family Residential (R-4) Zoning District (Applicant: Yen Jenny Dinh, Yenbrows and Beyond).

Recommendation:

1. Open the Public Hearing; and,
2. Take testimony; and,
3. Adopt Resolution No. 25-03, entitled, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) 25-02 TO ALLOW A PERMANENT MAKE-UP/MICROBLADING/TATTOO BUSINESS (PERSONAL SERVICES, RESTRICTED) IN A 1,000 SQUARE-FOOT SALON/SPA, IN A LEGAL NONCONFORMING GENERAL COMMERCIAL BUILDING, IN THE MULTI-FAMILY RESIDENTIAL – 36 (R-4) ZONING DISTRICT AT 5072 KATELLA AVENUE, APN 222-181-02 (APPLICANT: YEN JENNY DINH, YENBROWS AND BEYOND)"

7. DISCUSSION

A. Community Development Block Grant (CDBG)

The Orange County Community Resources Department requests that the City hold a community meeting to discuss the use and priority of Community Development Block Grant (CDBG) funds with interested community members. The Planning Commission is acting as a conduit to provide an opportunity for interested parties to provide comments. This item is for the discussion and consideration of the recommended Staff's project of street improvement to Reagan Street from Katella Avenue to Farquhar Avenue.

Recommendation:

1. Hold the community meeting; and,
2. Take testimony as necessary; and,
3. Approve Staff's recommendation to utilize the 2025-26 CDBG Funding for Street Repair on Reagan Street between Katella Avenue and Farquhar Avenue.

8. STAFF REPORT

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.

A handwritten signature in black ink, appearing to read 'Gabriela Martinez', with a horizontal line drawn through the middle of the signature.

Gabriela Martinez
Department Secretary

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

REGULAR MEETING – June 25, 2025

1. CALL TO ORDER

The Planning Commission/Subdivision Committee met in Regular Session at 7:00 p.m., Wednesday, June 25, 2025, in the Council Chamber located at 3191 Katella Avenue, Los Alamitos, CA 90720.

2. ROLL CALL

Present: Commissioners: Chair Cuijly (excused),
Heichman, Griego, Hastie, Legere

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

3. PLEDGE OF ALLEGIANCE

Vice Chair Hastie led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

Vice Chair Hastie opened oral communication.

Vice Chair Hastie closed oral communication.

5. CONSENT CALENDAR

A. Approval of May 28, 2025, Planning Commission Minutes

Motion/Second:

Carried 4/0 (Legere/Heichman) Cuijly excused: The Planning Commission approved May 28, 2025, Planning Commission Minutes.

6. PUBLIC HEARING

A. Zoning Ordinance Amendment (ZOA) 25-02 – Regulation of Group Homes and Sober Living Homes

City Attorney Daudt shared the staff report.

Commissioner Griego inquired if the homes are voluntarily entered into or if a court order places individuals within them.

City Attorney Daudt shared residents would not be placed in the homes through a court order directly but may be ordered to participate in a recovery program.

Vice Chair Hastie shared that individuals can be placed by a court order to enter one of these homes.

Commissioner Legere inquired if there was any other process that has to take place in order for this to be approved to come to the city.

City Attorney Daudt said not necessarily due to the fact that these proposed homes will not be providing on-site medical treatment or more intensive therapies that would require a state license. It is simply meant to be a supportive environment for individuals going through recovery.

Commissioner Legere inquired about who will be monitoring the transportation of the individuals staying at these homes.

City Attorney Daudt provided clarity that both the City of Los Alamitos Code Enforcement Division and the Police Department.

Commissioner Legere inquired on the average length of stay for an individual in recovery.

City Attorney Daudt shared he can return with a more specific answer, but his understanding is 60-90 days but ultimately up to the individual.

Commissioner Heichman asked about the screening process on the participants staying in these homes.

City Attorney Daudt shared that information on the participants will be received but would not be subject to a live scan.

Commissioner Heichman inquired what the cap number of these homes are allowed within the city.

City Attorney Daudt shared there is not a specific cap number.

Vice Chair Hastie asked if the City of Costa Mesa has been successful in the 6 people or less in an R1 zone.

City Attorney Daudt shared that the City is trying to structure these homes on what the courts have reviewed and heard arguments on so having the City of Costa Mesa numbers & statistics within the report, they have been successful.

Vice Chair Hastie asked if an ADU, considered by the state as separate units, be turned into one of these homes.

City Attorney Daudt clarified that an ADU cannot be used as a home unless the primary residence is dedicated to that.

Vice Chair Hastie inquired if there are any similar residential care homes such as mental illness homes or elderly care within the city.

Senior Planner Oliver shared insight on the shelters that are regulated within the city.

City Attorney Daudt asked Senior Planner Oliver if the shelters previously mentioned were permitted in R1.

Senior Planner Oliver answered yes.

Commissioner Heichman asked for the citation number for the City of Costa Mesa case.

City Attorney Daudt provided the answer to the name of the case to be The Ohio House LLC vs. City of Costa Mesa ninth circuit.

Vice Chair Hastie opened the Public Hearing.

Vice Chair Hastie closed the Public Hearing.

Commissioner Heichman made a motion to approve the Zoning Ordinance Amendment (ZOA) 25-02 – Regulation of Group Homes and Sober Living Homes.

Motion/Second:

Carried 4/0 (Heichman/Griego) Culty excused: The Planning Commission approved the Zoning Ordinance Amendment (ZOA) 25-02 – Regulation of Group Homes and Sober Living Homes.

9. ITEMS FROM THE DEVELOPMENT SERVICES Department

Development Services Manager Montenegro Jr. discussed the following:

- The 3rd of July display will continue to take place with the alteration of in person attendance cut due to the Joint Forces Training Base restrictions.
- I-605/Katella Avenue Interchange Project has started staging and the city will continue to see more activity. The total duration of the project is estimated to be 18 months.

- Deputy City Manager/Development Services Director Noda will soon be sending an email including Vice Chair Hastie's requests for a list of vacancies within the city.
- The next Summer Concert is set to take place on July 24th and will consist of an 80's Tribute Band located on Pine Street.
- Universal Waste Systems' trash rates will increase slightly effectively July 1st.
- The cities new online parking permit center is now live through the city website.

10. COMMISSIONER REPORTS

Vice Chair Hastie thanked the city for continuing to have the 3rd of July fireworks display and being accommodating and flexible with sudden circumstances.

11. ADJOURNMENT

The Planning Commission adjourned the meeting at 7:33p.m. to July 23, 2025.

ATTEST:

Joseph Hastie, Vice Chair

Gabriela Martinez, Department Secretary

City of Los Alamitos

PLANNING COMMISSION/SUBDIVISION COMMITTEE

AGENDA REPORT

MEETING DATE: August 27, 2025

ITEM NUMBER: 6A

To: Chair Culty & Members of the Planning Commission

Presented By: Michael Daudt, City Attorney

Subject: Zoning Ordinance Amendment (ZOA) 25-03

SUMMARY

This item is for the consideration of Zoning Ordinance Amendment (ZOA) 25-03, an amendment to Title 17 (Zoning) of the Los Alamitos Municipal Code concerning the regulation of thrift stores and donation boxes, front yard landscaping requirements, screening of mechanical equipment, and to correct clerical errors and omissions, and to maintain internal consistency.

RECOMMENDATION

1. Open the Public Hearing: and,
2. Consider the draft ordinance; and, if appropriate,
3. Planning Commission adopt Resolution No. 2025-04, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE ORDINANCE NO. 2025-03, AMENDING VARIOUS PROVISIONS OF TITLE 17 (ZONING) OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING THE REGULATION OF THRIFT STORES AND DONATION BOXES, FRONT YARD LANDSCAPING REQUIREMENTS, SCREENING OF MECHANICAL EQUIPMENT, AND TO CORRECT CLERICAL ERRORS AND OMISSIONS TO MAINTAIN INTERNAL CONSISTENCY (ZOA 25-03) (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. 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 the Planning Commission endorses the changes in the draft Ordinance, they shall forward the draft Resolution of recommendation to the City Council, to approve, or approve in modified form, the Ordinance 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 August 1, 2025, a Notice of Public Hearing was posted at City Hall. It was also published in the Orange County Reporter on the same date as a 1/8th page notice.

Title 17 of the Los Alamitos Municipal Code, known as the Zoning Code, was updated by approval of the City Council in November 2019. It has also been well over six years (June 2019) since the Planning Commission made its recommendation of approval to the City Council. A Zoning Code update, as with the editing of any large document, does not come without errors and omissions. At any given time, Staff finds that code changes are required within this document, and therefore Staff keeps an ongoing list of changes that would be helpful to make when the opportunity arises. Staff would like to present some of those changes to the Planning Commission tonight for their possible recommendation to the City Council.

DISCUSSION

Since the approval of the 2019 Zoning Code update, Staff has kept an ongoing register of Zoning Code sections that need to be reinserted or clarified. In the table below are some of the changes the Staff has identified for correction. Staff has attached a draft City Council Ordinance incorporating these changes for Commission review in its recommendation to the City Council. A draft resolution of the Planning Commission recommending approval of ZOA 25-03 is attached. Per Los Alamitos Municipal Code Section 17.58.040 of the Municipal Code, the Planning Commission is tasked with recommending to the City Council to approve, approve in modified form, or disapprove the proposed ZOA 25-03.

A summary of the recommended revisions is set forth below:

Recommended Zoning Code Changes		
Change Suggested	Los Alamitos Municipal Code Section	Section in Ordinance
The word “Live” is to be removed from required plant materials.	Figure 2-01, of Section 17.08.040	3
Remove “Donation Boxes” and “Secondhand Stores” from the list of Prohibited Uses.	Subsection G of Section 17.10.020 & 17.12.020	4 & 6
• To clarify, “Retail Sales-General” is a permitted use in the P-L-I Zone when fronting Katella Avenue, Los Alamitos Blvd., and Cerritos Avenue. • To allow “Donation Boxes” as a Permitted Use. • Add “Thrift Stores” as a Permitted/Conditionally Permitted Use.	Table 2-04 (Allowed Uses and Permit Requirements for Commercial and Industrial Zones) of Section 17.10.020	5
Make “Thrift Store” and “Donation Boxes” permitted uses in the Town Center Mixed Use (TCMU) Zone.	Section 17.12.030, Table 2-06	7
• Screening exterior installed equipment from Right-Of-Way (ROW) view. • Exterior, structural-mounted conduits, utility lines, pipes, and chase shall be painted to match adjacent building and wall surfaces.	Section 17.16.100 (Screening and Buffering) of Chapter 17.16	8
Properly regulate thrift stores to meet California Government Code Section 65630.	New Section 17.28.290	9
Delete “Consignment Store” from definitions	Section 17.74.030	10
Revise definition of Donation Box.	Section 17.74.040	11
Remove references to “Consignment stores”	Section 17.74.180	12

and “Secondhand stores” as a restricted retail use.		
“Secondhand Store” definition to say see “Thrift store” definition.	Section 17.74.190	13
Add “Thrift Store” definition.	Section 17.74.200	14

Recommendation

Staff recommends that Commissioners open the public hearing, take testimony, and discuss any questions concerning these changes to the Zoning Code; and, if appropriate, approve the draft resolution of recommendation to the City Council for adoption of draft ordinance approving ZOA 25-03.

FISCAL IMPACT

None.

- Attachment:
1. Resolution 25-04 of Recommendation of ZOA
 2. Draft 2025 Zoning Code Amendment

RESOLUTION NO. 2025-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE ORDINANCE NO. 2025-03, AMENDING VARIOUS PROVISIONS OF TITLE 17 (ZONING) OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING THE REGULATION OF THRIFT STORES AND DONATION BOXES, FRONT YARD LANDSCAPING REQUIREMENTS, SCREENING OF MECHANICAL EQUIPMENT, AND TO CORRECT CLERICAL ERRORS AND OMISSIONS TO MAINTAIN INTERNAL CONSISTENCY (ZOA 25-03) (CITY INITIATED).

WHEREAS, the Development Services Director has initiated an amendment to Title 17 of the Los Alamitos Municipal Code (the “Code”) in accordance with Section 17.58.020 of the Code; and,

WHEREAS, in 2024, the California legislature approved, and the Governor signed into law Assembly Bill 2632 (AB 2632) which imposes new limitations on how local agencies may regulate thrift stores that sell secondhand or donated items; and,

WHEREAS, Federal Courts have ruled that a total ban on charitable donation boxes violates First Amendment protections, but that local agencies may impose reasonable content-neutral regulations on such uses; and,

WHEREAS, the City desires, among other things, to update the Code to comply with AB 2632 and Federal case law; and,

WHEREAS, additionally, the City desires to amend the Code to update front yard landscaping requirements and screening of mechanical equipment consistent with best practices; and,

WHEREAS, on August 27, 2025, the Planning Commission opened a duly noticed Public Hearing concerning ZOA 25-03 and considered public comments and the written and oral information and testimony presented by City staff, community residents, and other interested parties, and recommended that the City Council approve and adopt ZOA 25-03.

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. 25-03 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.*

ZOA 25-03 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. This Ordinance corrects omissions, clerical errors, and adds provisions to clarify application of the City's zoning regulations, consistent with the General Plan, to ensure uniform application and efficient administration of the Zoning Code.

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

ZOA 25-03 will enhance the public convenience, health, interest, safety, and welfare of the City by creating an internally consistent Zoning Code, which will aid staff in its uniform application and efficient administration of the Zoning Code. ZOA 25-03 includes clarification of the locations where thrift stores and donation boxes are permitted. Thrift stores will be subject to operational standards, and this Ordinance anticipates City Council adoption of business licensing and regulatory standards for donation boxes. Collectively, these provisions will ensure that these uses will not adversely affect surrounding properties or the surrounding environment.

- 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.*

ZOA 25-03 is not subject to the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Chapter 3, Sections 15060 (c) (2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change to the environment, directly or indirectly. Approval of Zoning Code Text Amendment CA 25-032 would not approve any development project or prompt any direct or indirect physical changes to the environment.

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

ZOA 25-03 is intended to ensure internal consistency within the Zoning Code.

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

PASSED, APPROVED, AND ADOPTED this 27th day of August 2025.

Mary Anne Culty, Chair

ATTEST:

Gabriela Martinez, Secretary

APPROVED AS TO FORM:

Michael S. Daudt, City Attorney

STATE OF CALIFORNIA)

COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Gabriela Martinez, Planning Commission Secretary 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 27th day of August 2025, by the following vote, to wit:

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

Gabriela Martinez, Secretary

Attachment “A”

Ordinance No. 2025-03

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING VARIOUS PROVISIONS OF TITLE 17 (ZONING) OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING THE REGULATION OF THRIFT STORES AND DONATION BOXES, FRONT YARD LANDSCAPING REQUIREMENTS, SCREENING OF MECHANICAL EQUIPMENT, AND TO CORRECT CLERICAL ERRORS AND OMISSIONS TO MAINTAIN INTERNAL CONSISTENCY (ZOA 25-03) (CITY INITIATED).

WHEREAS, the Development Services Director has initiated an amendment to Title 17 of the Los Alamitos Municipal Code (the "Code") in accordance with Section 17.58.020 of the Code; and,

WHEREAS, in 2024, the California legislature approved, and the Governor signed into law Assembly Bill 2632 (AB 2632) which imposes new limitations on how local agencies may regulate thrift stores that sell secondhand or donated items; and,

WHEREAS, Federal Courts have ruled that a total ban on charitable donation boxes violates First Amendment protections, but that local agencies may impose reasonable content-neutral regulations on such uses; and,

WHEREAS, the City desires, among other things, to update the Code to comply with AB 2632 and Federal case law; and,

WHEREAS, additionally, the City desires to amend the Code to update front yard landscaping requirements and screening of mechanical equipment consistent with best practices; and,

WHEREAS, the Planning Commission opened a duly noticed Public Hearing concerning ZOA 25-03 on August 27, 2025, and recommended City Council approval of this Ordinance; and,

WHEREAS, the City Council opened a duly noticed Public Hearing concerning the proposed code amendment on _____; 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:

- 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.*

ZOA 25-03 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. This Ordinance corrects omissions, clerical errors, and adds provisions to clarify application of the City's zoning regulations, consistent with the General Plan, to ensure uniform application and efficient administration of the Zoning Code.

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

ZOA 25-03 will enhance the public convenience, health, interest, safety, and welfare of the City by creating an internally consistent Zoning Code, which will aid staff in its uniform application and efficient administration of the Zoning Code. ZOA 25-03 includes clarification of the locations where thrift stores and donation boxes are permitted. Thrift stores will be subject to operational standards, and this Ordinance anticipates City Council adoption of business licensing and regulatory standards for donation boxes. Collectively, these provisions will ensure that these uses will not adversely affect surrounding properties or the surrounding environment.

- 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.*

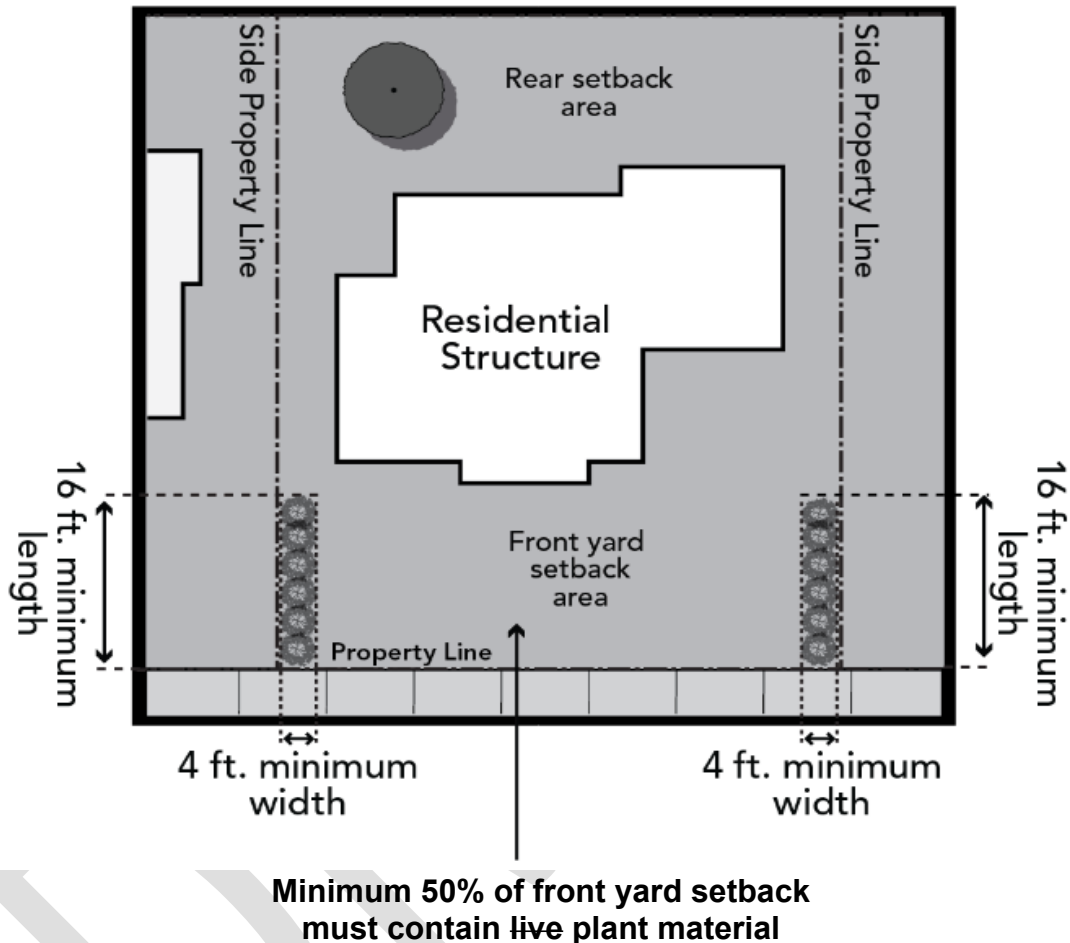
ZOA 25-03 is not subject to the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Chapter 3, Sections 15060 (c) (2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change to the environment, directly or indirectly. Approval of Zoning Code Text Amendment CA 25-032 would not approve any development project or prompt any direct or indirect physical changes to the environment.

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

ZOA 25-03 is intended to ensure internal consistency within the Zoning Code.

SECTION 3. Figure 2-01, of Section 17.08.040 (R-1 Zone Front Yard Landscaping Requirement) of Division II (Zones, Allowable uses, and Development Regulations) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby amended to remove the requirement for live plant material, to read as follows (deleted text in ~~strike through~~):

Figure 2-01: Required Front Yard Landscaping



SECTION 4. Subsection G of Section 17.10.020 (Allowed Uses and Permit Requirements for Commercial and Industrial Zones) Chapter 17.10 (Commercial and Industrial Zones) of Division II (Zones, Allowable Uses, and Development Regulations) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby amended to remove "Donation Boxes" and "Secondhand Stores" from the list of Prohibited Uses, to read as follows (deleted text in ~~strike through~~; new text in underline):

G. Prohibited Uses. The following uses are specifically prohibited in all commercial and industrial zones:

1. All Cannabis Activities, including Cannabis Deliveries, Commercial Cannabis Activities, and Commercial Cultivation, even by Qualified Patients and Caregivers
- ~~2. Donation Boxes~~

2. Freight and/or Truck Terminals
3. Gun and Ammunition Stores
4. Manufacturing—Heavy
5. Recycling, Large Collection
6. Recycling, Processing Facility
7. Salvage Yard
9. ~~Secondhand Stores~~
8. Swap Meets—Indoor or Outdoor
9. Tobacco and Vape Stores

SECTION 5. Table 2-04 (Allowed Uses and Permit Requirements for Commercial and Industrial Zones) of Section 17.10.020 (Allowed Uses and Permit Requirements for Commercial and Industrial Zones) of Chapter 17.10 (Commercial and Industrial Zones) of Division II (Zones, Allowable Uses, and Development Regulations) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby amended to clarify “Retail Sales-General” is a Permitted Use in the P-L-I Zone when fronting specified street segments, to allow “Donation Boxes” as a Permitted Use, and add “Thrift Stores” as follows.

Permit Required by Zone				
Use	C-O	C-G	P-L-I	Specific Regulations
RETAIL USES				
Retail Sales – General	P	P	P/CUP	Permitted Use in the P-L-I zone for storefronts facing Katella Avenue, Los Alamitos Boulevard, and Cerritos Avenue; CUP required for all other areas of the P-L-I zone
Thrift Store	P	P	P/CUP	1) Permitted Use in the P-L-I zone for storefronts facing Katella Avenue, Los Alamitos Boulevard, and Cerritos Avenue; CUP required for all other areas of the P-L-I zone 2) See Section 17.28.290 (Thrift Stores)
OTHER USES				
Donation Boxes – Outdoors	P	P	P	See Chapter 5.54 (Regulation of

				Unattended Donation Boxes)
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SECTION 6. Subsection G of Section 17.12.020 (Land Uses and Permit Requirements) Chapter 17.12 (Town Center Mixed-Use Zone) of Division II (Zones, Allowable Uses, and Development Regulations) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby amended to remove “Donation Boxes” and “Secondhand Stores” from the list of Prohibited Uses, to read as follows (deleted text in ~~strikethrough~~; new text in underline):

G. Prohibited Uses. The following uses are specifically prohibited in the TCMU zone:

1. All Cannabis Activities, including Cannabis Deliveries, Commercial Cannabis Activities, and Commercial Cultivation, even by Qualified Patients and Caregivers
- ~~2. Donation Boxes~~
2. Freight and/or Truck Terminals
3. Gun and Ammunition Stores
4. Manufacturing—Heavy
5. Recycling, Large Collection
6. Recycling, Processing Facility
7. Salvage Yard
- ~~9. Secondhand Stores~~
8. Swap Meets—Indoor or Outdoor
9. Tobacco and Vape Stores

SECTION 7. Table 2-06 (Allowed Uses and Permit Requirements for Town Center Mixed-Use Zone) of Section 17.12.030 (Commercial Uses Required Along Street Frontages) of Chapter 17.12 (Town Center Mixed-Use Zone) of Division II (Zones, Allowable Uses, and Development Regulations) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby amended to allow “Donation Boxes” as a Permitted Use and add “Thrift Stores” as follows.

Permit Required by Zone		
Land Use	TCMU	Specific Use Regulations
RETAIL SALES		
Thrift Store	P	See Section 17.28.290 (Thrift Stores)
OTHER USES		
Donation Boxes – Outdoors	P	See Chapter 5.54 (Regulation of Unattended Donation Boxes)

SECTION 8. Section 17.16.100 (Screening and Buffering) of Chapter 17.16 (General Development Standards) of Division II (Zones, Allowable Uses, and Development Regulations) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby amended and restated to read as follows (deleted text in ~~strikethrough~~; new text in underline):

§ 17.16.100 Screening and Buffering.

- A. Purpose and Applicability.** This section establishes standards for the screening and separation of ~~residential from adjoining nonresidential land uses~~, equipment and outdoor storage areas, and surface parking areas from a right-of-way.
- B. Mechanical Equipment, Loading Docks, and Refuse Areas.**
1. Ground-mounted mechanical equipment (e.g., air conditioning, heating, ventilation ducts, and exhaust, etc.), loading docks, refuse storage areas, and utility facilities shall be screened from view from adjoining public rights-of-way and area(s) zoned for residential or open space uses by a minimum six-foot-high decorative masonry wall or structures.
 2. The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, and architectural style.
 3. Landscaping shall be installed adjacent to the walls, at the discretion of the Director, in compliance with Chapter **17.18** (Landscaping).
- C. Drive-Through Facilities.** Queuing aisles that abut a public right-of-way shall be screened from view from the right-of-way with a minimum three-foot-high landscaped hedge or combination wall and landscape screening.
- D. Roof-mounted mechanical equipment** (e.g., air conditioning condenser) on the roof shall be screened by architecturally compatible screening that is designed to the satisfaction of the Director.
- E. Exterior, structural-mounted conduits, utility lines, pipes, and chase shall be painted to match adjacent building and wall surfaces.**

SECTION 9. New Section 17.28.290 (Thrift Stores) is hereby added to Chapter 17.28 (Regulations for Specific Land Uses and Activities) of Division IV (Regulations for Specific Land Uses and Activities) of Title 17 (Zoning) of the Los Alamitos Municipal Code to read as follows:

§ 17.28.290 Thrift Stores.

- A. Purpose.** The purpose of this section is to comply with California Government Code Section 65630 et seq. to properly regulate thrift stores to ensure compatibility with surrounding land uses.
- B. Standards.** All thrift stores shall conform to the following standards:

1. The delivery and storage of goods or donations must be conducted entirely indoors.
2. Outdoor display of merchandise is regulated by Section 17.28.210 of this Title.
3. Donations may only be accepted during business hours; no drop-off of donated goods may occur outside of business hours. No thrift store shall operate between 10:00 p.m. and 7:00 a.m.
4. The donation process must be supervised and operated by employees of the thrift store.
5. Any donated, discarded, or illegally dumped items left outside the building must be removed immediately.
6. Donation acceptance areas shall be clearly marked and must provide vehicular circulation which does not interfere with shopping center ingress, egress, or parking, and may not queue onto adjacent property or the public right-of-way.
7. All signage, including temporary and directional signage is regulated by Chapter 17.26 of this Title.
8. Equipment utilized in the collection, receipt, processing or disposal of used and donated goods is subject to the restrictions of Chapter 17.20 (Noise) and shall be operated in accordance with all applicable noise standards; equipment shall not be operated between 10:00 p.m. and 7:00 a.m. or on Sundays or Federal Holidays.

SECTION 10. Section 17.74.030 (C Definitions) of Chapter 17.74 (Definitions) of Division VII (Definitions) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby amended to delete the definition for “Consignment store” as follows (deleted text in strikethrough):

~~Consignment store. See “Secondhand Store.”~~

SECTION 11. Section 17.74.040 (D Definitions) of Chapter 17.74 (Definitions) of Division VII (Definitions) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby amended and restated in its entirety to read as follows:

Donation boxes. An unattended bin, box, container, storage shed, trailer, receptacle, or similar facility used for soliciting and collecting donations of clothing or other salvageable personal property.

SECTION 12. Section 17.74.180 (R Definitions) of Chapter 17.74 (Definitions) of Division VII (Definitions) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby

amended to remove references to “Consignment stores” and “Secondhand stores” as follows (deleted text in ~~strikethrough~~; new text in underline):

Retail sales—general. The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes department stores, clothing stores, furniture stores, pet supply stores, hardware stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs. Does not include swap meet, or pawn shop, ~~or secondhand stores~~.

Retail sales—restricted. The retail sale of gun and ammunition stores, pawn shops, ~~consignment stores, secondhand stores~~, and business offering payment for valuable goods such as jewelry and gold.

SECTION 13. Section 17.74.190 (S Definitions) of Chapter 17.74 (Definitions) of Division VII (Definitions) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby amended and restated in its entirety to read as follows:

Secondhand store. See “Thrift store.”

SECTION 14. Section 17.74.200 (T Definitions) of Chapter 17.74 (Definitions) of Division VII (Definitions) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby amended to add the following definition to read as follows, to be placed in alphabetical order:

Thrift store. A retail store and related donation facilities engaged primarily in the sale of secondhand clothing, shoes, apparel, toys, and standard household goods, including furniture, fixtures, and small household appliances, and the collection of those goods for resale. “Thrift store” does not include the sale of large household appliances such as refrigerators or stoves and does not include the sale of cars or anything automotive-related.

SECTION 15. 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 16. 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 _____, 2025.

Shelley Hasselbrink, Mayor

ATTEST:

Windmera Quintanar, CMC, 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, CMC, City Clerk of the City of Los Alamitos, do hereby 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 ____, 2025 and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the ____ day of ____, 2025, by the following roll-call vote, to wit:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

DRAFT

City of Los Alamitos

PLANNING COMMISSION/SUBDIVISION COMMITTEE

AGENDA REPORT

MEETING DATE: August 27, 2025

ITEM NUMBER: 6B

To: Chair Culty & Members of the Planning Commission

Presented By: Tom Oliver, Associate Planner

Subject: Conditional Use Permit- Permanent Makeup

SUMMARY

This item is for the consideration of a Conditional Use Permit (CUP 25-02) for the land use of a Personal Services, Restricted (Permanent Make-up/Microblading/Tattoo) Business in a 1,000 square-foot salon in a legal non-nonconforming commercial building. The building is located at 5072 Katella Avenue, APN 222-181-02, in the Multi-Family Residential (R-4) Zoning District (Applicant: Yen Jenny Dinh, Yenbrows and Beyond).

RECOMMENDATION

1. Open the Public Hearing; and,
2. Take testimony; and,
3. Adopt Resolution No. 25-03, entitled, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) 25-02 TO ALLOW A PERMANENT MAKE-UP/MICROBLADING/TATTOO BUSINESS (PERSONAL SERVICES, RESTRICTED) IN A 1,000 SQUARE-FOOT SALON/SPA, IN A LEGAL NONCONFORMING GENERAL COMMERCIAL BUILDING, IN THE MULTI-FAMILY RESIDENTIAL – 36 (R-4) ZONING DISTRICT AT 5072 KATELLA AVENUE, APN 222-181-02 (APPLICANT: YEN JENNY DINH, YENBROWS AND BEYOND)"

BACKGROUND

Applicant Yen Jenny Dinh, Yenbrows and Beyond

Location 5072 Katella Avenue, Los Alamitos, CA 90720

Environmental Pursuant to California Environmental Quality Act (CEQA) Guidelines
I Section 15301, the proposed project is exempt from CEQA under the Class 1 categorical exemption since the proposed project involves no expansion of the building footprint beyond the existing area. Furthermore, all necessary public services and facilities are already available at the

proposed project site, and approval of the proposed project would not result in significant adverse effects relating to traffic, noise, air quality, or water quality.

Approval Criteria

Los Alamitos Municipal Code (LAMC), Section 17.10.020, Table 2-04 (Allowed Uses and Permit Requirements for Commercial and Industrial Zones) requires Planning Commission approval of a Conditional Use Permit (CUP) to allow this Land Use, Personal Services, Restricted, in the C-G zoning district. This parcel is now a legal nonconforming commercial parcel in the R-4 zoning district.

Noticing

The Public Hearing Notice for this meeting was mailed to property owners and commercial tenants within 1,000 feet of the subject parcel on August 8, 2025, noticed at City Hall, and published in the Orange County Reporter on August 8, 2025.

Prior Actions None



Yen Jenny Dinh, of "Yenbrows and Beyond," has submitted a Conditional Use Permit (CUP) application for a Permanent Make-up/Microblading/Tattoo business, under the "Personal Services, Restricted" land use, in an existing salon in the Multi-Family Residential - 36 (R-4) Zone, at 5072 Katella Avenue. The former General Commercial-zoned building and site changed from General Commercial (C-G) to become legal-nonconforming in the R-4 Zoning District due to the City's selection of this opportunity site to account for Regional Housing Needs Assessment (RHNA) numbers. Staff believes that this business, as a sub-leased room/station within the existing salon business, can apply for a CUP permit per the "Nonconformance" information presented later in this report.

The land use for this business is considered "Personal Services, Restricted." The Municipal Code distinguishes between General and Restricted Personal Services based on the example business-type lists in the definitions. Below are the definitions for Personal

Services from the Municipal Code (LAMC 17.74.160):

“Personal services. Provision of recurrently needed services of a personal nature. This classification includes barber shops and beauty salons, seamstresses, tailors, day spas, massage services where all persons engaged in the practice of massage are certified pursuant to the Business and Professions Code Section 4612, dry cleaning agents (excluding large-scale bulk cleaning plants), shoe repair shops, self-service laundries, tattoo and body piercing services, video rental stores, photocopying, photo finishing services, and travel agencies mainly intended for the consumer.

1. Personal Services, General. Establishments that provide recurrently needed services of a personal nature. Examples of these uses include:

- barber shops, hair salon•clothing rental shops
- day spa without massage
- dry-cleaning pick-up stores with limited on-site cleaning equipment
- laundromats (self-service laundries)
- locksmiths
- nail salon
- shoe repair shops
- tailors and seamstresses
- ticket services shops

2. Personal Services, Restricted. Personal services with characteristics that have the potential to adversely impact surrounding areas and which may need to be dispersed to minimize their adverse impacts. Examples of these uses include:

- day spa with massage
- fortune-telling, palm reading, and psychic services
- massage establishments
- palm and card readers
- tanning salons
- tattoo and body piercing services”

DISCUSSION

The site in question for this business was built in its current configuration many years ago as required of a building in the General Commercial (C-G) Zoning District. During the State’s recent Regional Housing Needs Assessment (RHNA) opportunity site selections, the City of Los Alamitos found its required RHNA numbers were difficult to locate parcels for number assignment. This commercial property was selected as an opportunity site for some of the RHNA numbers as a last-minute solution. Through the tasks required by the 2021-2029 Housing Element, this property was rezoned as Multi-Family Residential – 36 (R-4), thus creating a legal nonconforming lot, and the commercial building on the site became a legal nonconforming structure with legal nonconforming uses within the structure.

In the new Multiple-Family Residential (R-4) zone, the existing salon has become a legal nonconforming business. The CUP requested land use, "Personal Services, Restricted," is an ancillary business to the legal nonconforming salon as a traditional support business within a salon business. As a nonconforming business, the salon and salon-type uses can remain, provided such salon use is not abandoned, intensified, expanded, or under-parked (LAMC 17.66).

Here is the section of code concerning nonconforming uses (Los Alamitos Municipal Code Section 17.66.030).

"Nonconforming Uses"

A. Nonconforming uses shall be allowed to remain, provided such use is not abandoned or intensified, or the space that the nonconforming use is located in is not reconstructed.

B. A nonconforming use may not expand the area of its use beyond that for which it is legally approved.

C. In a building which is nonconforming due to parking, a change of use or intensification of the existing use shall only be allowed if the full amount of the required parking is provided.

D. Once a nonconforming use is terminated, discontinued, or abandoned, the occupancy afterward may not revert to the same or another nonconforming use."

The Conditional Use Permit (CUP) application presented tonight asks Commissioners to consider whether a "Personal Services, Restricted" use is appropriate in this location.

While the salon business has existed in this location since 2021, everyday concerns such as noise, parking, and safety should be considered. A CUP is approved or denied by the Planning Commission in accordance with the findings found in LAMC Chapter 17.32.070 (Conditional Use Permit findings), which will be discussed later in this report.

Here is how the applicant describes the business: "A Permanent Make-up/Microblading/Tattoo business uses professional equipment for permanent makeup, including a digital PMU machine, a treatment bed, LED lighting, sterilization tools, a tool cart, and storage cabinets. All equipment is compliant with health and safety standards.

This business would occupy a private room within the 1,000-square-foot salon business that has operated at the site since September 2021." The applicant says it needs a private room because "permanent makeup services require complete privacy to maintain hygiene, ensure client comfort, and allow for focused, uninterrupted procedures. A private room also helps control lighting and noise for better treatment quality."

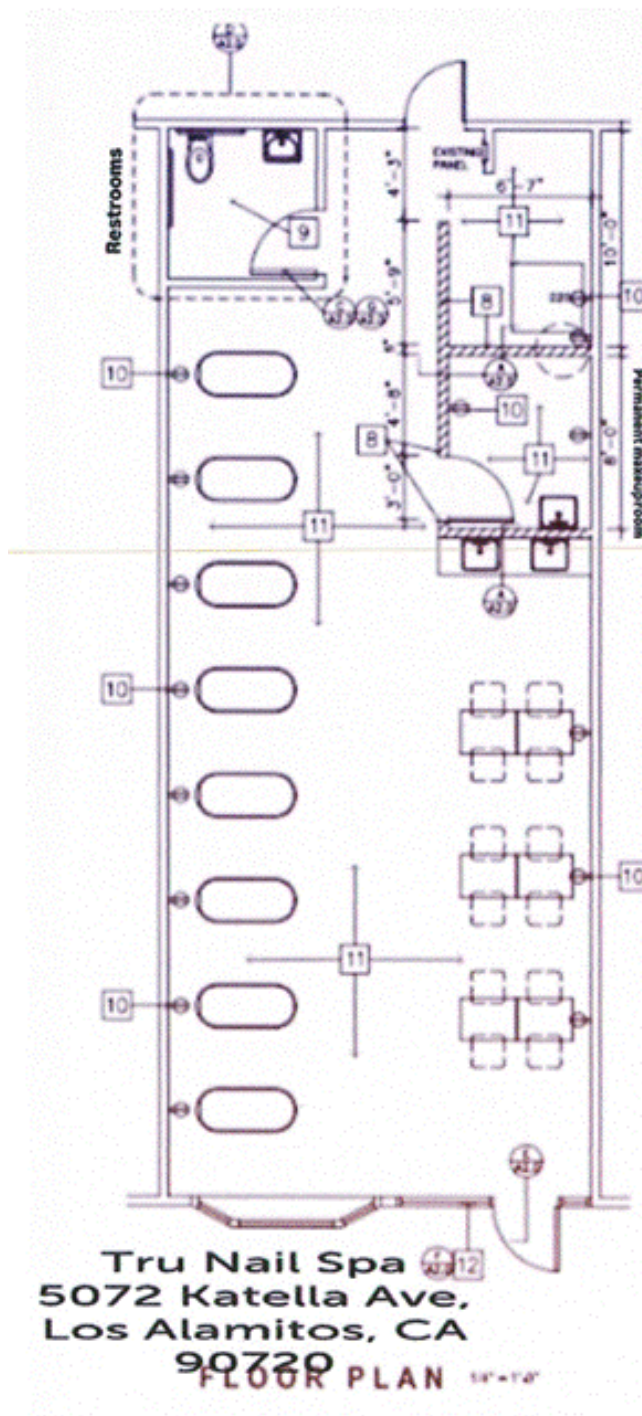
Location

The proposed unit, in the area denoted by the yellow box in the above picture, is in the Dutch Haven Shopping Center and surrounded by shops on the same parcel. The nearby parcels and buildings, outside and next to the subject parcel, are shown in the table below.

<u>Surrounding Zoning and Uses</u>		
Location:	Zoning District:	Uses:
Project Site	Multiple-Family Residential – 36 (R-4)	Nail Salon
North	City of Cypress	24-Hour Fitness and Commercial
East	General Commercial Zone (C-G) and Commercial Professional Office (C-O) Zones	Gas Station and across Siboney Street are offices
West	The rest of the Shopping Center (R-4) and Single-Family Residential (R-1)	The rest of the Shopping Center & Single Family Residences
South	Single Family Residential (R-1) Zone	Single Family Residences

Floor Plan

The proposed floor plan is below and attached to this report.



Hours of Operation

The Applicant states that their business hours of operation are:

Monday – Saturday: 9:00 AM – 7:00 PM
Sunday: 10:00 AM – 5:00 PM

Staff has placed a condition of approval (Condition #11) in the draft Resolution of approval

for the daily hours of operation not to extend beyond 7:00 a.m. to 10:00 p.m. to permit the business with room to expand their hours if needed for successful growth in the future.

Parking

The “Personal Services Restricted” land use requires one parking space per 300 square feet of the unit. At 1,000 square feet, the entire salon requires four parking spaces itself, which is not changing in size with this business sharing the existing space.

Findings

To approve a Conditional Use Permit, the Planning Commission must hold a public hearing and make findings of support for the proposed project. These findings are found in the Conditional Use Permit requirements in Los Alamitos Municipal Code 17.32.070 and include:

A. The proposed use is consistent with the General Plan and any applicable specific plan;

Staff Response: Below is a policy from the General Plan that appears to have a similar objective of helping to preserve an existing business through an expansion of services.

Land Use Element Policy 3.2 “Economic viability. Preserve the economic viability and continuity of existing commercial and industrial businesses.”

B. The proposed use is allowed within the applicable zone and complies with all other relevant provisions of this Zoning Code and the Municipal Code;

Staff response: Los Alamitos Municipal Code (LAMC), 17.10.020, Table 2-04 (Allowed Uses and Permit Requirements for Commercial and Industrial Zones) requires Planning Commission approval of a Conditional Use Permit to allow the “Personal Services, Restricted” use that is an ancillary business to the legal nonconforming salon as a traditional support business within a salon business. As a nonconforming business, the salon and salon-type uses can remain, provided such salon use is not abandoned, intensified, expanded, or under-parked (LAMC 17.66). A Conditional Use Permit (CUP) does not automatically denote that the use is appropriate for all locations. A CUP asks that the use be carefully considered for its fit in a particular location. Staff feels that this use can be incorporated into the site and meets the parking requirements.

C. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity:

Staff Response: This proposed location is legal nonconforming General Commercial in the Multi-Family Residential - 36 (R-4) Zone. This use can be conditionally permitted through the Conditional Use Permit process, obtained by an affirmative decision of the Planning Commission. This process considers existing and future uses in the vicinity. Staff feels that this location is acceptable for the proposed business as the salon, in which this ancillary business would exist, has not shown to be a disruptive presence during its tenure in this location.

D. The site is physically suitable in terms of:

1. It's design, location, shape, size, and operating characteristics of the proposed use to accommodate the use, and all fences, landscaping, loading, parking, spaces, walls, yards, and other features required to adjust the use with the land and uses in the neighborhood;

Staff response: The building on this parcel was constructed years ago, and the characteristics mentioned above were designed in the original construction to meet the development standards that were current at the time for a General Commercial-type of building. These types of commercial buildings are desirable to those who manage salon/spa and ancillary businesses because of their space and location near residential areas. The proposed Permanent Makeup facility will be contained entirely within the walls of the existing salon/spa space. Parking is already adequate to accommodate the existing use, as shown when calculated using the City's Zoning Code requirements for this use and others in the building. If this use were to be approved, any structural interior tenant improvements would be required to be reviewed by the City's Building Department and the Orange County Fire Authority for compliance with building and safety standards. Staff feels that this use in this unit is a suitable fit for the location.

2. Streets and highways adequate in width and pavement type to accommodate public and emergency vehicle (e.g., fire and medical) access;

Staff response: The unit proposed for this business in this general commercial building was initially built to meet the codes of the time. All-access and emergency access were designed to meet that year's current access standards for an industrial center. The streets have been upgraded occasionally through the years; therefore, they are adequate for public and emergency vehicle access.

3. Public protection services (e.g., fire protection, police protection, etc.); and,

Staff response: This unit has historically been served by public protection services without interruption.

4. The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal).

Staff response: This nonconforming commercial unit in the Multi-Family Residential - 36 (R-4) Zoning District has historically been provided with adequate utility services without interruption.

E. The measure of site suitability shall be required to ensure that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

Staff response: Other than a slight increase in parking numbers at the commercial

center, this use, with its number of customers coming and going, would not adversely affect the public convenience, health, interest, safety, or general welfare of persons, property, or uses in the vicinity and zone.

The staff has reviewed this business for consistency with the General Plan, the Los Alamitos Municipal Code, compatibility with surrounding land uses, and believes that affirmative findings can be made for the proposed CUP. Therefore, staff recommends approval.

FISCAL IMPACT

None

Attachment: 1. 8-27-2025-03 CUP 25-03- personal services restricted - Approval Resolution

RESOLUTION NO. 2025-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) 25-02 TO ALLOW A PERMANENT MAKE-UP/MICROBLADING/TATTOO BUSINESS (PERSONAL SERVICES, RESTRICTED) IN A 1,000 SQUARE FOOT SALON/SPA IN A LEGAL NONCONFORMING GENERAL COMMERCIAL BUILDING IN THE MULTI-FAMILY RESIDENTIAL - 36 (R-4) ZONING DISTRICT AT 5072 KATELLA AVENUE, APN 222-181-02 (APPLICANT: YEN JENNY DINH, YENBROWS AND BEYOND).

WHEREAS, on July 23, 2025, the Applicant, Yen Jenny Dinh, submitted a complete application for Conditional Use Permit 25-02 for a land use of Personal Services, Restricted (Permanent Makeup) within a 1,000 square-foot salon/spa unit in a legal-nonconforming General Commercial building in the Multi-Family Residential – 36 (R-4) zoning district at 5072 Katella Avenue, APN 222-181-02; and,

WHEREAS, the application constitutes a request under Section 17.32.030 (Conditional Use Permits - Application Requirements) of the Los Alamitos Municipal Code (LAMC); and,

WHEREAS, Planning Commission approval of a Conditional Use Permit is required for the proposed Personal Services, Restricted (Permanent Makeup) use within the 1,000 square-foot tenant salon/spa unit in the legal-nonconforming General Commercial building in the Multi-Family Residential – 36 (R-4) zoning district, according to LAMC Section 17.10.020, Table 2-04 (Allowed Uses and Permit Requirements for Commercial and Industrial Zones); and,

WHEREAS, a public hearing before the Planning Commission is required for all Conditional Use Permits, according to LAMC Section 17.32.050 (Review Procedures for Conditional Use Permits); and,

WHEREAS, the Planning Commission considered Conditional Use Permit 25-02 at a duly noticed Public Hearing on August 27, 2025; 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 finds that the above recitals are true and correct.

SECTION 2. Conditional Use Permit 25-02, requesting approval of a Permit for the use of Personal Services, Restricted (Permanent Makeup) in a legal nonconforming 1,000 square-foot salon/spa in the Multi-Family Residential – 36 (R-4) zoning district at 5072 Katella Avenue, APN 222-181-02, is hereby

approved based upon the following findings as required by LAMC Section 17.32.070:

- A. The proposed use is consistent with the General Plan and any applicable specific plan;

Below is a policy from the General Plan that appears to have a similar objective in helping to preserve an existing business through an expansion of services.

Land Use Element Policy 3.2 “Economic viability. Preserve the economic viability and continuity of existing commercial and industrial businesses.”

- B. The proposed use is permitted within the applicable zone and complies with all other relevant provisions of this Zoning Code and the Municipal Code;

Los Alamitos Municipal Code (LAMC), 17.10.020, Table 2-04 (Allowed Uses and Permit Requirements for Commercial and Industrial Zones) requires Planning Commission approval of a Conditional Use Permit to allow the “Personal Services, Restricted” use that is an ancillary business to the legal nonconforming salon as a traditional support business within a salon business. As a nonconforming business, the salon and salon-type uses can remain, provided such salon use is not abandoned, intensified, expanded, or under-parked (LAMC 17.66). This use can be incorporated into the site and meets the parking requirements.

- C. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity:

This proposed location is legal nonconforming General Commercial in the Multi-Family Residential - 36 (R-4) Zone. This use can be conditionally permitted through the Conditional Use Permit process, obtained by an affirmative decision of the Planning Commission. This process considers existing and future uses in the vicinity. This location is acceptable for the proposed business as the salon/spa, in which this ancillary business would exist, has not shown to be a disruptive presence during its tenure in this location.

- D. The site is physically suitable in terms of:

1. Its design, location, shape, size, and operating characteristics of the proposed use to accommodate the use, and all fences, landscaping, loading, parking, spaces,

walls, yards, and other features required to adjust the use with the land and uses in the neighborhood;

The building on this parcel was constructed years ago, and the characteristics mentioned above were designed in the original construction to meet the development standards that were current at the time for a General Commercial-type of building. These types of commercial buildings are desirable to those who manage these types of salon/spa and ancillary businesses because of their space and location near residential areas. The proposed Permanent Makeup facility will be contained entirely within the walls of the existing salon/spa space. Parking is already adequate to accommodate the existing use, as shown when calculated using the City's Zoning Code requirements for this use and others in the building. If this use were to be approved, any structural interior tenant improvements would be required to be reviewed by the City's Building Department and the Orange County Fire Authority for compliance with building and safety standards. This use in this unit is a suitable fit for the location.

2. Streets and highways adequate in width and pavement type to accommodate public and emergency vehicle (e.g., fire and medical) access;

The unit proposed for this business in this general commercial building was initially built to meet the codes of the time. All-access and emergency access were designed to meet that year's current access standards for an industrial center. The streets have been upgraded occasionally through the years; therefore, they are adequate for public and emergency vehicle access.

3. Public protection services (e.g., fire protection, police protection, etc.); and,

This unit has historically been served by public protection services without interruption.

4. The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.).

This nonconforming commercial unit in the Multi-Family Residential - 36 (R-4) Zoning District has historically been provided with adequate utility services without interruption.

- E. The measure of site suitability shall be required to ensure that the type, density, and intensity of the use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zone in which the property is located.

Other than a slight increase in parking numbers at the commercial center, this use, with its number of customers coming and going, would not adversely affect the public convenience, health, interest, safety, or general welfare of persons, property, or uses in the vicinity and zone.

SECTION 3. Based upon such findings and determinations, the Planning Commission hereby approves Conditional Use Permit (CUP) 25-02 subject to the following conditions:

Planning

1. Approval of this application is to allow for a land use of “Personal Services, Restricted (Permanent Makeup) within a 1,000 square-foot salon/spa unit in a legal-nonconforming General Commercial building in the Multi-Family Residential – 36 (R-4) zoning district at 5072 Katella Avenue, APN 222-181-02, with such additions, revisions, changes, or modifications as required by the Planning Commission pursuant to approval of CUP 25-02 noted thereon, and on file in the Development Services Department. 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 this use, 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 or 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. Failure to satisfy and/or comply with the conditions herein may result in revocation of this approval by the Planning Commission and/or City Council.
3. The Applicant and the Applicant’s successors in interest, if any, shall be fully responsible for knowing and complying with all conditions of approval.

4. California Government Section 66020(d)(1) requires that the project applicant be notified of all fees, dedications, reservations, and other exactions imposed on the development to defray all or a portion of the cost of public facilities related to development. Fees for regulatory approvals, including Planning processing fees, building permit fees and park development fees, are not included under this noticing requirement.

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

5. The Applicant has ninety (90) days from the date this Resolution was adopted to protest the impositions described above. The Applicant is also notified of the 180-day period from the date of this notice, during which time any suit to protest impositions must be filed. Timely filing of a protest within the 90-day period is a prerequisite.
6. 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 a defense of the matter and pay the City's associated legal costs or advance funds to pay for the 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.
7. The property owner/Applicant shall file an Acknowledgment of Conditions of Approval with the Development Services Department. 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 before issuing any permits.

8. Applicant shall comply with City, County, and/or State regulations.
9. Any signs shall comply with the provisions under Chapter 17.26 of the Los Alamitos Municipal Code and/or any Planned Sign Program that pertains to the subject property and shall be subject to the approval of the Development Services Director.
10. In the event the City receives public nuisance complaints in connection with the use authorized by this CUP, the Development Services Director shall investigate such complaints in accordance with the public nuisance regulations of the Los Alamitos Municipal Code and, if nuisance conditions are found to exist, the Development Services Director may bring this CUP back to the Planning Commission to consider imposing additional conditions, amending or revising conditions, or revoking this CUP.
11. The hours of operation for this business are limited to and shall not fall outside of 7:00 a.m. to 10:00 p.m. every day.

Building Department

12. Applicant shall provide complete tenant improvement plans that comply with the latest City of Los Alamitos-adopted California Building Code to the Building and Safety Department before beginning any alteration, repair, construction, electrical, mechanical, plumbing, or occupancy change.
13. Obtain any required demolition and HVAC permits from the City's Building and Safety Department.

Orange County Fire Authority

14. **Plan Submittal:** The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to concealing interior construction.

- Fire alarm system (service code PR500-PR530)
 - 2A-10BC within 75 feet of all points of travel.
 - Per CFC 105.5.18 Flammable and combustible liquids. An operational permit is required to store, handle or use Class I liquids in excess of 5 gallons. Per CFC Section 5104.2 Storage in Groups A, B, E, F, I and R. Storage of Level 2 and 3 aerosol products in occupancies in Groups A, B, E, F, I and R shall be limited to the following maximum quantities: A net weight of 500 pounds (227 kg) of Level 3 aerosol products. (Do not exceed these amounts). Over these items requires a permit.

Specific submittal requirements may vary from those listed above depending on actual project conditions identified or present during design development, review, construction, inspection, or occupancy. Portions of the project that are deferred shall be subject to the codes, standards, and other applicable requirements in force on the date that the deferred plan is submitted to OCFA. Standard notes, guidelines, informational bulletins, submittal instructions, and other information related to plans reviewed by the OCFA may be found by visiting ocfa.org and clicking on “Business-Planning & Development Services” in the menu bar at the top of the screen.

Temporary/Final Occupancy Inspections: Prior to issuance of temporary or final certificate of occupancy, all OCFA inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested. Inspections shall be scheduled at least five days in advance by calling OCFA Inspection Scheduling at 714-573-6150.

Preconstruction Meeting: Before commencement of construction, the applicant or responsible party shall attend a pre-construction meeting with an OCFA inspector. Call OCFA Inspection Scheduling at 714-573-6150 at least five days in advance to schedule and pay for the pre-construction meeting.

Lumber-drop Inspection: After installation of required fire access roadways and hydrants, the applicant shall receive clearance from the OCFA prior to bringing combustible building materials on-site. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fire master plan at least five days in advance to schedule the lumber drop inspection.

If you need additional information or clarification, please contact me by phone or email: (714) 573-6102, toddletterman@ocfa.org.

SECTION 4. The decision of the Planning Commission is subject to a ten-calendar-day appeal period as specified in Chapter 17.60 of the Los Alamitos Municipal Code, after which such decision becomes final.

SECTION 5. The Secretary of the Planning Commission shall forward a copy of this Resolution to the applicant and any person requesting it and shall certify as to its adoption.

PASSED, APPROVED, AND ADOPTED this 27th day of August 2025.

Chair Mary Anne Culty

ATTEST:

Irving Montenegro Jr., Development Services Manager

APPROVED AS TO FORM:

Michael 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 27th day of August 2025 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: August 27, 2025

ITEM NUMBER: 7A

To: Chair Culty & Members of the Planning Commission

Presented By: Tom Oliver, Associate Planner

Subject: Community Development Block Grant (CDBG)

SUMMARY

The Orange County Community Resources Department requests that the City hold a community meeting to discuss the use and priority of Community Development Block Grant (CDBG) funds with interested community members. The Planning Commission is acting as a conduit to provide an opportunity for interested parties to provide comments. This item is for the discussion and consideration of the recommended Staff's project of street improvement to Reagan Street from Katella Avenue to Farquhar Avenue.

RECOMMENDATION

1. Hold the community meeting; and,
2. Take testimony as necessary; and,
3. Approve Staff's recommendation to utilize the 2025-26 CDBG Funding for Street Repair on Reagan Street between Katella Avenue and Farquhar Avenue.

BACKGROUND

Applicant City of Los Alamitos

Location Citywide

Noticing The public was notified of this community meeting by an advertisement in the Orange County Reporter on August 18, 2025.

Community Development Block Grant funds are transferred from the U.S. Department of Housing and Urban Development (HUD) to the County annually for use by participating agencies. The Orange County Community Resources Department filters Federal Community Development Block Grant (CDBG) monies to smaller cities such as Los Alamitos. The County program provides federal funds to cities with populations under 50,000 for programs targeted towards community development. The funds are commonly used for neighborhoods that have a substantial number of low, very low, and extremely low-income residents, and can be used for Senior or ADA (Americans with Disabilities Act) projects as well. CDBG prefers projects that meet "High" priority needs criteria in the bullet points below. The High Priority Needs for the County of Orange from the FY 2025-29 Consolidated plan are:

- Housing Rehabilitation
- Affordable Housing development
- Park and Recreation Facilities
- Senior Centers
- Homeless Facilities
- Neighborhood Facilities
- Water/Sewer Improvements
- Street and Lighting Improvements
- Sidewalk Improvements
- Youth and Family Services (childcare services)
- Health Services, including Mental Health Services
- Senior Services
- Services for Persons Experiencing Homelessness

Additional examples of additional projects and activity types that will be considered for funding, although they did not appear on the Housing and Community Development Needs Assessment Survey, are:

- Public Services projects filling the gap in the Homeless Continuum of Care which were not filled by Continuum of Care Homeless Assistance funding.
- Projects that fulfill federal Regulations or assist in achieving compliance with Federal law (e.g., Non-Compliance with ADA).
- In addition, the County may consider Economic Development activities if funding becomes available (Low-Priority).

These funds may be pursued through competitive grant applications sent to the County. The small group of participating cities makes the potential for funding relatively high. Participating cities help form the annual plan for spending CDBG funds, allowing the City to establish the criteria for judging grant applications. Once grants are awarded, the County assists cities in managing the projects and preparing required reports to HUD. Whether or not the City seeks funding, the County oversees the program.

The City of Los Alamitos Development Services Department seeks input from community members to ensure citizen participation in the spending of the City's allocation of CDBG funds. This information is provided to the County of Orange to incorporate into its report to the Federal Government (HUD).

DISCUSSION

Tonight's public meeting is held to collect information regarding community needs before the City decides where CDBG funds will best be distributed and to obtain comments from citizens on using funds before submitting an application for these federal funds. The public hearing is held in a centrally located, handicap accessible building with reasonable accommodation for persons with disabilities.

The City regularly submits applications to the Orange County Community Resources Department for CDBG funds through the program. Larger cities apply directly to the Federal Government for such funds. Los Alamitos seeks the county's oversight when using such funds as a smaller city.

The City of Los Alamitos has used such grants for years, often awarding CDBG funds to improve Public Facilities within the City's Low-Income Census Tracts. If not an ADA project or a project for seniors, the CDBG activities should serve residents within the City's low-income areas, such as Midtown or Old Town West neighborhoods.

During the fiscal year 2024-2025, CDBG funds replaced asphalt on streets in Midtown. In 2023-2024, CDBG funds were used for the renovation to create an all-inclusive, ADA-compliant Labourdette Park. Below is a project from City Staff that could be applied for this year, or in the future:

Project:	Approximate Cost:
<u>Street Repair</u> – Reagan Street, Farquhar Avenue to Katella Avenue	<u>Street Repair</u> - \$350,000 Including a 20% City match

FISCAL IMPACT

There will be a 20% match to the \$350,000.00 if the full amount of the grant is awarded.

Attachment: None