

**Excerpt from the Lompoc Planning Commission Meeting
Of November 30, 2006**

PUBLIC HEARING ITEMS:

1) ZONE CHANGE – ZC 06-05

The Planning Commission will consider a comprehensive revision of the City's Zoning Map to rezone approximately 600 designated parcels of land located throughout the City of Lompoc. This rezoning would make the Zoning Map consistent with the Land Use Element Map of the General Plan, as required by State law (California Government Code Section 65860). A map identifying the properties to be rezoned can be reviewed at the Planning Division at City Hall. A Negative Declaration has been prepared for this project in accordance with the California Environmental Quality Act (CEQA).

Community Development Director Arleen Pelster provided a PowerPoint presentation. Assistant City Attorney Matthew Granger summarized the legalities of the proposal. City Planner Lucille Breese summarized the written staff report.

Commissioner Harman discussed non-conforming uses for future tenants with Mr. Granger. Commissioner Fink discussed change in ownership and non-conforming uses with Mr. Granger. Commissioner Fink asked Ms. Breese if recommending a combined *Commercial Industrial* and *Planned Manufacturing* area would result in a generic *Planned Manufacturing* zone and Ms. Breese responded that it would depend on Council direction and Commission review.

Commissioner Rodenhi asked Mr. Granger about state law governing General Plans. Mr. Granger stated that the General Plan is the long range plan for community growth, that amendments can occur four times a year, and that the Zoning Map must be consistent with the General Plan Land Use Element map.

Commissioner Grames-Lyra asked if the *Commercial Manufacturing* and *Planned Manufacturing* were to be combined would it be a separate action. Ms. Breese indicated that the Planning Commission is making a recommendation to the Council on the Zoning Map consistency and possibly the *Commercial Manufacturing* and *Planned Manufacturing* combination.

PUBLIC HEARING OPEN

Commissioner Rodenhi provided the audience instructions in addressing the Commission.

Public Hearing opened at 6:56 p.m.
Public Hearing closed at 7:42 p.m.

Alice Milligan, resident – noted that many citizens do not read legal ads; stated that there is a lack of information from the Planning staff; and asked that the item be continued to allow additional community review.

Tim Creager, resident – thanked the staff for their hard work; indicated his general support of the zone change; noted he did not understand the combining of *Commercial Manufacturing* and *Planned Manufacturing*; and asked about frontage requirements.

John Linn, resident – indicated his opposition to limiting outside storage in industrial zones; noted that the fence height should be increased; and indicated that the General Plan Map should match the Zoning Map.

Kevin Smith, Zona Seca – expressed concern with mixed-use standards and frontage requirements.

Morris Sobhani, property owner – stated confusion with the combination of *Commercial Manufacturing* and *Planned Manufacturing* and does not support the action; supported a 'Grandfather clause' to provide protection for properties affected; and asked that the item be continued.

Nicholas Gonzales, resident – does not support the zone change without further study; is the owner of an R-3 lot and explained how the zone change will affect the property and his future development plans; and believed that the changes will downzone the availability to build and limit potential affordable housing.

Paul Woyak, local real estate agent – stated that the financial implications with the zone change are unknown; indicated his agreement with Mr. Sobhani's statements; and believed that the changes will limit potential use.

Larry Werner, Werner Construction – stated that his building has been in place over 100 years and has had many uses, including outside storage; asked about *Planned Manufacturing* and expressed concern and confusion with the proposal; and indicated his agreement with Mr. Sobhani's statement regarding a 'Grandfather' clause.

Rob Lewis, resident – indicated confusion about the proposal and indicated his agreement with a 'Grandfather' clause.

Martha Barajas, resident – discussed her situation; asked the Commission to deny the zone change and indicated agreement with a 'Grandfather' clause.

Jonatha Linn, resident – stated that her property is to be *Open Space* and she is unsure what that means; indicated she will have financial loss if the zone change is approved; and asked that her property remain zoned for residential.

Kevin Smith, Zona Seca – asked the Planning Commission to initiate a 'Grandfather' clause.

PUBLIC HEARING CLOSED

Commissioner Fink noted that the Planning Commission understands the issue and suggested a workshop be held to inform the public. Commissioner Rodenhi suggested that the item should be continued to allow more public information and noted that the General Plan may be outdated. Commissioner Grames-Lyra suggested that a 'Grandfather' clause already exists and asked about limitations on properties and non-conformance. Mr. Granger indicated that a non-conforming use could occur in any zone.

Commissioner Harman indicated that the Commission has received input to deny combining the proposed zones; stated that the General Plan hearings reviewed parcels by parcel; does not recommend a full re-write of the General Plan; and noted that the Commission is attempting to change the zones with an outdated document.

Commissioner Fink noted that if no action is taken, the Council can make the decision and suggested that if things are left as they are the Planning Commission will consider individual cases. Commissioner Grames-Lyra stated that there will be zoning problems whether the comprehensive zone change is recommended or not; noted benefits of the zone change to many other citizens; suggested that the item be moved ahead and let City Council make the final determination; and that staff can make exceptions or recommendations for individual cases. Commissioner Fink indicated that a blanket decision does not address the many individual cases; noted that each speaker tonight had a specific concern; and suggested that a workshop format is optimal in dealing with individual cases.

Commissioner Harman asked staff if the zone change fails, would the City be out of compliance with State law. Ms. Pelster indicated that the Housing Element is in compliance with State law. Commissioner Fink asked Mr. Granger what the Commission's options are. Mr. Granger indicated that the Commission was asked to either recommend approval or denial of the zone change.

It was moved by Commissioner Fink, seconded by Commissioner Rodenhi, not to recommend the approval of ZC 06-05. Commissioner Rodenhi acknowledged that the zoning map is not consistent with the General Plan Land Use map. Commissioner Fink so amended the motion to include Commissioner Rodenhi's statement.

Commissioner Fink stated that the number of citizens who voiced opposition to the Zone Change is of concern and that cases should be addressed on an individual basis. Commissioner Rodenhi indicated that a statement informing the public that the Zoning Map is not consistent with the General Plan Land Use Map should be provided on the website. Commissioner Harman stated that the Zoning Map should remain until the Zone Change is approved, even if it is not in compliance with the General Plan. Mr. Granger stated that the General Plan does provide the basis for land use in the City and the Zoning Map implements the land use decisions made by Council.

The motion passed on a roll call vote of 3-1-1 with Commissioner Grames-Lyra voting no and Commissioner Ruhge absent.

Commissioner Rodenhi thanked the audience for their comments and courtesy.