

ORDINANCE NO. 09-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT Z09-05 AMENDING CHAPTER 17.10.020, TABLE 2-04 IN THE BUSINESS AND PROFESSIONAL USE SECTION IN THE LOS ALAMITOS MUNICIPAL CODE RELATED TO NON-MEDICAL OFFICE AS A CONDITIONAL USE IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONING DISTRICT

WHEREAS, a Categorical Exemption, Section 15305, has been prepared for the modification to Chapter 17.10.020, in accordance with the California Environmental Quality Act (CEQA) and the City’s Environmental Review Procedures; and,

WHEREAS, the proposed Zoning Ordinance Amendment, modifying the Los Alamitos Municipal Code, Chapter 17.10.020, Table 2-04 Business and Professional Use, 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 in that office uses were permitted uses prior to the 2005 Code adoption; and,

WHEREAS, the proposed Zoning Ordinance Amendment will not adversely affect the public convenience, health, interest, safety, or welfare of the City; and,

WHEREAS, the proposed modification will not be contrary to other goals, objectives and/or policies of the Los Alamitos General Plan as the industrial zone of the City currently includes office within Business and Industrial Parks.

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

SECTION 1. The City Council hereby amends Chapter 17.10.020, Table 2-04, as described in the Los Alamitos Municipal Code to conditionally allow offices uses within the Planned Light Industrial (P-M) Zone.

P	Permitted use
CUP	Conditional use permit required
—	Use not allowed
TUP	Temporary Use Permit

LAND USE	PERMIT REQUIRED BY ZONING DISTRICT			Specific Use Regulations
	C-O	C-G	P-M	
BUSINESS AND PROFESSIONAL USES				
Banks/financial institutions (without drive-through facilities)	P	P	—	
Offices, administrative or professional	P	P ⁽⁶⁾	C ^{(20) (21)} P^{(8) (12)}	
Offices, incidental to an allowed primary use	P	P	P	
Public utility commercial office	P	P/CUP ⁽⁵⁾	P	

20 students or fewer per class, and 2,500 sq. feet or less in net structure area.

- (2) 20 students or more per class, or greater than 2,500 in net building area.
- (3) Excluding those uses that are regulated under Section 17.48 (Adult Zoning Regulations).
- (4) CUP required for retail sales or service establishments that operate between the hours of 10:00 p.m. – 6:00 a.m., in the C-O and C-G zoning districts.
- (5) On properties with non-arterial street frontage, CUP on properties with arterial street frontage.
- (6) In multi-story structures, offices may occupy up to 100 percent of the gross floor area in the second and higher stories, and up to 15 percent of the ground floor upon verification of the square footage by the Director. In single-story structures located in shopping centers, up to 15 percent of the gross floor area of the center is allowed for office uses upon verification of the square footage by the Director.
- (7) Excluding fish and meat products, sauerkraut, vinegar, yeast and the rendering or refining of fats and oils.
- (8) Incidental to an allowed industrial use.
- (9) No boiling process employed, no aboveground tank farm or surface storage is allowed except above surface thinner storage – which cannot exceed 200 gallons.
- (10) All storage of supplies and equipment shall be within a structure or enclosed area.
- (11) Provided that no rubber is melted, that an internal mixer is used and that the residue is collected in compliance with applicable law.
- (12) Located at least 300 feet away from R-1 (Single-Family Residential), R-2 (Limited Multiple-Family Residential), R-3 (Multiple-Family Residential), and C-F (Community Facilities) Zoning Districts.
- (13) Commission shall make additional finding that this use is primarily dependent upon activities generated by the industrial uses allowed in the P-M zoning district.
- (14) Located at least 300 feet from any residential or community facilities zoning districts.
- (15) All operations are conducted completely within a masonry structure.
- (16) Provided that outdoor storage uses are entirely and effectively sight-screened from adjacent public rights-of-way or private property by masonry walls (limited to a maximum height of eight feet), building walls, or view-obscuring landscaping.
- (17) Storage and activities shall be conducted within an enclosed structure or an area enclosed by solid, decorative masonry walls with solid gates not less than six feet in height. Walls and gates shall be maintained in a sound and aesthetically pleasing fashion. Vehicles shall be screened from public view and shall not be stacked higher than the block wall. Vehicles may not be stored outside the enclosed yard area. Storage areas shall be paved and landscaped in compliance with applicable standards
- (18) Provided for employees of the primary use. CC&Rs may be required limiting adjacent uses in the same complex to those that are compatible with a (child) day care center.
- (19) Dwelling, single where used exclusively by a caretaker or superintendent of an allowed industrial use and their family.
- (20) Non Medical Office shall not exceed 30% of each Planned Light Industrial Zoned (P-M) Parcel.
- (21) Excludes Medical Office

SECTION 2. 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 3. 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 16th day of November, 2009.

Troy D. Edgar, Mayor

ATTEST:

Jeffrey L. Stewart, City Clerk

APPROVED AS TO FORM:

Sandra J. Levin, City Attorney

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

I, Jeffrey L. Stewart, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Ordinance No. 09-09 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 2nd day of November, 2009, and that thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 16th day of November, 2009, by the following roll-call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Jeffrey L. Stewart, City Clerk