

EXHIBIT B – RESOLUTION 5673 (10)

(Note: The attached language shall be substituted in place of corresponding passages that appear in the Draft Housing Element)

Measure 3

The City shall modify its Zoning Ordinance and establish an Emergency Shelter Overlay Zone (“ESOZ”) that applies to all commercially zoned land with a C-2, C-O or C-C designation. Under the ESOZ: (i) emergency shelters shall be a permitted use without the requirement for a conditional or discretionary approval; (ii) the number of emergency shelter beds allowed by right within the ESOZ shall correspond to the current unmet need identified for Lompoc (“ESB Threshold”); and (iii) objective management and development standards shall be codified consistent with the provisions of Government Code Section 65583(a)(4).¹ The ESOZ zoning regulations and associated Zoning Ordinance amendment shall expressly provide as follows:

- a. The initial ESB Threshold for the ESOZ shall be 82 beds (as determined pursuant to Table H-64). Thereafter, the ESB Threshold may be increased (but not decreased) following the procedure described in subpart c below and utilizing information derived from the ongoing outreach described in Section 12.1.6.
- b. As new emergency shelter facilities allowed by right are developed within the ESOZ, the resulting number of beds shall be applied against the total unmet need. This information shall be furnished to the City Council and provided to State HCD as part of the planning report required by California Government Code Section 65400. Once the unmet need is reduced to zero, and subject to the mandatory review provisions of subpart c below, : (i) the “by right” provisions of the ESOZ shall be suspended (unless the ESB Threshold is increased as provided in subpart c below); (ii) shelter facilities lawfully permitted under the ESOZ shall be deemed to be a conforming use under the City’s Zoning Ordinance; and (iii) shelter facilities may thereafter be allowed by conditional use permit within all zone districts, including parcels within the ESOZ.
- c. The ESB Threshold for the ESOZ shall be subject to periodic review by the City Council at the following intervals: (i) annually in conjunction with the planning report required by California Government Code Section 65400; and (ii) upon reaching the ESB Threshold, and prior to suspending the “by right” provisions of the ESOZ. Each such review shall be conducted by the City Council at an advertised public meeting, preceded by at least 20 days notice as follows: (i) publication in a newspaper of general

¹ See Section 12.1.2 and Table H-64 for an explanation of the 82-bed cap.

circulation in conformance with California Government Code Section 65090; and (ii) mailed notice to each of the homeless service providers described and identified in Section 12.1.6. As a result of testimony and information provided in connection with each review, supported by substantial evidence in the record, the ESB Threshold shall be modified to: (i) correspond to current unmet homeless estimates adopted in connection with periodic updates to the County of Santa Barbara Consolidated Plan and Continuum of Care Plans Point in Time Homeless Surveys); and (ii) adjusted, as appropriate, to account for homeless shelter production occurring during the planning horizon of the Housing Element.

- d. Objective management and development standards shall be codified consistent with the provisions of Government Code Section 65583(a)(4). Such standards shall be applicable to all emergency shelters, including those allowed “by right” and those allowed by Conditional Use Permit, both inside and outside the ESOZ.

- e. In the event that the ESP Threshold has not been reached but a homeless shelter project is proposed that would exceed the ESP Threshold, the ESP Threshold shall be automatically adjusted upward to accommodate the project “by right “ [Policies 1.1, 1.5, 1.8 and 1.15]

II-C	3 Emergency Housing in Commercial Zones	CDD	General Fund	2010
<p>Action: The City will amend the Zoning Ordinance to establish an Emergency Shelter Overlay Zone (“ESOZ”) that applies to all commercially zoned land with a C-2, C-O or C-C designation and accomplishes the following:</p> <ul style="list-style-type: none"> ❖ Emergency shelters shall be a permitted use without the requirement for a conditional or discretionary approval (i.e., allowed use “by right”). ❖ A limit on emergency shelter beds allowed “by right” shall be imposed (“ESB Threshold”), corresponding to the unmet need identified for Lompoc. The initial ESB Threshold shall be set at 82 beds and upon reaching the ESB Threshold, the “by right” provisions of the Ordinance shall be suspended. ❖ Objective management and development standards shall be codified consistent with the provisions of Government Code Section 65583(a)(4). ❖ Shelter facilities lawfully permitted under the ESOZ shall be deemed to be a conforming use under the City’s Zoning Ordinance following suspension of the “by right” provisions of the ESOZ. ❖ The ESB Threshold shall be subject to periodic review and adjustment in as described in Implementation Measure 3. ❖ Once the ESB Threshold is reached, shelter facilities may thereafter be allowed by conditional use permit within all zone districts, including parcels within the ESOZ. 				

12.1.5 Shelter Production

SB 2 expressly requires that zoning accommodations be made that allow for the development of at least one year-round emergency shelter as a permitted use without the requirement for a conditional or discretionary approval. In compliance with this requirement, Implementation Measure 3 provides for the establishment of an Emergency Shelter Overlay Zone (“ESOZ”) that would apply to all commercially zoned land with a C-2, C-O or C-C designation. Under the ESOZ, the number of emergency shelter beds allowed “by right” would correspond to the unmet need identified for Lompoc (“ESB Threshold”). The purpose of the ESOZ, in combination with the ESB Threshold, is to allow for the development of multiple facilities “by right” rather than just one large shelter. The initial ESB Threshold will be 82 beds (per Table H-64), and thereafter, the number may be increased (but not decreased) through the review process described in Implementation Measure 3. As new emergency shelter facilities allowed by right are developed within the ESOZ, the resulting number of beds shall be applied against the total unmet need. Once the unmet need is reduced to zero, the “by right” provisions of the ESOZ would be suspended and the following provisions would thereafter apply: (i) shelter facilities lawfully permitted under the ESOZ would be deemed to be a conforming use under the City’s Zoning Ordinance following expiration of the ESOZ; and (ii) shelter facilities would thereafter be allowed by conditional use permit within all zone districts, including parcels within the ESOZ. Furthermore, if the ESB Threshold has not been reached but a homeless shelter project is proposed that would exceed ESB Threshold, the ESB Threshold would be automatically adjusted upward to accommodate the project “by right.” The ESOZ would also codify objective management and development standards consistent with the provisions of Government Code Section 65583(a)(4).

Table H-65 Emergency Shelter Commercial Lands	Total Land Value	Total Structure Value	Valuation Ratio	Valuation Benchmark
C-2	\$ 7,779,059	\$ 11,215,667	59%	30%
C-O	\$ 3,934,594	\$ 4,824,357	55%	28%
C-C	\$ 5,177,835	\$ 12,268,905	70%	35%
Total	\$ 16,891,488	\$ 28,308,929	63%	31%
<p>Source: Assessor Parcel Data Base, County of Santa Barbara, 2007. Land Use Inventory, GIS Data and Current Project Lists, City of Lompoc, 2008.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. Valuation Ratio is computed as: Total Structure Value/(Total Land Value + Total Structure Value). 2. Valuation Benchmark is computed as: Valuation Ratio x 50%. 				

Table H-66 Emergency Shelter Capacity		Vacant	Under- utilized	Entitl- ed	Devel- oped	Grand Total
C2 Central Business District	No. of Parcels	2	15	1	43	61
	Acres of Land	0	3	0	11	14
	Maximum Potential	39	258			297
	Forecasted Capacity	23	152			175
CO Commercial Office District	No. of Parcels		2		26	28
	Acres of Land		2		9	11
	Maximum Potential	-	162			162
	Forecasted Capacity	-	89			89
CC Convenience Center District	No. of Parcels	7	2		46	55
	Acres of Land	12	0		8	20
	Maximum Potential	944	36			980
	Forecasted Capacity	664	25			689
Total	No. of Parcels	9	19	1	115	144
	Acres of Land	12	6	0	28	46
	Maximum Potential	984	455	-	-	1,439
	Forecasted Capacity	687	266	-	-	953

Source: Assessor Parcel Data Base, County of Santa Barbara, 2007. Land Use Inventory, GIS Data and Current Project Lists, City of Lompoc, 2008.

Notes:

1. In calculating "Maximum Potential," the Transitions Facility at 513 North G Street is used as a density benchmark. This facility was approved by the City in July 2006 and allows for 39 extended stay units on 0.48 acres. The resulting calculation is: Acres of Land x (39 Units/0.48 Acres).
2. Forecasted Capacity is based on the actual intensity of developed parcels within each zone district utilizing the following formula: Maximum Potential x Valuation Ratio. Vacant Parcels: (i) are those with zero improvement value and not otherwise owned by a tax-exempt entity; and (ii) exclude parcels that are "Entitled."
3. Underutilized Parcels: (i) are those having an improvement value of less than 50% of the mean improvement value of all developed properties within each respective zone (Table H-65); and (ii) exclude parcels that are "Entitled."
4. Entitled Parcels encompass all projects for which discretionary approvals have been granted but not yet constructed.
5. Developed Parcels are those having an improvement value of greater than 50% of the mean value of all improved parcels or which are owned by non-profit organizations and classified as developed.

12.1.6 Ongoing Needs Assessment

The City has an ongoing dialogue with homeless service providers by which to monitor changes in the depth and breadth of shelter needs: (i) participation in monthly meetings of the Lompoc Homeless Coalition convened by staff of the County Board of Supervisors; (ii) participation in quarterly meetings of the Regional Homeless Advisory Committee composed of membership from local homeless advisory groups representing Santa

Barbara County (Santa Maria, Lompoc, East County (Solvang Buellton, Santa Ynez), and Santa Barbara regions); (iii) annual reporting of homeless accomplishments in conjunction with awards of Community Development Block Grant funds to homeless service providers; (iv) annual site visits of each Lompoc emergency shelter by the City's Human Services Commission, touring the facilities and discussing usage and unmet need, if any, with shelter operators; (v) annual review by the Human Services Commission of funding requests of local emergency shelter providers, with award recommendations made to the City Council; (vi) participation in Santa Barbara County's Continuum of Care, including results of its Point In Time Homeless Survey; and (vii) participation in the countywide Winter Warming Shelter Program which reports to local communities on shelter usage in their respective communities. Utilizing information derived through this ongoing outreach, it proposed that the ESOZ cap be subject to periodic review and adjustment as described in Implementation Measure 3.