

12. ORDINANCE NO. 24-1747 - ZONING TEXT AMENDMENT NO. 2024-01 TO AMEND VARIOUS SECTIONS OF TITLE 17 OF THE NORWALK MUNICIPAL CODE AS IT RELATES TO SPECIFIC PLAN AREA NO. 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

Staff recommends City Council introduce by title only Ordinance No. 24-1747, AN ORDINANCE OF THE CITY NORWALK 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 and schedule for adoption.

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”

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Legend

Strikethrough = Deleted language
Strikethrough = Proposed deleted
hotel language, reverting to original
Underline = Added language

Title 17 ZONING

Chapter 17.09 SPECIFIC PLAN AREAS Article I. Specific Plan Area No. 1

17.09.050 Need for specific plan area.

A. This specific plan area is adopted 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 two multi-story hotels, a wide array of professional offices and retail commercial uses, complementary commercial entertainment uses and residential condominiums. Traditional zoning practice is less capable of encouraging the desired land use mix and is less favorable to the use of unique and imaginative designs.

17.09.070 Area development policies.

J. Particularly high standards of development shall be applied to realize the unique potential of the area, to attract two suitable hotels, professional office and commercial uses, to provide an attractive residential neighborhood, and to enhance the environment for surrounding residents.

17.09.090 Categories of land uses.

This specific plan area provides for the following categories of land uses: hotels, office, retail, accessory commercial, billboards, wayfinding signage, building identification signage, residential condominiums and water wells and appurtenant structures. Uses shall be located as shown on Exhibit "A." (Ord. 21-1722 § 2; prior code § 27-31.9)

17.09.100 Use approvals.

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:

1. The general requirements for a conditional use permit as set forth in Section 17.02.210 are satisfied;
2. The general requirements for a precise development plan as set forth in Section 17.02.205 are satisfied;
3. The use(s) conform to and promote the objectives, policies, standards; regulations, purpose and intent provided for in this specific plan area;
4. The use(s) will serve to enhance the special identity of the area ensuring that the physical design follows the theme for the development;
5. The use(s) will be functionally located and integrated with respect to other uses within this specific plan area;
6. Sufficient evidence will be provided to assure that no unmitigated adverse environmental effects caused by odor, noise, glare, traffic, vibrations, fumes, smoke, particulate matter or unsafe storage of hazardous materials will occur.

~~B. Notwithstanding contrary provisions in other sections of the Norwalk Municipal Code relative to final decision-making authority, submission of plans and applications, and other procedural activities, it is deemed necessary to enact the following revisions thereto in order to assure effective review and implementation of this specific plan area.~~

1. ~~With respect to a conditional use permit, the Planning Commission shall not have the authority for final approval. The City Council shall conduct a public hearing and assume the decision-making responsibility for all conditional use permits within this specific plan area. All requirements for notices of public hearing, conduct of public hearing, recommendation to the City Council by the Planning Commission and similar activities shall remain unchanged.~~
2. ~~With respect to a precise development plan, the Planning Commission shall assume decision-making responsibility. The City Council shall be notified of the decision of the Planning Commission in a timely manner and may direct the precise development plan to be scheduled for its review.~~
3. ~~No conditional use permit application for any use or uses shall be submitted unless accompanied by a master plan of development covering this entire specific plan area. For the purposes of review and approval of a conditional use permit, the master plan may be schematic rather than precise, but shall contain sufficient details to allow for a determination regarding the criteria set forth in this chapter.~~

4. ~~Minor revisions to plans and/or uses approved by the Planning Commission and the City Council may be authorized by the Director of the Department of Community Development.~~
5. ~~At the discretion of the Director of the Department Community Development, a precise development plan may be scheduled for review and approval at a public hearing including compliance with all notices, procedures, and other activities appurtenant thereto. In any event, notice of any public hearing to consider a precise development plan shall be provided to surrounding property owners in a manner deemed satisfactory by the Director of the Department of Community Development.~~

B. 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.

In the specific plan area No. 1 zone, the following uses may be permitted subject to any conditions deemed necessary to accomplish the objectives and policies of this specific plan area: A. Designated Commercial Area and Parking/Utility Area (refer to Exhibit "A"):

1. Hotels or motor inn,
2. Business and professional offices, including administrative, financial, executive, regional and corporate headquarters. Permitted uses shall include, but are not necessarily limited to, the following:

Accounting, auditing, and bookkeeping services,

Advertising and public relations services,

Architectural, engineering and planning services,

Attorneys,

Billboards, subject to an approved Sign Use Permit (SUP)

Brokers, except truck brokers where truck traffic would be generated,

Business and management consulting services,

~~Collection agencies,~~

~~Credit services,~~

Data processing services,

~~Detective and protective services,~~

Doctors, dentist, optometrists, chiropractors and others licensed by the State to practice the healing arts for human beings, and accessory uses such as oculists, medical laboratories, and pharmacies dispensing only medical products,

Duplication, mailing and stenographic services,

Employment services,

Escrow and title companies,

Financial institutions,

Insurance services,

Interior decorator,

Investment services,

~~Manufacturing and commercial services,~~

Photographic services,

Public utility offices,

Real estate services,

Research services,

~~Security and commodity brokers, dealers, and exchanges,~~

~~Tax consultation,~~

~~Telephone answering service,~~

Travel agency;

3. Retail stores and services that will complement and support the two hotels, office and professional uses in the commercial portion of the site. Permitted uses shall include, but are not necessarily limited to, the following:

Antique stores,

Arcades

Art galleries or shops,

Automobile rental agency (provided no cars are serviced or stored on the site),

Bakeries,

Barber/beauty shops,

Book stores,

Bowling Alley,

Candy, nut and confectionery stores,

Computer and electronic equipment sales,

Clothing stores,

Curio shops,

Department stores,

Drug stores,

Dry cleaning/laundry, plant off-premises,

Dry goods stores,

Entertainment venues, such as small amphitheater venues for cultural, music and other entertainment events,

Florist,

Furniture stores,

Gift shops,

Instrument sales,

Jewelry stores,

Liquor stores,

Lounges, clubs,

Music stores,

Museums,

~~News and magazine stands,~~

Outdoor events, subject to a Special Event Permit,

Photograph galleries,

Photographic equipment sales,

Radio and television sales,

Restaurants, with or without the sales of beer/wine or alcoholic beverages,

Shoe repair,

Specialty retail stores,

Sporting goods stores,

Stationery stores,

Tailor shops,

Ticket sales;

4. Accessory Commercial:

On-sale alcoholic beverage establishments provided such uses are part of a bona fide eating place, or conducted within a hotel~~s~~ or motion picture theater, subject to the requirements of Section 17.04.140, except subsection (E)(1) (distance requirement) of that section shall not apply to:

Delicatessens,

Motion picture theaters, excluding drive-in theaters,

Museums,

Restaurants;

17.09.120 Prohibited uses.

All uses are prohibited unless provided for and authorized under the specific plan area. Under no circumstances shall the following uses or activities be permitted either as a principal or accessory use:

Adult-oriented businesses including book stores, drive-in theaters, indoor theaters, and massage parlors;

Automobile parts and accessories, except as an accessory use to a permitted principal use;

Automobile repair and service;

Bail bonds office;

Collection Agencies;

Credit services;

Detective and protective services;

Off-sale alcoholic beverage establishments;

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;

Billboards;

Billiard parlor;

Christmas tree sales lots;

Churches, synagogues, temples and other buildings primarily devoted to religious worship;

Educational institutions;

Fireworks sales stands;

Game arcade (as a principal use);

Gasoline stations;

Home occupations, except for office use only, subject to the requirements of Section [17.02.150](#);

Hospitals, sanitariums, child care centers, homes for the aged and other similar uses;

Ice sales (from dispensers);

Industrial and manufacturing uses;

Laundry business;

Laundry, self-service;

Liquor stores;

Manufacturing and commercial services;

Mobile home and trailer parks;

News and magazine stands;

Outdoor sales establishments;

Pawnshops;

Security and commodity brokers, dealers, and exchanges;

Tax consultation;

Telephone answering service. (Ord. 21-1722 § 2; Ord. 15-1670 § 2; prior code § 27-31.12)

17.09.130 Development standards for commercial parking/utility sites.

E. Building Height.

1. Primary structures (generally intended to be hotels and/or at least one office building):
 - a. The minimum building height shall be six stories.
 - b. A main structure may be allowed at less than the minimum building height specified herein if specifically allowed for and approved by a conditional use permit provided that it is clearly demonstrated that the objectives and policies expressed within this chapter will not be detrimentally affected.
 - c. An extension, wing, or other portion of a main structure may be less than the minimum building height.

G. Off-Street Parking

1. Parking shall be provided as follows:

- a. Hotel~~s~~ or motor inn: one space for each two guest rooms. In addition, parking shall be provided for various uses within hotel~~s~~ in accordance with standards set forth in this section.

M. Landscaping.

10. A minimum of one specimen tree shall be provided for each 2,000 square feet of gross floor area within the development, excluding nonpublic areas within the hotel~~s~~. For the purposes of this chapter, a specimen tree shall include 15 gallon size trees up to a maximum of 50% of the required number; All other required trees shall be 24 inch box or larger. The species of said trees shall be approved by the Director of the Department of Community Development.

O. Signs.

1. A master sign plan establishing conditions, standards and regulations for all signs within the development shall be approved by the Planning Commission prior to the establishment of any signs, including temporary signs, within the entire development.
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 signage will be subject to Director Approval Request (DAR).**
~~Signs shall generally be low-profile with monument signs being encouraged.~~
~~Roof signs and pole signs may be prohibited.~~

17.02.203 Director approval requests.

C. Types of Approvals. The Director may administratively approve the following:

2. Minor developments:
 - a. Building additions up to 30% of the existing building's gross floor area on properties zone for nonresidential uses.
 - b. Walls, fences, and hedges in any zone, pursuant to Section 17.03.300.
 - c. Façade improvements on properties zoned for nonresidential uses.
 - d. Modification to approved master sign programs.
 - e. Artificial turf in any zone, pursuant to the standards contained in Section 17.03.010.H.

- f. New single-family residences on substandard lots.
- g. Modifications/reconfigurations to parking layouts, pursuant to the standards in Section 17.30.050.
- h. **All wayfinding signage and modifications to on premise and off premise approved wayfinding signage**