

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

PLANNING COMMISSION/SUBDIVISION COMMITTEE
AGENDA
REGULAR MEETING

Wednesday, September 24, 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. PRESENTATION**

A. Commission Handbook

The updated Boards, Commissions, and Committees Policy Handbook (Handbook) will provide an easy-to-understand format for the City's appointed bodies that will complement the Los Alamitos Municipal Code.

Recommendation:

Receive & File.

5. 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.**

6. 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 the August 27, 2025 Minutes

Recommendation:

Recieve & File.

7. PUBLIC HEARING

A. ZOA 25-04 State Mandated Update to Accessory Dwelling Unit (ADU) Regulations

Consideration of a Planning Commission resolution recommending that the City Council adopt a draft ordinance to amend and restate Section 17.28.020 of the Los Alamitos Municipal Code concerning the regulation of Accessory Dwelling Units (ZOA 25-04).

Recommendation:

1. Open the Public Hearing; and,

2. Take testimony; and,

3. Planning Commission adopt Resolution No. 2025-05 entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL ADOPT ORDINANCE NO. 2025-__ AMENDING AND RESTATING SECTION 17.28.020 OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING THE REGULATION OF ACCESSORY DWELLING UNITS (ZOA 25-04)".

8. DISCUSSION

9. STAFF REPORT

10. ITEMS FROM THE DEVELOPMENT SERVICES DEPARTMENT

11. COMMISSIONER REPORTS

12. ADJOURNMENT

APPEAL PROCEDURES

Any final determination by the Planning Commission may be appealed to the City Council, and must be done so in writing at the Development Services Department, within ten (10) business days after the Planning Commission decision. The appeal must include a statement specifically identifying the portion(s) of the decision with which the appellant disagrees and the basis in each case for the disagreement, accompanied by an appeal fee of \$1,101.00 (resident)/ \$2,349.00 (non-resident) in accordance with Los Alamitos Municipal Code Section 17.60 and Fee Resolution No. 2022-11.

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



Gabriela Martinez
Department Secretary

City of Los Alamitos

PLANNING COMMISSION/SUBDIVISION COMMITTEE

AGENDA REPORT

MEETING DATE: September 24, 2025

ITEM NUMBER: 4A

To: Chair Culty & Members of the Planning Commission

Presented By: Ron Noda, Development Services Director

Subject: Commission Handbook

SUMMARY

The updated Boards, Commissions, and Committees Policy Handbook (Handbook) will provide an easy-to-understand format for the City's appointed bodies that will complement the Los Alamitos Municipal Code.

RECOMMENDATION

Receive & File.

BACKGROUND

The Handbook was originally created in April 2016 as a tool to provide direction for appointed bodies, including the Planning Commission, the Parks, Recreation, and Cultural Arts Commission, the Personnel Appeals Commission, and the Traffic Commission. Due to changes to the number of appointed members to the Commission and the dissolution of other appointed bodies, a revision to the Handbook is needed. This revision will also align the Commissions in line with the Council-adopted Handbook and memorialize the meeting schedule for each Commission. The City Council provided feedback to Staff at its August 18, 2025, meeting, which has been incorporated into this version for adoption. The City Council approved the Commission Handbook at its September 18, 2025 City Council Meeting.

DISCUSSION

The Handbook serves as a valuable resource for appointed members by providing guidance, procedures, and best practices to assist them in effectively carrying out their duties and responsibilities. The Handbook will assist appointed members in performing their duties by following the standards adopted by the City Council. Appointed members are valuable volunteers as they are a community voice that meets the needs and interests of the community. The City's various Commissions are outlined in Title 2 of the Los Alamitos Municipal Code (LAMC). This Handbook serves as a guiding document in compliance with Title 2 for each Commission.

Some key updates are highlighted below:

Regular Meeting Schedule

In compliance with the LAMC, commissions shall meet in regular session on regularly scheduled dates established by resolution of the City Council. The additions below comply with this requirement. Regularly scheduled meetings are once a month, beginning at 6:00 p.m. (previously 7:00 p.m.) in the City Council Chamber, located at 3191 Katella Avenue. The following are the regularly scheduled meetings per Commission:

- Parks, Recreation, and Cultural Arts - first Wednesday of even months (first implemented in March 2025 after several meeting cancellations due to a lack of quorum. The Commission has successfully had a quorum since implementation)
- Traffic Commission - second Wednesday of every month
- Planning Commission - fourth Wednesday of every month
- Personnel Appeals - as needed

Limited Printing Policy and Request for Information

Council adopted this policy as part of the Council Member Handbook in August 2024. The policy has significantly reduced paper waste and improved efficiency. The Policy is now being included in the Commissioner Handbook.

Request for Additional Information on Subject Matters of Interest

All requests should be made to the City liaison. The liaison will coordinate requests with the appropriate departments. The department head will take into consideration the amount of time and resources required to compile the requested information and advise the Member within 12 working days of an anticipated delivery date. Delivery dates are estimates based on current workloads, the number of information requests being received, available staff, etc.

Council Requested Updates

The City Council reviewed the Handbook at its August 18, 2025, meeting. Direction was provided to include regulations regarding Council to Commissioner interactions and to ensure it closely models the City Council Handbook.

FISCAL IMPACT

None.

Attachment: 1. Boards, Commissions, and Committees Policy Handbook

CITY OF LOS ALAMITOS



BOARDS, COMMISSIONS, AND COMMITTEES POLICY HANDBOOK

CITY OF LOS ALAMITOS
3191 Katella Avenue
Los Alamitos, CA 90720
Phone (562) 431-3538
FAX (562) 493-1255

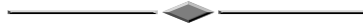
www.cityoflosalamitos.org

Adopted by City Council Resolution No. 2025-27

CITY OF LOS ALAMITOS

VISION STATEMENT

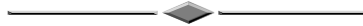
To ensure Los Alamitos small town ambiance, high quality of life, and economic vitality are maintained and strengthened



CITY FACTS

Los Alamitos was incorporated March 1, 1960.

Los Alamitos' size is 4.3 square miles



This manual has been prepared to assist Commissioners and members of Committees and Boards in the performance of their duties. Included are standards adopted by City Council that delineate the administrative procedures and the rules and regulations that relate to the Boards, Commissions, and Committees.

This manual is intended to give Commissioners an orientation of their Commission. It includes an overview of the Commission's role and responsibilities and the structure and procedures of Los Alamitos' Municipal Government.

Los Alamitos Commissioners are vital to the City's organization and its efforts to meet the needs and interests of the Community. This manual will assist Commissioners as a member of the team. The City Council and Staff are most appreciative of Commissioner's time and efforts.

GENERAL INFORMATION

History of Los Alamitos

On March 1, 1960, the township of Los Alamitos became a chartered city. The 4.05 square mile city of Little Cottonwoods was affectionately described as ***A Jewel of a City***. The City's seal, designed by longtime resident William A. Daniels, captures the ancestry of the region. The official flower, the Daisy, reflects the importance of our City's youth since it was nominated by a young boy because it was his mother's favorite flower. Still embracing its small-town ambience, the City offers excellent recreational and park facilities, a stellar police department, and a commitment to maintain the City. With a population estimated at just over 11,600, its outstanding schools, friendly neighborhoods, and strategic location as the crossroads of two major freeways, Los Alamitos keeps its roots in history and its future vested in those who cherish this special community.

Charter City

The City of Los Alamitos is a charter city operating under a Council-Manager form of government. The City Charter is ordained and established as the organic law of the City under the Constitution of the State of California.

In the Council-Manager form of City government, the City Council appoints a City Manager to serve as a full-time executive to carry out the established policies. The City Council appoints all legal counsel to provide City Attorney services. All department directors are appointed by, and report to, the City Manager.

City Council

A five-member City Council is elected by district to perform the legislative and policy-making functions of local government. Terms are staggered to allow for overlap; alternatively, and successively, three members' terms are filled at one general municipal election and two members' terms at the next such election. Council Members' terms of office are for four years and members are limited to serving a total of 12 consecutive years or three terms. Annually, the Council Members select a Mayor and Mayor Pro Tempore. The Los Alamitos City Council conducts regularly scheduled meetings once monthly, on the third Monday, beginning at 6:00 p.m., in the City Council Chamber, located at 3191 Katella Avenue.

All Council meetings are public meetings. Agendas and general information relative to the meetings are available from the City Clerk's Office. They can also be viewed on the City's website at www.cityoflosalamitos.org.

LOS ALAMITOS ORGANIZATIONAL STRUCTURE

The City of Los Alamitos consists of four departments: Administrative Services, Development Services, Police, and Recreation and Community Services.

City Manager/Administrative Services Department

The City Manager oversees this department, which is dedicated to developing policy and legislative actions that provide a safe and healthy environment to promote the highest quality of life for residents and visitors. The department is also dedicated to providing leadership for the effective and efficient delivery of municipal services. This department is responsible for the general management of all City operations in the areas of Administration, City Attorney, Finance, Human Resources, Claims, Legislative Matters, and the City Clerk's Office.

Development Services Department

This department is dedicated to enhancing the appearance of the City through its neighborhood and business environment and to improving the economic well-being of its community and residents. It consists of Planning, Building and Safety Inspection, Neighborhood Preservation Services, Public Works, Economic Development, and Engineering. This department is also responsible for fleet services, Internal Technology (IT), and risk management.

Police Department

This department is responsible for protecting the lives and property of Los Alamitos residents and for enforcing established laws and City Ordinances. It is dedicated to providing the highest degree of professional police services in partnership with the community to make Los Alamitos a better place to live, visit, and conduct business. The department also provides special programs such as the Community Emergency Response Team and Emergency Preparedness.

Recreation and Community Services Department

This department is responsible for recreation and community services programs and community-wide special events designed to benefit residents of all ages and interests. Through its aquatics, day camp, park programs, sports, special classes, and senior programs, the department creates community and improves the quality of life.

Other City Services

The Orange County Fire Authority provides fire services. Waste disposal, electrical services, sewer services, gas services, water services, and cable communication services are provided to residents as established through franchise agreements. The City of Long Beach contracts for animal control services, and the County of Orange provides library services to the community. The City also contracts for City Attorney services.

BOARDS, COMMISSIONS, AND COMMITTEES

The City's Charter allows the City Council to create by ordinance Boards or Commissions and may grant to them powers and duties consistent with the provisions of the City's Charter. California Government Code 54950, often referred to as the Ralph M. Brown Act, establishes guidelines for open and public meetings of legislative bodies. It defines "legislative body" broadly to include just about every type of decision-making body of a local agency.

Board, Commission, and Committee members are advisory bodies. They are appointed by and serve at the pleasure of the City Council in an advisory capacity to provide citizen input and recommendations. They advise and make recommendations to the City Council, but the City Council has the final responsibility for all policy decisions. The Planning Commission also serves as a decision-making body, per State law.

An appointment to a Board, Commission, or Committee is an honor and a responsibility and increases citizen participation in government affairs. As advisors, each member is expected to attend meetings regularly, understand the duties and role, and work to contribute to the betterment of the community. City staff provides technical and administrative assistance to the City Council and appointed advisory groups.

Composition

The Boards, Commissions and Committees are composed of the following number of members. Members are appointed by the City Council as terms expire and/or as vacancies occur.

- Parks, Recreation & Cultural Arts Commission (5 members)
- Personnel Appeals Commission (5 members)
- Planning Commission (5 members)
- Traffic Commission (5 members)

Regular Scheduled Meetings

The Commissions conduct regular scheduled meetings once a month, beginning at 6:00 p.m., in the Council Chamber, located at 3191 Katella Avenue.

The following are the regularly scheduled meetings per Commission:

- Parks, Recreation, & Cultural Arts Commission – first Wednesday of even months
- Traffic Commission – second Wednesday of the month
- Planning Commission – fourth Wednesday of the month
- Personnel Appeals Commission – as needed

RECRUITMENT AND APPOINTMENT PROCESS

Only registered voters, residing in the City of Los Alamitos are eligible for appointments. All Board, Commission, and Committee members are appointed by, and serve at the pleasure of, the City Council. The City Clerk's Office oversees the appointment process and maintains a roster of all appointees.

Applications

Those wishing to apply for appointment to a Board, Commission or Committee may do so by filling out an application form available from the office of the City Clerk. Every effort is made by the Council to give representation on a Board, Commission or Committee from a diverse cross-section of the City's citizens. A resident may apply concurrently for appointment to more than one Board, Commission or Committee, but may be appointed to only one of these advisory bodies at a time.

The process of filling vacancies is as follows:

1. An Availability Notice, detailing the Commission/Board's purpose, meeting location/time and current vacancy is prepared. The Notice specifies a thirty (30) day filing period in which applications are accepted. The Notice is posted at City Hall and the City's website, and information is distributed on the City's social media outlets.
2. Only new applications will be considered for current vacancies. Residents who are not current appointees and are interested in serving on a Commission/Board are invited to complete and submit a new application during the thirty (30) day filing period. Each Commission application will be specific to that Commission.
3. Once the application deadline is met, a date will be scheduled for City Council to interview all applicants for the vacancy under consideration. Thereafter, the appointment will be made by the City Council.

Terms

All members shall be appointed for a term of three years, with the exception of members of the Personnel Appeals Commission, who serve four years.

Oath of Office

Newly appointed member of a Board, Commission or Committee is required to take the Oath of Office as administered by the City Clerk or designee. Upon completion of the Oath, the member is authorized to attend meetings and vote.

Statements of Economic Interests – Form 700

All members of established City Boards, Commissions and Committees are required under State Law to file a Statement of Economic Interest 700 Form, with the City Clerk, upon assuming office. Annual statements must be filed each year thereafter as long as you hold office. A Leaving Office form must be completed upon leaving office.

Compensation

Charter: The members of Boards and Commissions shall serve without compensation for their services but may receive reimbursement for necessary traveling and other expenses incurred on official duty when the City Council authorizes such expenditures.

LAMC Chapter 2.30.080: All members of the Parks, Recreation and Cultural Arts Commission, Planning Commission, Personnel Appeals, and Traffic Commission of the City shall be provided a ten thousand dollar (\$10,000.00) group life insurance policy while appointed to the Commission or Board, with the premium of the policy to be paid by the City during such time. Upon expiration of their term or removal from office, such members shall not be entitled to any further compensation, including such policy.

ATTENDANCE AND REMOVAL

Council appointments made to a Board, Commission or Committee are held in high regard and an appointed advisory member is expected to attend and participate in all of the meetings held by the advisory group.

Absence from two consecutive meetings or from one-third (1/3) of the total of the regularly scheduled meetings during any calendar year shall be deemed to constitute the resignation of such member and the position shall automatically become vacant. The Chair or Vice-Chair of the Commission shall thereupon promptly notify the City Clerk. The City Clerk will notify the City Council and the former Commissioner of the fact of the vacancy.

Members of the Commission shall serve at the will and pleasure of the City Council. Therefore, they may, at any time, be removed from office, with or without cause, by a majority vote of the City Council whenever, in its discretion, the best interests of the City shall be served thereby.

RELATIONS OF THE BOARDS, COMMISSIONS, AND COMMITTEES

Relationships with the City Council

When a member of an advisory body addresses the City Council at a public meeting, it shall be made clear whether the member is speaking on behalf of the advisory body or as an individual citizen.

Business transacted with the City Council should be in writing from the Board, Commission, or Committee, and represent decisions made by a majority of the advisory group. The written communication, addressed to the City Council, should be channeled through the Chair of the advisory group and submitted to the City Manager's office.

A Board, Commission or Committee should not represent proposals to the City Council through community organizations. The method of advancing proposals carries the political influence of the organization as well as the proposal, which puts the Council in a difficult position to consider the proposal on its merits alone.

Undue Influence on Commissions/Boards

Council Members shall not attempt to coerce or influence Commissioners/Board Members in making appointments, awarding contracts, selecting consultants, processing development applications, or granting City licenses or permits. The City Council shall not attempt to change or interfere with the operating policies and practices of any City department.

Relationships with City Staff

The City's administrative staff works for and is responsible to the City Manager. The City Manager or designee may assign Staff to act in a technical advisory capacity and provide supportive assistance to a Board, Committee or Commission.

The Commission shall have the authority to utilize the services of the City Staff and such professional and other personnel as may be employed by the City from time to time as long as services rendered are within the City's adopted budget. Members shall not ask Staff to commit Staff resources for work that has not been budgeted or has not been approved by the City Council.

The Commission shall make all requests for discussion items publicly at a Commission meeting and require the support of the majority of the members present to have the item researched by Staff and added to the agenda. Staff will prioritize requests and bring items forward to the Commission in a timely manner.

Complaints Regarding Performance of Staff

Any concerns by a Commissioner/Board Member over the behavior or work of a City employee should be directed to the City Manager privately to ensure the concern is resolved and investigated completely and equitably. Commissioner/Board Members shall not reprimand employees directly, nor shall they communicate their concerns to anyone other than the City Manager. Commissioner/Board Members shall refrain from berating,

chastising, or speaking negatively about Staff to or in front of members of the public.

Relationships with Other Board, Commission or Committee Members

In order to build a consensus around common goals and objectives, each Board, Commission and Committee must create a degree of cooperation among members. An important way to develop this cooperation is for each member to ensure that meetings proceed in an orderly manner. The Chairperson is primarily responsible for seeing that consideration of agenda items moves along expeditiously with reasonable time allocated to each item. It is important that all members familiarize themselves with the basic rules of parliamentary procedure and by adequately preparing for presentations made to the Board, Commission or Committee, and thoroughly reviewing all materials provided to them before the meeting.

All Boards, Commission and Committees should be aware that members come from different backgrounds and represent different perspectives. Members contribute in their own way and are an important part of the decision-making process.

Bearing this in mind, the following concepts may serve as guidelines to develop cooperation:

- Always respect other individuals' viewpoints even though they may be the opposite of your own.
- Allow other individuals to articulate their views and then attempt to make an objective evaluation of those views.
- Evaluate fellow Board, Commission or Committee members' viewpoints based on what is best for the total community.
- Board, Commission and Committee members must be open and honest at all times.
- Each member has a responsibility to recognize new members and to see that they are made welcome and become oriented and trained.

Relationships with the Public

Members are encouraged to seek out and become aware of public opinion relating to their field of influence. They should welcome citizen input at meetings and ensure that the rules and procedures for these public hearings are clearly understood.

Members should conduct themselves at public meetings in a manner that is fair and best represents the City of Los Alamitos. Members should be considerate of all interests, attitudes, and differences of opinion. They should also take care to observe the appearance, as well as the principle, of impartiality.

The City promotes freedom of expression and open communication. It is expected that all Council Members and Appointed Officials will follow the outlined code of Conduct when representing the City and will avoid offending, participating in serious disputes, and disrupting workplaces.

Interactions with each other, City staff and the community, Commissioners will:

- Be respectful, especially when there is disagreement.
- Be honest and truthful.
- Treat each other and everyone with courtesy and refrain from behavior that is contrary to this Policy or derogatory comments.
- Refrain from inciting such behavior or derogatory comments.
- Make our community feel welcome and strive to make people feel heard by listening carefully, asking clarifying questions, and seeking to understand.
- Model good leadership by being professional, demonstrating effective leadership for our community, and adhering to this Policy.
- Recognize and pay deference to the roles and responsibilities of various members of the organization.
- Confront challenging topics directly and resolve conflicts directly.
- Keep an open mind; be willing to change views with new information, data, etc.
- Be accountable and responsible for their actions and words, even when it is uncomfortable to do so. This includes apologizing when a Council Member's behavior falls short of the Policy's aspirational standards.
- Be open to constructive feedback.
- Present problems in a way that promotes discussion and resolution.
- Credit others' contributions to moving our community's interests forward.
- Treat City staff professionally and refrain from publicly criticizing employees.
- Assume good intentions and do not pre-judge others.
- Acknowledge mistakes and move on from them.
- Debate the facts of the situation and avoid personalities and personal attacks.
- Endeavor to resolve interpersonal issues between Council Members outside of a City Council meeting and not permit interpersonal issues to impact the governance team.
- Explain disagreement in a way that focuses on the merits of an issue and recognizes that reasonable people of differing interests/good intentions can disagree on what is best for our community.
- Act in a manner that reflects the belief that Council Members, City staff, and others who serve the City are on the same team in service to our community, even though we have different roles.
- Fact-check information with colleagues, the City Manager, the City Attorney, and City Staff prior to making statements.
- Exercise self-control and avoid threats and personal attacks against anyone including Council Members, City Staff, Vendors, or the public.
- Focus on the issue at hand and avoid personalizing debates.
- Avoid engaging in disorderly or boisterous conduct that disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting.
- Obey any lawful order of the Mayor or Presiding Officer to enforce this Policy.
- Focus discussion on current agenda items.

ROLE OF CITY COUNCIL, ADVISORY MEMBERS, AND STAFF

Board, Commission and Committee members are appointed to serve in an advisory capacity to provide citizen input and recommendation of policy relative to its specific area of assignment. The Planning Commission is advisory and a decision-making body, per State law. Board, Commission and Committee members serve at the City Council's pleasure.

City Staff provides technical and administrative assistance to the City Council, Boards, Commissions and Committees, and serve at the direction of the City Manager, who in turn answers to the City Council.

City Council's role is to:

- Adhere to the Municipal Code
- Establish policy and direct the City Manager to carry out policy
- Solicit input from Boards, Commissions and Committees on issues in their various functional areas unless there are legal or time constraints

All Boards and Commissions shall review and make recommendations to the City Council on all matters pertaining to specific areas of designation. The general duties applicable to all Los Alamitos Boards, Commissions and Committees shall be:

- Review and recommend policy to the City Council. The appointed members do not establish City policy or administer City programs. Appointed members are encouraged to provide alternate solutions or recommendations for action or policy.
- To act in an advisory capacity to City Council and to cooperate with all governmental agencies and civic groups
- Listen to and reflect community interests, needs, and values to the City Council
- Represent the overall public good and not that of an exclusive group or interest
- Be informed of the scope of responsibility and operating procedures of the advisory groups
- Serve as a sounding board for the community and City administrators The Commission's specific roles and duties can be found at the end of this policy.

Staff's role is to:

- Research and investigate issues, prepare alternatives and recommendations for Boards, Commissions, Committees, and City Council review
- Implement City Council policy decisions
- Provide Staff liaison and clerical support to the Board, Commission, or Committee under the guidance of the Department Director and City Manager

Designated Staff shall serve as liaisons and/or Secretaries to each Commission. Representatives from other departments may attend when appropriate as well.

The following departments shall serve as Staff liaisons and/or Secretaries to each Board, Commission, and Committee:

Board, Commission, and Committee	Department
Parks, Recreation & Cultural Arts Commission	Recreation & Community Services
Personnel Appeals Board	City Manager/Administrative Services
Planning Commission	Development Services
Traffic Commission	Development Services

Boards, Commissions, and Committee Recommendations

Board, Commission, and Committee recommendations are forwarded to the City Council by Staff. The timeframe for City Council or Commission consideration may vary depending upon issue and urgency. The Planning Commission has certain legal timeframes in which to hear certain subject matter. City Council may reject recommendations, not for the lack of confidence in the suggestion, but due to other issues and considerations the Council must weigh in order to reach the decision that meets the legal responsibility and general welfare of the community.

ROLE OF OFFICERS

Election of Officers

The officers of City Boards, Commissions, and Committees shall consist of a Chairman and a Vice Chairman. The Chairman and Vice Chairman are elected annually at the first regular meeting of each calendar year. These positions hold office for a term of one year. Election shall be by a majority vote cast of the members present at the meeting the election is held. Officers shall assume office immediately upon election.

The Secretary shall be the Staff liaison who oversees the Commission appointed by the City Manager or their designee.

Duties

It shall be the duty of the **Chairman** to:

- Preside at all meetings of the Commission
- Call, and preside at, special meetings
- Sign all necessary and appropriate resolutions and other documents in the name of the Commission
- Name and appoint all necessary and appropriate committees of the Commission
- Represent the Commission or designate a representative of the Commission at all meetings and functions required by law or otherwise

It shall be the duty of the **Vice Chairman** to:

- Perform all duties of the Chairman in the absence or temporary illness of the Chairman

It shall be the duty of the **Secretary** to:

- Prepare, post, and distribute an agenda for all meetings of the Commission
- Make and maintain minutes of the proceedings of the Commission
- Sign, as Secretary, in the name of the Commission, all necessary and appropriate resolutions, notices and other documents authorized and directed by the Commission
- Receive and process all applications and all matters relating to the Commission

MEETINGS AND PREPARATION

Agendas

The Staff liaison is responsible for preparation and distribution of an agenda and supporting documents prior to each meeting. All reports to be submitted at a scheduled meeting must be delivered to the Secretary prior to the deadline established by administrative policy. The Secretary will prepare the agenda under the direction of the Department Director. Staff will add necessary items to the agenda as needed for Commission consideration.

The Commission shall make all requests for discussion items to be placed on an agenda publicly at a Commission meeting and require the support of the majority of the members present to have the item researched by Staff and added to the agenda. Staff will prioritize requests and bring items forward to the Commission in a timely manner. Documentation and information on the item shall be provided to Staff by the requesting Commission member prior to the agenda deadline.

The agenda shall be made available to the members at least 72 hours preceding the regular meeting to which it pertains and 24 hours preceding a special meeting.

The Chairperson or the majority of the members of the advisory group may call special meetings.

Adjourned Meetings

If, for any reason, the business to be considered at a regular meeting cannot be completed, less than a quorum of the members may designate a time and date for an adjourned meeting. Any matter to be considered at a regular meeting may be processed at an adjourned meeting. But, in order to so adjourn, it is necessary that this be announced to the public present at the time of adjournment and so recorded in the minutes.

The original 72-hour posting requirement is valid for taking action at an adjourned meeting. A notice of adjournment must be posted within 24 hours of adjournment.

Quorum

A quorum consists of a majority of the members of the Commission. A quorum is required to conduct the business of any meeting, whether it is regular, adjourned, or special. A majority vote of the members present and voting, where a quorum is present at any regular/special meeting, is required to carry a motion, proposal or resolution. Although a Commissioner is expected to be present at all meetings, should he/she know in advance that this will be impossible; he/she should so notify the Commission Secretary or Chairperson, or a Staff member.

In the event that a majority of Commissioners will not be present to conduct a meeting, the Staff liaison shall be notified in order to publicly post the meeting cancellation.

REGULATIONS TO HOLD A MEETING

All Boards, Commissions, and Committees shall meet regularly, as needed (provided there are business items to agendaize for consideration), in a location within the City of Los Alamitos, and shall meet the notice and meeting provisions of the Brown Act.

All meetings shall be open to the public except as otherwise authorized by the laws of the State of California. Regular minutes of such meetings shall be maintained by these advisory groups and available for public inspection at all times.

A meeting includes any gathering of a majority of the members of the advisory group to hear, discuss, or deliberate upon any item that is within its subject matter jurisdiction. A meeting also includes any use of direct communication, personal intermediaries, or technological devices, which are employed by a majority of the members of the Commission to develop a collective concurrence on any action to be taken on at any time by members of the legislative body.

Parliamentary Procedures

The procedure of the body shall be governed by majority vote of the body except as provided by the Los Alamitos Municipal Code, the City Charter, other rules adopted by the City Council, or applicable provisions of State Law. Rosenberg's Rules of Order may be used as a guide but shall not be conclusive authority on any question of order or procedure.

THE BROWN ACT

The Brown Act is a State Law requiring open meetings. It requires, among other things, that Commission meetings be open to the public (e.g., adequate meeting notification).

The law requires that the meeting agenda be posted 72 hours in advance, and that no changes can be made after that time. The notice must contain the time and place for such a meeting and the agenda subject to be considered. The law states that no action may be introduced or taken on items not on the agenda.

The law requires that meetings, at which a quorum of the members is in attendance, must be open to the public. For this reason, less than 50% of the members may be assigned to sub-Committees; otherwise it would create a quorum. A guide to the Ralph M. Brown Act is available online and listed in the Quick Links to Useful Resources at the end of this Handbook.

Open and Public Meetings

All advisory group meetings are required to be non-discriminatory to the public, handicap accessible, and shall not require an admission fee or sign-in. In addition, the public shall have the right to record/broadcast meetings, inspect tapes of meetings, and meetings may be video teleconferenced.

Public Hearings

A Board, Commission, and/or Committee may determine a public hearing be held by a two-thirds majority of those members present. An exception exists for the Planning Commission, which is governed by laws regarding public hearing requirements for land use issues. A public hearing is warranted if the Board, Commission, and/or Committee determines that its deliberations concerning a matter within its designation would be substantially aided by the presentation of testimony from the citizens of the City, or a certain area of the City. Notice of such a hearing may be provided by publication in a newspaper of general circulation published in the City of Los Alamitos, by posting the same in at least three (3) public places, and mailing of a public hearing notice. Such hearings shall be conducted in accordance with the rules established for the conduct of hearings before the City Council unless the Council, by resolution, shall provide otherwise. The Planning Commission has varying notice dates due to the subject matter.

Face to Face Meetings

City Council and City-appointed advisory group meetings are considered to be face-to-face meetings. These meetings are unlawful if a quorum of the appointed members discuss City business face-to-face, in private or without proper public notification specified in the Brown Act.

Serial Meetings

A serial meeting is a meeting where a quorum of the members uses any direct communication, personal intermediaries, or technological devices to develop collective concurrence on action to be taken. Serial meetings are unlawful because there is no way to properly notice and agendaize them, or to provide for any means of communication (electronic or otherwise) used for the purpose of developing collective concurrence on action to be taken.

Meeting Exceptions

1. Out-of-town meetings are not allowed except if there is not a meeting facility in the City; for compliance with law or Court Order; real or personal property inspection; meetings of multi-agency significance; meetings with state or federal officials; meetings in, and regarding, City facilities and pending litigation closed sessions, at legal counsel's office if more economical.
2. In addition, members are not restricted by the Brown Act from attending conferences, attending community meetings organized by others, attending public meetings of another body or agency and attending social or commercial occasions.
3. Emergency meetings may be called if prompt action is necessary due to disruption or threatened disruption of public facilities. This includes work stoppage or other activity or crippling disaster which severely impairs health, safety or both. In case of an emergency meeting, the 24-hour notice is not required, but the meeting is still required to be open to the public.

PROCEDURES DURING THE MEETING

Public Testimony at Meetings

Public testimony must be allowed at meetings as long as the testimony applies only to meetings and items for which action is proposed to be taken, except during oral communications. The opportunity to give public testimony must appear on meeting notices (agenda). The Commission can regulate the length of testimony.

Rules of Debate

A. Getting the Floor. Every member desiring to speak shall first address the Chair, gain recognition and shall confine him or herself to the question under debate, avoiding personalities and indecorous language.

B. Questions to Staff. Every member desiring to question the City Staff shall, after recognition by the presiding officer, address his or her questions to the presiding Staff Liaison or the City Attorney (if applicable), who shall be entitled either to answer the inquiry or designate a member of the Staff for that purpose.

C. Interruptions. A member, once recognized, shall not be interrupted when speaking unless called to order by the presiding officer unless a point of order of business or personal privilege is raised by another member. If a member, while speaking, is called to order, he or she shall cease speaking until the question of order is determined and, if determined to be in order, he or she may proceed. Members of the City Staff after recognition by the presiding officer shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

D. Points of Order. The presiding officer shall determine all points of order subject to the right of any member to appeal to the Commission, Board, or Committee. If an appeal is taken, the question shall be: "Shall the decision of the Presiding Officer be sustained?" A majority vote shall conclusively determine such question of order.

E. Point of Personal Privilege. The right of a member to address the body on a question of personal privilege shall be limited to cases in which his or her integrity, character or motives are questioned or where the welfare of the body is concerned. A member raising a point of personal privilege may interrupt another member who has the floor only if the presiding officer recognizes the privilege.

F. Limitation of Debate. No member shall be allowed to speak more than once upon any particular subject until every other member desiring to do so shall have spoken.

Remarks of Members and Synopsis of Debate

A member may request through the presiding officer the privilege of having an abstract of his or her statement on any subject under consideration by the body entered in the minutes. If the body consents, such statement shall be entered in the minutes.

Protest Against Action

Any member has the right to have the reasons for his or her dissent from, or his or her protest against any action of the body entered in the minutes. Such dissent or protest to be entered in the minutes shall be made in the following manner: "I would like the minutes to show that I am opposed to this action for the following reasons. . ."

Addressing the Boards, Commission, and Committees

A. Manner of Addressing the Boards, Commissions, and Committees. Each person desiring to address the body shall step up to the microphone in the front of the Council Chamber, state his or her name for the record, state the subject he or she wishes to discuss, state whom he or she is representing if he or she represents an organization or other persons, and, unless further time is granted by majority vote of the Body, shall limit his or her remarks to three minutes at the time an agenda item is called and five minutes during oral communications. All remarks shall be addressed to the body as a whole and not to a specific member. No question shall be asked of a member or a member of the City Staff without the permission of the presiding officer.

B. Spokesperson for Group of Persons. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the body on the same subject matter, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group to address the body and, in case additional matters are to be presented by any other member of the group, to limit the number of such persons addressing the body.

C. After Motion. After motion has been made or a public hearing has been closed, no member of the public shall address the body from the audience on the matter under consideration without first securing permission to do so by a majority vote of the body.

Rules of Decorum

A. Members. While the body is in session, the members must preserve order and decorum, and a member shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the body or disturb any member while speaking or refuse to obey the orders of the presiding officer. Members of the body shall not leave their seats during a meeting without first obtaining the permission of the presiding officer.

B. Employees. Members of the City Staff and employees shall observe the same rules of order and decorum as are applicable to the body, with the exception that

members of the City Staff may leave their seats during a meeting without first obtaining the permission of the presiding officer.

C. **Persons Addressing the Body and Members of the Audience.** Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening, or abusive language, clapping, whistling, yelling, stamping of feet, or other acts which actually disturb, disrupt, impede, or otherwise render the orderly conduct of the public meeting infeasible. A member of the audience engaging in any such disorderly conduct shall, at the discretion of the presiding officer or a majority of the body, be subject to ejection from that meeting.

D. **Violation of the California Penal Code.** Any person or persons who willfully disrupts, disturbs, or otherwise impedes the orderly conduct of a public meeting may be prosecuted pursuant to Penal Code Section 403 (Disturbance of Public Assembly or Meeting). Every person who violates Penal Code Section 403 is guilty of a misdemeanor.

E. **Persons Authorized at Dais.** During a meeting no person, except members of the body and the City staff, shall be permitted on, at or within five feet of the council dais without the prior consent of the presiding officer.

Motions

A motion by any member of the body, including the presiding officer, may not be considered by the body without receiving a second.

Any vote of the body including a roll call vote, may be registered by the members by answering "yes" or "aye" for an affirmative vote or "no" or "nay" for a negative vote upon his or her name being called by the Secretary.

Any member who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the presiding officer state the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the member affected, be decided by the other members. A member who is disqualified by reason of a conflict of interest in any manner shall not remain seated during the debate and vote on such matter, but shall request and be given the permission of the presiding officer to step down from the dais and leave the Council Chamber. A member stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

Every member should vote unless disqualified by reason of conflict of interest or bias/prejudice. A member who abstains from voting without a disqualifying conflict of interest or bias/prejudice thereby consents that a majority of the quorum may decide the question voted upon.

Tie votes shall be lost motions and may be reconsidered.

A member may change his or her vote prior to adjournment of meeting but not thereafter. A member who publicly announces that he or she is abstaining from voting on a particular matter shall not subsequently be allowed to withdraw the abstention.

A motion to reconsider any action taken by the body may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion may be made only by one of the members who voted with the prevailing side. Nothing herein shall be construed to prevent any member from making or remaking the same or any other motion at a subsequent meeting of the body.

Limited Printing Policy

In support of environmental sustainability, cost reduction, and operational efficiency, the City of Los Alamitos emphasizes a Limited Printing Policy. This policy restricts printing to essential documents only and encourages the use of digital alternatives wherever possible.

Objectives

1. Environmental Responsibility: Reduce paper consumption and waste to support environmental sustainability initiatives.
2. Cost Reduction: Decrease expenses related to paper, ink, printers, and maintenance through limiting the publication, printing, and storage of hard copy documents when permitted by law and when consistent with applicable records retention requirements.
3. Efficiency and Productivity: Streamline operations through the use of digital tools, reducing time spent on printing, filing, and retrieving paper documents. Identify and use alternatives to printing with collaborative software and other cloud computing tools to distribute, store and edit documents.
4. Data Security: Enhance the security of sensitive information by minimizing the risk of document loss or unauthorized access associated with physical paper.

Policy Jurisdiction

This policy applies to Board, Commission, and Committee Members and applies to the use of City of Los Alamitos internal printers. It covers all types of documents, including but not limited to:

- Internal and external correspondence (e.g., emails, memos)
- Reports and presentations
- Meeting agendas and minutes
- Forms and applications
- Marketing and promotional materials

Digital Tools and Resources

To support the reduction of printing, the City of Los Alamitos provides access to the following digital tools and resources:

1. Electronic Signatures: Platforms like DocuSign, Adobe Sign, or other signature programs should be used for securely signing documents without printing.

Printing Restrictions Printing is limited to the following essential circumstances:

1. Legal or Regulatory Compliance: Documents required by law or regulation to be in physical form.
2. Public Records Requests: Documents specifically requested through the formal public records request may be provided to the requestor in hard copy with applicable charges associated to the printing of the materials.
3. Critical Operational Needs: Documents necessary for critical operational functions that cannot be effectively handled electronically. A hard copy may be provided with applicable charges associated to the printing of the materials.

Printing Best Practices When printing is deemed necessary, the following best practices must be followed:

1. Double-Sided Printing: Utilize double-sided printing to reduce paper usage.
2. Print Preview: Use the print preview function to avoid printing errors and unnecessary pages.
3. Draft Mode: Print in draft mode for non-final documents to save ink.
4. Page Limits: Limit the number of pages printed to the minimum required, which is less than two pages. If the number of pages exceeds two, then a digital copy will be provided.

Communications with Staff

Board, Commission, and Committee members are encouraged to contact their liaison directly to ask questions for clarification or to request information. A Board, Commission, or Committee Member shall not direct Staff to initiate any action, change a course of action, or prepare any report that is significant in nature, nor shall a Member initiate any project or study without the approval of a majority of a quorum of Board, Commission, or Committee at a properly agendized meeting.

Request for Information for additional information on subject matters of interest

All requests should be made to the City liaison. The liaison will coordinate requests with the appropriate departments. The department head will take into consideration the amount of time and resources required to compile the requested information and advise the Member within 12 working days of an anticipated delivery date. Delivery dates are estimations based on current workloads, the number of information requests being received, available staff, etc.

Some information requested may take longer to retrieve. Anticipated delivery dates are subject to change at the department head's discretion. If the department head estimates compiling the requested information will require more than two hours of Staff time or otherwise necessitate a significant amount of Staff time to complete, then the department head will place the request on the next Board, Commission, Committee Agenda for approval and authorization by a majority vote of a quorum of the Board, Commission or Committee.

Information requests made by a Member and the resulting production of information, and records will be shared with the entire Board, Commission, or Committee to ensure equity in the distribution of information.

Responses will be provided in the most efficiently accessible way, including links to websites and electronic documents.

Undue Influence on Staff

Board, Commission, and Committee Members shall not attempt to coerce or influence Staff in making appointments, awarding contracts, selecting consultants, processing development applications, granting City licenses or permits, or assigning tasks and/or moving up tasks' timeline. The Board, Commission, and Committee shall not attempt to change or interfere with the operating policies and practices of any City department.

Complaints Regarding the Performance of Staff

Any concerns by a member of a Board, Commission, or Committee over the behavior or work of a City employee should be directed to the City Manager privately to ensure the concern is resolved and investigated completely and equitably. Members shall not reprimand employees directly, nor shall they communicate their concerns to anyone other than the City Manager. Board, Commission, or Committee members shall refrain from berating, chastising, or speaking negatively about Staff to or in front of members of the public.

PARKS, RECREATION AND CULTURAL ARTS COMMISSION

The Commission shall have such power, authority and duties as may be assigned by resolution of the City Council, as such may be adopted or amended by the City Council from time to time.

The City Council may, from time to time, empower the Commission:

1. To act in an advisory capacity to the City Council in all matters pertaining to public recreation, parks and community services, and to cooperate with other governmental agencies and civil groups in the advancement of sound recreation and parks planning and programming;
2. To act in an advisory capacity to the City Council in all matters pertaining to fine arts and cultural affairs, including proposing programs that will develop fine arts and cultural affairs activities in the City, such as improving the local library services, sponsoring art exhibits, musical and dramatic productions and working closely with all community organizations, agencies, schools and interested individuals in developing programs and activities for the cultural enrichment of City residents;
3. To formulate policies on recreational services and cultural enrichment for approval by the City Council;
4. To advise the City Council on problems of development of recreation and fine arts areas, facilities, programs and services;
5. To assist the City Council, when necessary, in the coordination of community-wide services sponsored by other governmental agencies and voluntary organizations;
6. To make periodic appraisals of the total recreation and parks operations in the City, to make periodic appraisals of the total fine arts and cultural affairs activities in the City, and to interpret the needs of the public in this regard to the City Council.

PERSONNEL APPEALS COMMISSION

The powers and duties of the Commission shall consist of:

1. To determine the order of business for the conduct of its meetings and hearings, and to hold such meetings as may be required by the rules or on call of the Chairperson or a majority of the members of the Commission. A majority of the members of the Commission shall constitute a quorum for the transaction of business;
2. As provided by the personnel rules, to receive and hear appeals submitted by any person in the competitive service relative to any dismissal, demotion, reduction in pay or suspension without pay for forty (40) hours or more and to certify the findings and recommendations as provided in this article;
3. In any hearing conducted by the Commission, it shall have the power to examine witnesses under oath and compel their attendance or production of evidence by subpoenas issued in the name of the City and attested by the City Clerk. It shall be the duty of the Police Chief to cause all such subpoenas to be served and refusal of a person to attend or to testify in answer to such subpoena shall subject the person to prosecution in the same manner set forth below for failure to appear before the City Council in response to a subpoena issued by the City Council. Each member of the Personnel Appeals Commission shall have the power to administer oaths to witnesses;
4. Within ten days after concluding the hearing, the Personnel Appeals Commission shall affirm, revoke or modify the action taken and certify its findings and decision to the City Council, City Manager and to the affected employee. The decision of the Personnel Appeals Commission shall be final and binding upon the City and its officials;
5. Prepare rules of procedure for the conduct of appeal hearings including, but not limited to, requiring attendance of witnesses, swearing of witnesses, order and burden of proof, examination of witnesses by the parties and Commission, deliberation by the Commission and preparation of findings and conclusions.

PLANNING COMMISSION

The Planning Commission shall have the powers and duties provided by the statutes of the state of California and local ordinances.

TRAFFIC COMMISSION

The Commission shall have such power, authority and duties as may be assigned by resolution of the City Council, as such may be adopted or amended by the City Council from time to time.

The City Council may, from time to time, empower the Commission:

1. Review requests for traffic safety regulatory signs and markings and make determinations pertaining thereto;
2. Initiate special studies on any unsafe or malfunctioning traffic condition and determine solutions to such conditions;
3. Review complaints, requests or suggestions concerning traffic safety conditions;
4. Perform such other functions as the City Council may request from time to time;
5. Review speed limits, one-way street designations, speed humps/bumps, traffic signals and any other device for traffic control and make recommendations to the City Council pertaining thereto.
6. Except as specified above, the Traffic Commission is an advisory body to the City Council.

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

REGULAR MEETING – August 27, 2025

1. CALL TO ORDER

The Planning Commission/Subdivision Committee met in Regular Session at 7:01 p.m., Wednesday, August 27, 2025, in the Council Chamber located at 3191 Katella Avenue, Los Alamitos, CA 90720.

2. ROLL CALL

Present: Commissioners: Chair Culty,
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

Chair Culty led the Pledge of Allegiance.

4. ORAL COMMUNICATIONS

Chair Culty opened oral communication.

Chair Culty closed oral communication.

5. CONSENT CALENDAR

A. Approval of June 25, 2025, Planning Commission Minutes

Commissioner Heichman provided corrections to page 7 of the June 25, 2025, Planning Commission Minutes.

Motion/Second:

Carried 4/0 (Hastie/Heichman) Culty abstained: The Planning Commission approved June 25, 2025, Planning Commission Minutes.

6. PUBLIC HEARING

A. Zoning Ordinance Amendment (ZOA) 25-03

Development Services Manager Montenegro Jr. introduced the item.

City Attorney Daudt shared the staff report.

Chair Cuijly inquired on Played it Again Sports needing a CUP previously to moving into their new location.

City Attorney Daudt provided clarity based off what he knows of their operations as a business and the new amendments.

Vice Chair Hastie shared his clarity on the difference of thrift stores and donation boxes.

City Attorney Daudt answered and provided clarity further of a donation box and thrift store.

Vice Chair Hastie discussed the donation box located in the Von's parking lot.

City Attorney Daudt shared that with these new enactments, donation boxes could operate legally with City regulation and have terms of protection in place to have a say how it is operated.

Vice Chair Hastie shared his concerns with donation boxes versus the strict rules set in place for thrift stores. She would like to see the same guidelines across the board for both thrift stores and donation boxes.

Chair Cuijly inquired on the Von's donation box having a business license if they have a lease.

Senior Planner Oliver answered yes and shared further clarity.

Vice Chair Hastie asked for clarity on recycling centers.

Commissioner Heichman inquired about the following:

- Precious Life having to obtain a CUP with these new enactments.
- Requirements for future donation boxes to disclose any information regarding the charitable organization they represent.

Senior Planner Oliver and City Attorney Daudt provided clarity.

Commissioner Griego inquired about any restrictions place for donation bins taking e-waste products.

City Attorney Daudt answered provided clarity to Commissioner Griego.

Vice Chair Hastie asked if a donation bin could have a listed definition of what is accepted and what is not and provided possible wording.

City Attorney Daudt suggested providing a variety of definitions on the donation box itself.

Commissioner Heichman asked for prior notice on when this item goes to City Council for review and attendance.

Commissioner Heichman made a motion to approve the Zoning Ordinance Amendment (ZOA) 25-03.

Motion/Second:

Carried 5/0 (Heichman/Griego): The Planning Commission approved the Zoning Ordinance Amendment (ZOA) 25-03.

B. Conditional Use Permit – Permanent Makeup

Development Services Montenegro Jr. introduced the staff report.

Senior Planner Oliver presented the staff report.

Chair Culty shared her surprise for the need for a Conditional Use Permit (CUP) for this item.

Senior Planner Oliver provided clarity on the need for a CUP.

Chair Culty opened the Public Hearing.

Chair Culty closed the Public Hearing.

Vice Chair Hastie asked for clarity on the zoning of the proposed business.

Senior Planner Oliver provided clarity.

Commissioner Heichman inquired on the nonconforming process.

Senior Planner Oliver shared further detail into the nonconforming process.

Vice Chair Hastie made a motion to accept the Conditional Use Permit – Permanent Makeup.

Motion/Second:

Carried 5/0 (Hastie/Legere): The Planning Commission approved the Conditional Use Permit – Permanent Makeup.

7. DISCUSSION

A. Community Development Block Grant (CDBG)

Development Services Manager Montenegro Jr. introduced the discussion item.

Senior Planner Oliver shared the discussion item.

Chair Cuijty opened the public hearing.

Chair Cuijty closed the public hearing.

Chair Cuijty supported the recommendation to repair Reagan Street between Katella Avenue and Farquhar Avenue.

Vice Chair Hastie inquired on additional repairs such as bike lanes, striping, or parking changes.

Senior Planner Oliver elaborated further on what will go into the street repair.

Development Services Manager Montenegro Jr. elaborated further on the CDBG funds and different projects that have completed with the funding.

Vice Chair Hastie touched on additional noticing within the city platforms.

9. ITEMS FROM THE DEVELOPMENT SERVICES DEPARTMENT

Development Services Manager Montenegro Jr. discussed the following:

- American Legion conducting a Hot Summer Nites Car Show event on August 31, 2025, and shutting down a portion of Chestnut Street.
- September Nites on Pine event will take place on Thursday September 11, 2025, and will consist of a Country cover band.
- Celebrate Los Al/Pine StrEATS event happening on September 13, 2025.
- Labourdette Ribbon Cutting and Soroptimist Groundbreaking Ceremony will both be taking place on Monday September 15, 2025, at 3:45pm and 4:30pm.

10. COMMISSIONER REPORTS

Chair Cuijty inquired about and received clarity on the following:

- Status of the medical building on Katella Avenue and Saratoga Drive
- The limit of extensions for building permits.
- Planning Commission start time change from 7pm to 6pm.
- Updates for neighborhoods within the city that have police activity other than social media.

Vice Chair Hastie shared his thanks to the city for continuing the firework display on the 3rd of July and for the restriping projects throughout the city.

Commissioner Heichman shared the following:

- Her attendance to the Paws in the Park event.
- Her attendance to the July 10th Concert in the Park event.
- Her conversation with the Recreation and Community Services Department regarding Senior Programing.
- Her attendance to the Seal Beach Fish Fry.
- Her attendance to the Senior Expo event.

Commissioner Greigo shared her praise for the Recreation and Community Services Department for their Summer Day Camp Programming.

11. ADJOURNMENT

The Planning Commission adjourned the meeting at 8:03p.m. to September 24, 2025.

ATTEST:

Mary Anne Culty, Chair

Gabriela Martinez, Department Secretary

City of Los Alamitos

PLANNING COMMISSION/SUBDIVISION COMMITTEE

AGENDA REPORT

MEETING DATE: September 24, 2025

ITEM NUMBER: 7A

To: Chair Culty & Members of the Planning Commission

Presented By: Michael Daudt, City Attorney

Subject: ZOA 25-04 State Mandated Update to Accessory Dwelling Unit (ADU) Regulations

SUMMARY

Consideration of a Planning Commission resolution recommending that the City Council adopt a draft ordinance to amend and restate Section 17.28.020 of the Los Alamitos Municipal Code concerning the regulation of Accessory Dwelling Units (ZOA 25-04).

RECOMMENDATION

1. Open the Public Hearing; and,
2. Take testimony; and,
3. Planning Commission adopt Resolution No. 2025-05 entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL ADOPT ORDINANCE NO. 2025-__ AMENDING AND RESTATING SECTION 17.28.020 OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING THE REGULATION OF ACCESSORY DWELLING UNITS (ZOA 25-04)".

BACKGROUND

City Initiated: Citywide

Environmental: Consideration of an exemption from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 152(h), which state the adoption of an ordinance regarding second dwelling units (accessory dwelling units) to implement the provisions of Government Code Section 65852.2 are exempt from CEQA; this action is further exempt from CEQA pursuant to CEQA Guidelines 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 a physical change to the environment, directly or indirectly.

Approval Criteria:

Chapter 17.58 of the Los Alamitos Municipal Code (LAMC) requires that any proposed amendment be recommended by a resolution to the City Council.

Noticing:

On August 29, 2025, Notice of Public Hearing was posted at City Hall. It was also published in the Orange County Reporter on August 29, 2025 as a 1/18th of a page notice.

An accessory dwelling unit ("ADU") is an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An ADU includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as a single-family dwelling or multifamily dwelling. A junior accessory dwelling unit ("JADU") is a small residential dwelling unit contained entirely within a single-family residence. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing single-family residence.

Section 17.28.020 of the Los Alamitos Municipal Code ("LAMC") includes provisions regulating the development of ADUs and JADUs in the City. Section 17.28.020 was last updated in 2023 to be consistent with then-current State legislation regulating ADUs. Since that time the California Department of Housing and Community Development ("HCD") has issued updated guidance regarding the implementation of the State ADU Law (California Government Code § 66310), and the California State Legislature has enacted further revisions to State ADU Law including Senate Bill 477 and Senate Bill 1211 (effective January 1, 2025). Furthermore, on August 12, 2025, City Staff received an inquiry from the HCD inquiring about the City's plan to update its ADU ordinance.

To address guidance from the HCD and the most recent revisions to State ADU Law, Staff has prepared ZOA 25-04. Staff recommends that the Planning Commission review the draft ZOA-25-04 Ordinance and adopt a resolution recommending its adoption by the City Council.

DISCUSSION

The proposed 2025 update to the City's ADU/JADU regulations makes minor changes to LAMC Section 17.28.020 (Accessory Dwelling Units and Junior Accessory Dwelling Units). To comply with SB 477, Statutory Numbering was changed from references to Government Code sections 65852.2, 65852.22(h)(1), 65852.26, and 65852.2(e)(1) to section 66313, 66313(d), 66341, and 66323. Table 1 provides a summary of the 2025 regulations and illustrates the other proposed changes in redline format.

An important component of the existing and proposed regulations is the differentiation between four types of ADUs, defined as follows.

- Attached ADU: an ADU that consists of new living space that is physically attached to a primary dwelling structure.
- Detached ADU: an ADU that consists of new living space that is physically separated from, but located on the same lot as, a primary dwelling structure.
- Converted ADU: an ADU that consists of a re-purposed living space within an existing primary dwelling or accessory structure, including conversion of bedrooms, attached or detached garages, storage areas, or similar uses.
- Junior ADU: a unit that is no more than 500 square feet in size and contained entirely within a single-family residence or its attached garage; it may include separate sanitation facilities or may share sanitation facilities with the existing structure (as defined by Government Code section 66313(d)).

Government Code Section 66323 creates four categories of ADUs and JADUs that must be approved ministerially and are not subject to most other design and development standards such as lot coverage, setbacks, and parking. ADUs in this category are referred to as State exempt ADUs or “66323 Units”.

Table 1: Comparison of Existing and Proposed ADU Regulations

	Existing (Adopted 2023)	Proposed
Government Code References	65852.2, 65852.22(h)(1), 65852.26, and 65852.2(e)(1)	66313, 66313(d), 66341, and 66323
Definitions	N/A	“State exempt ADUs” means the four categories of ADUs or JADUs that are created pursuant to Government Code § 66323 including: ~ (1) one converted ADU and one JADU per single-family lot as described in Government Code § 66323(a)(1); (2) one detached ADU per single-family lot as described in Government Code § 66323(a)(2); (3) one or more converted ADUs on multifamily lots as described in Government Code § 66323(a)(3); and (4) one or more detached ADUs on multifamily lots as described in Government Code § 66323(a)(4). ~ State exempt ADUs shall be approved ministerially and are not subject to certain development standards as required by state law and as specified in Subsection (H)(6) below.
ADU Requirements	2. An ADU shall be either: 1. Attached to, or located within,	2. An ADU shall be either: 1. Attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar

	the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure; or 2. Detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.	uses, or an accessory structure; or 2. Detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, <u>including detached garages.</u>
Number of Units Per Lot	3. Number of Units Per Lot. 1. For lots with a proposed or existing single-family dwelling, no more than one attached, converted or detached ADU and one JADU shall be permitted on the lot. In cases where both a detached ADU and JADU are developed or proposed on a lot, the total floor area of the detached ADU must be 800 square feet or less. 2. For lots with an existing multifamily dwelling: 1. At least one attached ADU, and up to 25 percent of the number of the existing units may be constructed within portions of the existing multifamily dwelling structure that are not used as livable space (e.g., storage rooms, boiler rooms, passageways, attics, basements, or garages) provided all applicable building code standards are met. 2. Not more than two detached ADUs shall be permitted on the lot	3. Number of Units Per Lot. 1. For lots with a proposed or existing single-family dwelling: 2. 1. no more than one attached, or converted or detached ADU, and one JADU shall be permitted on the lot; and, in cases where both a detached ADU and JADU are developed or proposed on a lot, the total floor area of the detached ADU must be 800 square feet or less. 2. <u>One detached, new construction ADU, that does not exceed four-foot side and rear setbacks.</u> 2. For lots with an existing multifamily dwelling: 3. 1. At least one attached ADU, and up to 25 percent of the number of the existing units may be constructed within portions of the existing multifamily dwelling structure that are not used as livable space (e.g., storage rooms, boiler rooms, passageways, attics, basements, or garages) provided all applicable building code standards are met.; <u>and</u> 2. Not more than two <u>eight</u> detached ADUs shall be permitted on the lot <u>provided the number of detached ADUs shall not exceed the number of existing units on the lot.</u>

		3. For lots with a proposed multifamily dwelling: 1. Not more than two detached ADUs shall be permitted.
Unit Size and Height	• i. Attached ADUs. The total floor area of an attached ADU shall not exceed (i) 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two or more bedrooms, or (ii) fifty (50) percent of the floor area of the primary dwelling, whichever is less. However, in no case shall this limitation be imposed to require an ADU with a total floor area of less than 800 square feet.	• i. Attached ADUs. The total floor area of an attached ADU shall not exceed (i) 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two or more bedrooms, or (ii) fifty (50) percent of the <u>existing</u> floor area of the primary dwelling, whichever is less. However, in no case shall this limitation be imposed to require an ADU with a total floor area of less than 800 square feet.
Off-street Parking	2. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced. 100. Off-street parking is not required in the following instances: 1. The ADU is located within one-half mile walking distance of public transit, including transit stations and bus stations; 2. The ADU is located within an architecturally and historically significant historic district; 3. The ADU is part of the proposed or existing primary residence or accessory structure (i.e., a converted ADU);	2. When a garage, carport, or covered parking structure, <u>or uncovered parking space</u> is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced. 100. Off-street parking is not required in the following instances: 1. The ADU is located within one-half mile walking distance of public transit, including transit stations and bus stations; 2. The ADU is located within an architecturally and historically significant historic district; 3. The ADU is part of the proposed or existing primary residence or accessory structure (i.e., a converted ADU); 4. When on-street parking permits are required but not offered to the occupant of the ADU; and/or 5. When there is a car share vehicle station located within one block of the ADU. <u>and/or</u>

	4. When on-street parking permits are required but not offered to the occupant of the ADU; and/or 5. When there is a car share vehicle station located within one block of the ADU.	6. <u>When a permit application for an ADU is submitted with a permit application to create a new single-family dwelling or a new multi-family dwelling on the same lot, provided that the ADU or the parcel satisfies any other criteria listed in this Section.</u>
JADU Parking Requirements	6. Parking. No additional off-street parking is required for a JADU beyond that required at the time the existing primary dwelling was constructed. However, when an existing attached garage is converted to a JADU, any required off-street parking spaces for the primary dwelling that are eliminated as a result of the conversion shall be replaced. These replacement parking spaces may be located in any configuration on the same lot, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces.	6. No additional off-street parking is required for a JADU beyond that required at the time the existing primary dwelling was constructed. However, when an existing attached garage is converted to a JADU, any required off-street parking spaces for the primary dwelling that are eliminated as a result of the conversion shall be replaced. These replacement parking spaces may be located in any configuration on the same lot, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces.
JADU Deed Restriction	9. Deed Restriction. Prior to the issuance of a building permit for a JADU, the owner shall record a deed restriction against the title of the property in the County Recorder's office with a copy filed with the Director. The deed restriction shall run with the land and shall bind all future owners, heirs, successors, or assigns. The form of the deed restriction shall be provided by the City and shall provide that: 1. The property shall include no more than one JADU. 2. The JADU may not be sold, mortgaged, transferred separately from the primary residence; this deed restriction may be enforced against future purchasers.	9. Deed Restriction. Prior to the issuance of a building permit for a JADU, the owner shall record a deed restriction against the title of the property in the County Recorder's office with a copy filed with the Director. The deed restriction shall run with the land and shall bind all future owners, heirs, successors, or assigns. The form of the deed restriction shall be provided by the City and shall provide that: (a) The property shall include no more than one JADU. (b) The JADU may not be sold, mortgaged, transferred separately from the primary residence; this deed restriction may be enforced against future purchasers. (c) The owner of the property shall occupy either the primary residence or the JADU as his or her domicile. In the event owner occupancy of the property ceases, the JADU shall not be used as a separate dwelling unit, and shall not be separately rented or leased for any purpose. (d) The JADU may be rented, but may not be rented on a short-term basis of less than 30 consecutive days.

	100. The owner of the property shall occupy either the primary residence or the JADU as his or her domicile. In the event owner occupancy of the property ceases, the JADU shall not be used as a separate dwelling unit, and shall not be separately rented or leased for any purpose. 500. The JADU may be rented, but may not be rented on a short-term basis of less than 30 consecutive days. 5. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this Section. The deed restriction may not be modified or terminated without the prior written consent of the Director.	(e) (d) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this Section. The deed restriction may not be modified or terminated without the prior written consent of the Director.
Other Requirements	• 2) No Short-Term Rental Permitted. An ADU or JADU that is rented shall be rented for a term that is longer than thirty (30) days. Short-term rental (i.e., 30 days or less) of an ADU or a JADU is prohibited.	• 2) No Short-Term Rental Permitted. An ADU or JADU that is rented shall be rented for a term that is longer than thirty (30) days. Short-term rental (i.e., 30 days or less) of an ADU or a JADU is prohibited.
Permit Application and Review Procedures	• 6. Conformity with State Law. The City shall not apply any requirement or development standard provided for in this Section to an ADU or a JADU to the extent prohibited by any provision of State law, including, but not limited to, subdivision (e)(1) of Government Code section 65852.2.	6. <u>State Exempt ADUs and Conformity with State Law.</u> The City shall not apply any requirement or development standard provided for in this Section to an ADU or a JADU to the extent prohibited by any provision of State law, including, but not limited to, <u>subdivision (e)(1) of Government Code section 6632365852.2.</u> <u>State exempt ADUs shall be approved ministerially and are not subject to the standards set forth in Government Code §§ 66314-66322.</u> For example, and without limitation, <u>state exempt ADUs do not have to comply with Subsection (E)(4)(a)(ii) size limits for new construction multifamily detached ADUs, Subsection (E)(6)(a) front setback requirements, Subsection (E)(6)(b) side and rear setback requirements for single-family converted ADUs and JADUs, or Subsection (E)(7) off-street parking requirements.</u>

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FISCAL IMPACT

None.

Attachment: 1. Draft CC Ordinance - 2025 ADU Ordinance Update
 2. PC Resolution 25-05 of Recommendation of ZOA 25-04

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING AND RESTATING SECTION 17.28.020 OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING THE REGULATION OF ACCESSORY DWELLING UNITS (ZOA 25-04)

WHEREAS, an accessory dwelling unit or “ADU” is an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as a single-family dwelling or multifamily dwelling; and,

WHEREAS, a “junior accessory dwelling unit” or “JADU” is a small residential dwelling unit contained entirely within a single-family residence. A Junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing single-family residence; and,

WHEREAS, in 2016, the State Legislature adopted two bills pertaining to accessory dwelling units, Assembly Bill 2299 and Senate Bill 1069, which modified Government Code Section 65852.2; the State Legislature further modified Government Code Section 65852.2 with the adoption of Assembly Bill 494 and Senate Bill 229 in 2017, and again in 2020 with the adoption of Senate Bill 13, Assembly Bill 68, Assembly Bill 881 and Assembly Bill 3182 (Collectively, the “State ADU Law”); and,

WHEREAS, on June 15, 2020, the City Council of the City of Los Alamitos adopted Ordinance No. 2020-04 amending and restating Sections 17.08.020 and 17.28.020 of the Los Alamitos Municipal Code to update and clarify the City’s regulations related to ADUs in accordance with the State ADU Law; and,

WHEREAS, in July 2022, the California Department of Housing and Community Development (HCD) issued an updated Accessory Dwelling Unit Handbook, providing guidance on implementation of the State ADU Law; and,

WHEREAS, during its 2021-2022 Regular Session, the State Legislature approved two bills modifying the State ADU Law, Senate Bill 897 and Assembly Bill 221 (Collectively, the “2022 Revisions to the State ADU Law”); and,

WHEREAS, the 2022 Revisions to the State ADU Law necessitated the amendment and restatement of Section 17.28.020 (Accessory Dwelling Units and Junior

Accessory Dwelling Units) of Title 17 (Zoning Regulations) of the Los Alamitos Municipal Code; and,

WHEREAS, on March 20, 2023, the City Council of the City of Los Alamitos adopted ZOA 23-01, to amend the Los Alamitos Municipal Code to update and clarify regulations related to the construction of ADUs and JADUs in accordance with the 2022 Revisions to the State ADU Law, which were intended to further streamline local regulations for the construction of new ADUs and JADUs; and,

WHEREAS, on March 25, 2024, the Chaptering of Senate Bill (SB) 477 (Chapter 7, Statutes of 2024) reorganized and renumbered sections of the Government Code relevant to State ADU and JADU requiring revisions to the code sections referenced in Ordinance CA 23-001; and,

WHEREAS, on September 19, 2024, the Chaptering of Senate Bill (SB) 1211 (Chapter 296, Statutes of 2024), revised sections of the Government Code relevant to State ADU and JADU law relating to the number of detached ADUs permitted on multi-family lots, the replacement of uncovered off-street parking spaces, and the imposition of design/development standards on ADUs; and,

WHEREAS, the City of Los Alamitos initiated ZOA 25-04 to amend the Los Alamitos Municipal Code to update and clarify regulations relating to ADU's and JADU's in compliance with State law; and,

WHEREAS, the Planning Commission opened a duly noticed Public Hearing concerning this proposed code amendment on September 24, 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 _____, 2025; 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 25-04 is consistent with the goals, policies, programs and land uses of applicable elements of the General Plan because the proposed Ordinance clarifies and updates the regulations for Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) in accordance with the requirements of Government Code Section 66310 *et seq.*, which the Legislature adopted with the intent to streamline local regulations for the construction of new Accessory Dwelling Units. The State has long held that Accessory Dwelling Units are an important source of affordable housing in California. The City's adopted General Plan Housing Element contains policies which support development of Accessory Dwelling Units, and the City's Regional Housing Needs Allocation (RHNA) is supported by the addition of Accessory Dwelling Units to the City's housing stock.

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

ZOA 25-04 will promote public convenience, health, interest, safety and general welfare and serve the goals and purposes of Title 17 by clarifying and streamlining the regulations applicable to development of new Accessory Dwelling Units. The proposed Accessory Dwelling Unit regulations require compliance with all applicable building and safety codes to ensure all life safety requirements are met.

- 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.*

The City Council of the City of Los Alamitos determines that this Ordinance is exempt from CEQA per Public Resources Code Section 21080.17 and CEQA Guidelines Section 152(h), which state the adoption of an ordinance regarding second dwelling units (accessory dwelling units) to implement the provisions of Government Code Section 65852.2 are exempt from CEQA; this Ordinance is further exempt from CEQA pursuant to CEQA Guidelines 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 a physical change to the environment, directly or indirectly.

SECTION 3. Section 17.28.020 of Article 4 (Regulations for Specific Land Uses and Activities) of Title 17 (Zoning) of the Los Alamitos Municipal Code is hereby amended and restated in its entirety to read as follows:

17.28.020 Accessory Dwelling Units and Junior Accessory Dwelling Units

A. Purpose. The purpose of this Section is to provide for and regulate the creation of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in a manner consistent with California Government Code sections 65852.2 and 65852.22.

B. Definitions. The following terms used in this Section shall have the meanings indicated below:

“Accessory dwelling unit”, “accessory structure”, “efficiency unit”, “living area”, “nonconforming zoning condition”, “passageway”, “proposed dwelling”, “public transit”, and “tandem parking” all have the same meaning as that stated in Government Code section 65852.2 as that section may be amended time to time. The terms “accessory dwelling unit” and “ADU” shall have the same meaning.

“Attached ADU” means an ADU, other than a converted ADU, that is physically attached to a primary dwelling.

“Converted ADU” means an ADU that is constructed within all or a portion of the permitted existing interior space of an accessory structure or within a portion of the permitted existing interior space of a dwelling structure, including bedrooms, attached garages, storage areas, or similar uses. A converted ADU also includes an ADU that is constructed in the same location and to the same dimensions as a permitted existing structure or portion of a permitted existing structure.

“Detached ADU” means an ADU, other than a converted ADU, that is physically separated from, but located on the same lot as, a primary dwelling.

“Director” means the Development Services Director or their designee.

“Junior accessory dwelling unit” has the same meaning as that stated in Government Code section 65852.22(h)(1) as that section may be amended time to time. The terms “junior accessory dwelling unit” and “JADU” shall have the same meaning.

“State exempt ADUs” means the four categories of ADUs or JADUs that are created pursuant to Government Code § 66323 including:

(1) one converted ADU and one JADU per single-family lot as described in Government Code § 66323(a)(1); (2) one detached ADU per single-family lot as described in Government Code § 66323(a)(2); (3) one or more converted ADUs on multifamily lots as described in Government Code § 66323(a)(3); and (4) one or more detached ADUs on multifamily lots as described in Government Code § 66323(a)(4).

State exempt ADUs shall be approved ministerially and are not subject to certain development standards as required by state law and as specified in Subsection (H)(6) below.

C. Conforming ADUs. An ADU that conforms to this Section shall:

1. Be deemed an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located;
2. Be deemed a residential use that is consistent with the existing General Plan and zoning designation for the lot upon which it is located; and
3. Not be considered in the application of any local ordinance, policy, or program to limit residential growth.

D. Locations Permitted.

1. *Permitted ADU Locations.* ADUs conforming to the provisions of this Section may be located on any lot in the City zoned to allow single-family or multifamily residential uses and that includes a proposed or existing legally developed single-family or multifamily dwelling.
2. *Permitted JADU Locations.* JADUs conforming to the provisions of this Section may be located within a proposed or existing legally developed single-family dwelling on any lot in the City that is zoned to allow single-family residential uses.

E. ADU Requirements.

1. *Legal Lot/Residence.* An ADU shall only be allowed on a lot that contains a proposed or legally developed existing single-family or multifamily residence.
2. An ADU shall be either:
 - (a) Attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure; or
 - (b) Detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, including detached garages.
3. *Number of Units Per Lot.*
 - (a) For lots with a proposed or existing single-family dwelling:
 - i. One attached or converted ADU, and one JADU shall be permitted on the lot; and
 - ii. One detached, new construction ADU, that does not exceed four-foot side and rear setbacks.

(b) For lots with an existing multifamily dwelling:

- i. At least one ADU, and up to 25 percent of the number of the existing units may be constructed within portions of the existing multifamily dwelling structure that are not used as livable space (e.g., storage rooms, boiler rooms, passageways, attics, basements, or garages) provided all applicable building code standards are met; and
- ii. Not more than eight detached ADUs shall be permitted on the lot provided the number of detached ADUs shall not exceed the number of existing units on the lot.

(c) For lots with a proposed multifamily dwelling:

- i. Not more than two detached ADUs shall be permitted

4. *Unit Size and Height.*

(a) Maximum Size.

- i. Attached ADUs. The total floor area of an attached ADU shall not exceed (i) 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two or more bedrooms, or (ii) fifty (50) percent of the existing floor area of the primary dwelling, whichever is less. However, in no case shall this limitation be imposed to require an ADU with a total floor area of less than 800 square feet.
- ii. Detached ADUs. The total floor area of a detached ADU shall not exceed 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two or more bedrooms.
- iii. Converted ADUs. The maximum size limitations set forth in this Subsection do not apply to converted ADUs that do not increase the existing floor area of a structure. In addition, a converted ADU created within an existing accessory structure may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure to extent necessary to accommodate ingress and egress.

(b) Minimum Size. The total floor area of an attached or detached ADU shall be at least 150 square feet.

(c) Height

- i. Except as provided below, the height of a detached ADU on a lot with an existing or proposed single-family or multifamily dwelling unit shall not exceed 16 feet.
- ii. The height of a detached ADU located on a lot with an existing or proposed single-family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, shall not exceed 18 feet. However, an additional two feet of height, for a maximum of 20 feet, is allowed when necessary to align the roof pitch on the ADU to the roof pitch of the primary dwelling.
- iii. The height of a detached ADU on a lot with an existing or proposed multifamily, multistory dwelling shall not exceed 18 feet.
- iv. The height of an attached ADU shall not exceed the height limitation of the zoning district applicable to the primary dwelling or 25 feet, whichever is lower. In no event shall any such ADU exceed two stories.

5. *Applicability of Development Standards.* Except as otherwise provided in this Section, all ADUs must conform to the development standards set forth in this Title 17 for the zoning district in which they are located. Notwithstanding the foregoing, when the application of a development standard related to floor area ratio, lot coverage, open-space, front setbacks, or minimum lot size would prohibit the construction of an attached or detached ADU of at least 800 square feet with four-foot side and rear yard setbacks, such standard(s) shall be waived to the extent necessary to allow construction of such an ADU.

6. *Setbacks and Spacing.*

- (a) Front Yard Setbacks. New attached and detached ADUs are subject to the same minimum front yard setback requirements applicable to other structures on the lot on which the ADU is located.
- (b) Side and Rear Yard Setbacks. Minimum setbacks of no less than four (4) feet from the side and rear lot lines are required for new attached and detached ADUs.

- (c) Converted ADUs. No setbacks are required for converted ADUs, provided the side and rear yard setbacks of the existing converted structure are sufficient for fire and safety, as determined by the City's building official.

7. *Off-street Parking.*

- (a) One off-street parking space must be provided for an attached or detached ADU. The required parking space may be permitted in setback areas, or through tandem parking on a driveway, unless specific findings are made by the Director that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety concerns.
- (b) When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.
- (c) Off-street parking is not required in the following instances:
 - i. The ADU is located within one-half mile walking distance of public transit, including transit stations and bus stations;
 - ii. The ADU is located within an architecturally and historically significant historic district;
 - iii. The ADU is part of the proposed or existing primary residence or accessory structure (i.e., a converted ADU);
 - iv. When on-street parking permits are required but not offered to the occupant of the ADU;
 - v. When there is a car share vehicle station located within one block of the ADU; and/or
 - vi. When a permit application for an ADU is submitted with a permit application to create a new single-family dwelling or a new multi-family dwelling on the same lot, provided that the ADU or the parcel satisfies any other criteria listed in this Section.

8. *Exterior Access.* An attached or converted ADU must have independent exterior access from the proposed or existing primary dwelling.

9. *Passageway.* No passageway shall be required in conjunction with the construction of an ADU.

F. JADU Requirements.

1. *Footprint.* A JADU may only be constructed within the walls of a proposed or existing single-family residence, including an attached garage.
2. *Size.* A JADU shall not be less than 220 square feet and shall not exceed 500 square feet in size.
3. *Separate Entrance.* A JADU located within a proposed or existing single-family residence must include a separate entrance from the main entrance of the residence.
4. *Kitchen Requirements.* A JADU must include an efficiency kitchen, including a cooking facility with appliances, and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.
5. *Bathroom Facilities.* A JADU may include separate sanitation facilities or may share sanitation facilities with the proposed or existing single-family residence in which it is located. If a JADU does not include separate sanitation facilities, the JADU must include an interior entrance to the primary dwelling's main living area.
6. *Parking.* No additional off-street parking is required for a JADU beyond that required at the time the existing primary dwelling was constructed.
7. *Fire Protection.* For purposes of any fire or life protection ordinance or regulation, a JADU shall not be considered a separate new dwelling unit.
8. *Utility Service.* For purposes of providing service for water, sewer, or power, including a connection fee, a JADU shall not be considered a separate or new dwelling unit.
9. *Deed Restriction.* Prior to the issuance of a building permit for a JADU, the owner shall record a deed restriction against the title of the property in the County Recorder's office with a copy filed with the Director. The deed restriction shall run with the land and shall bind all future owners, heirs, successors, or assigns. The form of the deed restriction shall be provided by the City and shall provide that:
 - (a) The property shall include no more than one JADU.
 - (b) The JADU may not be sold, mortgaged, transferred separately from the primary residence; this deed restriction may be enforced against future purchasers.
 - (c) The owner of the property shall occupy either the primary residence or the JADU as his or her domicile. In the event owner occupancy of the property ceases, the JADU shall not be used as a separate dwelling unit, and shall not be separately rented or leased for any purpose.

- (d) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this Section.

The deed restriction may not be modified or terminated without the prior written consent of the Director.

G. Other Requirements.

1. *No Separate Conveyance.* Except as otherwise provided in Government Code section 66341 or by other applicable law, an ADU or JADU may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence, and a lot shall not be subdivided in any manner which would authorize such separate sale or ownership.
2. *No Short-Term Rental Permitted.* An ADU that is rented shall be rented for a term that is longer than thirty (30) days. Short-term rental (i.e., 30 days or less) of an ADU is prohibited.
3. *Owner Occupancy Requirements.*
 - (a) ADUs. Owner occupancy of either the primary dwelling or ADU is not required.
 - (b) JADUs. The property owner of the lot upon which a JADU is located must occupy either the JADU or the primary residence as his or her domicile.

H. Permit Application and Review Procedures.

1. *Building Permit Required.* A building permit is required prior to construction of an ADU or JADU. Except as otherwise provided in this Section or by State law, all building, fire, and related code requirements applicable to habitable dwellings apply to ADUs and JADUs. However, fire sprinklers shall not be required if they are not required for the primary dwelling.
2. *Application.* Prior to the issuance of a building permit for an ADU or JADU, the applicant shall submit an application on a form prepared by the City, along with all information and materials proscribed by such form. No application shall be accepted unless it is completed as prescribed and is accompanied by payment for all applicable fees.
3. *Review.* The Director shall consider and approve or deny a complete application for an ADU or JADU ministerially without discretionary review or public hearing within the time prescribed by law. Review is limited to whether the proposed ADU or JADU complies with the requirements of this Section. If an applicant requests a delay, the time period for the City to review of an application shall be tolled for the period of the requested delay. If the application to create an ADU or a JADU

unit is submitted with an application to create a new single-family dwelling on the lot, the Director may delay acting on the application for the ADU or the JADU until the City acts on the application to create the new single-family dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

4. *Zoning Conformity.* The City shall not require, as a condition of approval of a permit application for the creation of an ADU or JADU, the correction of nonconforming zoning conditions.
5. *Demolition Permits.* A demolition permit for a detached garage that is to be replaced with an ADU shall be reviewed with the application for the ADU and issued at the same time.
6. *State Exempt ADUs and Conformity with State Law.* The City shall not apply any requirement or development standard provided for in this Section to an ADU or a JADU to the extent prohibited by any provision of State law, including, but not limited to Government Code section 66323. State exempt ADUs shall be approved ministerially and are not subject to the standards set forth in Government Code §§ 66314-66322. For example, and without limitation, state exempt ADUs do not have to comply with Subsection (E)(4)(a)(ii) size limits for new construction multifamily detached ADUs, Subsection (E)(6)(a) front setback requirements, Subsection (E)(6)(b) side and rear setback requirements for single-family converted ADUs and JADUs, or Subsection (E)(7) off-street parking requirements.

I. Utilities

1. **ADUs.** Unless otherwise mandated by applicable law or the utility provider or determined by the City's Public Works Director to be necessary, an ADU may be served by the same water, sewer, and other utility connections serving the primary dwelling on the property, and the installation of a new or separate utility connection directly between an ADU and a utility is not required. However, separate utility connections and meters for ADUs may be installed at the property owner's option, when permitted by the utility provider, and subject to the payment of all applicable fees.
2. **JADUs.** A JADU shall be served by the same water, sewer, and other utility connections serving the primary single-family dwelling in which it is located, and no separate utility meters shall be permitted for a JADU.

J. Fees.

1. No impact fee is required for an ADU measuring less than 750 square feet. Any impact fees charged for an ADU of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling.

2. Construction of an ADU is subject to any applicable fee adopted under the California Government Code, Title 7, Division 1, Chapter 5 (commencing with § 66000) and Chapter 7 (commencing with § 66012).
3. For purposes of this Subsection, “impact fee” does not include any planning application fee, plan check fee, or building permit fee.

SECTION 4. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

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

PASSED, APPROVED, AND ADOPTED this ___th 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 __st day of _____, 2025 and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the __th day of _____, 2025, by the following roll-call vote, to wit:

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

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