

ORDINANCE NO. 24-1747

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORWALK, CALIFORNIA, AMENDING TITLE 17 (ZONING) OF THE NORWALK MUNICIPAL CODE WITH ZONING TEXT AMENDMENT NO. 2024-01 RELATED TO SPECIFIC PLAN AREA 1 - EXPANDING THE LIST OF ALLOWABLE USES, UPDATING PROHIBITED USES LIST, ESTABLISHING A WAYFINDING SIGNAGE REVIEW AND APPROVAL PROCESS, AND STREAMLINING THE ENTITLEMENT PROCESS FOR CERTAIN PROJECTS WITHIN THIS AREA

WHEREAS, the City of Norwalk ("City") is a general law city, incorporated under the laws of the State of California; and

WHEREAS, the City adopts this Ordinance pursuant to the City's general and police powers and property rights set forth under Government Code Sections 65850(a); and

WHEREAS, the City desires to amend Title 17 (Zoning) of the Norwalk Municipal Code (NMC) to standardized land use regulations within the City's Specific Plan Area No. 1 (SPA 1) in order to establish objectives, policies, regulations, development standards and review criteria for the implementation of a compatible blend of mutually supporting land uses consisting of a multi-story hotel, a wide array of professional offices and retail commercial uses, complementary commercial entertainment uses and residential condominiums in that area; and

WHEREAS, on July 16, 2024, the City Council for the City of Norwalk ("City Council") conducted a duly noticed public hearing to consider Zoning Text Amendment No. 24-01, and where after discussion the City Council decided to table the item for the proposed Zone Text Amendment; and

WHEREAS, before the City Council for the City of Norwalk is the proposed Zoning Text Amendment No. 24-01 with the exclusion of all reference to a second hotel; and

WHEREAS, on June 26, 2024, the Planning Commission for the City of Norwalk ("Planning Commission") conducted a duly noticed public hearing to consider Zoning Text Amendment No. 24-01, and where after careful review of the evidence in the matter, it adopted Resolution 24-02 recommending the City Council of the City of Norwalk ("City Council") approve the proposed Zone Text Amendment; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

THE CITY COUNCIL OF THE CITY OF NORWALK DOES ORDAIN AS FOLLOWS:

Section 1. The City Council for the City of Norwalk finds and declares that the foregoing recitals are true and correct and incorporates said recitals fully into this Ordinance as substantive findings.

Section 2. **Purpose.** The purpose and intent of this Ordinance is as follows:

1. Expand the allowable uses to include, but not limited to, billboards, arcades, bowling alley, entertainment venues, museums, outdoor events, restaurants, lounges and clubs. Currently, SPA 1 prohibits billboards. The proposed language will allow for a billboard and include new uses that complement the existing establishments within SPA 1 and will enhance the appeal and attraction of the area for economic development opportunities;
2. Remove incompatible uses, such as: collection agencies, credit services, detective and protective services, liquor stores, manufacturing and commercial services, security and commodity brokers, dealers and exchanges, tax consultation, and telephone answering service. The proposed text amendment will update the list of prohibited uses to include those uses outdated or inconsistent with the objective of SPA 1;
3. Include references to wayfinding and building identification signage. Wayfinding (directional) signage will be allowed through the Director Approval Request process;
4. Modify roles and procedures for final decision-making authority to streamline the entitlement process and further facilitate development. The proposed text amendment will simplify and streamline the entitlement process;
5. Preserve and enhance the aesthetic appearance and natural beauty of the City;
6. Serve the public interest in safety, both pedestrian and traffic;
7. Safeguard and protect the public health, safety, and welfare through standardized zoning areas throughout the City; and
8. Advance the goals, policies, and programs of the General Plan.

Section 3. **Finding.** The City Council has determined that the existing zoning designation must be revised to adequately address issues related to the current and future social, physical and economic environment in the City of Norwalk in order to create consistency with surrounding developments and general plan designation(s).

Section 4. **Finding.** The proposed Zone Text Amendment will be in the public interest since it will reflect current and contemplated land uses on the site and create consistency between the General Plan Map and Zoning Map.

Section 5. **Approvals.** The City Council of the City of Norwalk hereby approves Zone Text Amendment No. 24-01 amending Title 17 (Zoning) of the Norwalk Municipal Code as set forth in Exhibit “A” and incorporated within.

Section 6. **Environmental.** The City Council hereby finds and determines that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to “common sense” exception set forth in Section 15061(b)(3) of the California Code of Regulations where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 7. **Severability.** If any section, clause or phrase of this Ordinance is for any reason held to be unconstitutional, or otherwise invalid, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 8. **Certification.** This Ordinance shall take effect thirty (30) days after its adoption. The City Clerk is directed to certify to the enactment of this Ordinance and shall cause this Ordinance to be published and/or posted as required by law

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2024.

**MARGARITA L. RIOS
MAYOR**

ATTEST:

**THERESA DEVOY, CMC
CITY CLERK**

EXHIBIT “A”

ORDINANCE NO. 24-1747

Title 17 ZONING

Chapter 17.09 SPECIFIC PLAN AREAS

Article I. Specific Plan Area No. 1

“17.09.090 Categories of land uses is amended to add the following categories leaving the remainder of the section unchanged: billboards, wayfinding signage, building identification signage

17.09.100 Use approvals. The following sections are amended to read as follows and the remainder of these Subsections shall remain unchanged:

Subsection A. Unless specified below no category of use shall be established and no building shall be constructed in specific plan area No. 1 zone except upon the issuance, existence, and validity of a conditional use permit as provided for in Section [17.02.210](#) of the Norwalk Municipal Code and upon review and approval of a precise development plan as provided for in Section [17.02.205](#) of the Code. The criteria for approval shall include the following:

Subsection B is deleted in its entirety and replaced to read as follows:

In conjunction with the approval of a conditional use permit, the use(s) approved may include the range of uses within the same land use category as the approved use or uses for the purpose of a change in tenants without another conditional use permit provided that the Director of the Department of Community Development determines that the new use is substantially similar to the approved use and is otherwise included in the listing of uses permitted in this specific plan area. It shall be the responsibility of the developer, project manager, leasing agent, or other authorized representative to obtain said approval prior to exercising any lease or rental agreement, securing a City business license, obtaining a building permit, and/or receiving any other City approvals that are necessary. The decision of the Director of the Department of Community Development may be appealed to the Planning Commission and the Planning Commission’s decision is subject to appeal to the City Council. (Ord. 21-1722 § 2; prior code § 27-31.10)

17.09.110 Permitted uses, The following sections are amended to read as follows and the remainder of these Subsections shall remain unchanged:

Subsection A.

Designated Commercial Area and Parking/Utility Area (refer to Exhibit “A”):

Subsection A.2

Remove the following: Collection agencies, Credit services, Detective and protective services, Manufacturing and commercial services, Security and commodity brokers, dealers, and exchanges, Tax consultation, and Telephone answering service, and

Add the following: Billboards subject to an approved Sign Use Permit (SUP);

Subsection A.3

Add the following: Arcades, and Outdoor events, subject to a Special Event Permit,

Add the following: Arcades, Bowling Alley, Entertainment venues, such as small amphitheater venues for cultural, music and other entertainment events; Lounges, clubs, Museums, Outdoor events, subject to a Special Event Permit, and Restaurants, with or without the sales of beer/wine or alcoholic beverages;

Remove the following: Liquor stores and News and magazine stands

17.09.120 Prohibited uses is amended to Remove Billboards and Add the following and the remainder of the Subsection is to remain unchanged:

Collection Agencies;

Credit services;

Detective and protective services;

On-sale alcoholic beverage establishments which are not part of a bona fide eating place, or conducted within a hotel, entertainment venue, lounge, club or motion picture theater;

Liquor stores;

Manufacturing and commercial services;

News and magazine stands;

Security and commodity brokers, dealers, and exchanges;

Tax consultation;

Telephone answering service

Section 17.09.130 Development standards for commercial parking/utility sites, The following sections are amended to read as follows and the remainder of these Subsections shall remain unchanged:

Subsection O:

- .2 All signs and billboards shall be designed to enhance the architectural quality of the development through use of similar materials, colors, motifs and design elements used in the buildings and shall be coordinated throughout the site.
- .3 All wayfinding and modifications to wayfinding signage will be subject to Director Approval Request (DAR).

Section 17.02.203 Director approval requests, Subsection (C.2) is hereby amended to add (h) as follows:

- h. All wayfinding signage and modifications to on premise and off premise approved wayfinding signage”