

Lompoc City Council Agenda Item

City Council Meeting Date: January 16, 2007



TO: Gary P. Keefe, City Administrator

FROM: Lucille T. Breese, AICP, City Planner
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SUBJECT: An appeal of a Planning Commission recommendation that the City Council deny Zone Change – ZC 06-05 – 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). (Planning Division File No. ZC 06-05)

RECOMMENDATION:

1. Open public hearing; receive input from applicants; take public comments; close public hearing; and
2. After deliberation and decision, direct staff to prepare a resolution for ZC 06-05, with appropriate Findings of Fact to either uphold the Planning Commission decision of November 30, 2006 or to grant the appeal.

BACKGROUND:

The Planning Division prepared a comprehensive update to the Zoning Map to achieve consistency between the General Plan Land Use Element Map and City's Zoning Map as required by state law. There are 606 parcels consisting of 401.80-acres located throughout the City of Lompoc affected by the Zone Change. Completion of this task was Specific Objective No. 5 in the Planning Division Biennial Budget for Fiscal Years 2005-2007.

September 11, 2006 – The Commission held a duly noticed public hearing, took public testimony, considered the staff report, and adopted Resolution No. 518 (06) recommending that the City Council certify the Negative Declaration and approve the Zone Change ZC 06-05. Copies of the staff report, meeting minute excerpts, and the adopted Resolution No. 518 (06) are included for Council review as a part of the November 30, 2006 staff report (Attachment No. 2). The Planning Commission recommended that the City Council approve ZC 06-05 by a vote of 3-2 with Commissioners Grames-Lyra and Ruhge voting no.

October 3, 2006 – By a unanimous vote, the Council approved a motion from Council member Siminski to send the item back to the Commission to reconsider ZC 06-05. The motion was stated as follows:

“To require the Planning Commission to reconsider the matter of Zone Change -- ZC 06-05 which was heard by the Commission on September 11, 2006, to allow for clarification of the proposal, additional staff input, supplemental legal information, and an expanded opportunity for members of the public to provide comments to the Planning Commission.”

November 30, 2006 – The Planning Commission held a duly noticed public hearing, received an informational presentation by staff, took public testimony, and reconsidered the decision to recommend the approval of ZC 06-05 to Council. A copy of the November 30, 2006 staff report and meeting minute excerpts (Attachment No. 3) are included for Council review. The Commission deliberated and on a vote of 3-1-1 with Commissioner Grames-Lyra voting no and Commissioner Ruhge absent, directed staff to prepare a resolution recommending denial of ZC 06-05.

December 11, 2006 – The Planning Commission adopted Resolution No. 535 (06) delineating the findings for the recommendation for denial (Attachment No. 4).

APPEAL:

The Planning Commission recommendation to deny ZC 06-05 was appealed (Attachment No. 1) by the Community Development Director because:

“On November 30, 2006, the Planning Commission recommended that the City Council deny Zone Change ZC 06-05. Section 8887.3.c of the Zoning Ordinance provides that the City Council shall not be required to take further action on a Zone Change if the Planning Commission recommends against the Zone Change, unless an interested party requests a hearing by filing a written request, which is deemed an appeal.”

The FY 2005/2007 City Budget lists Specific Objectives for the Community Development Department/Planning Division. Specific Objective No. 5 reads as follows:

“To amend the City’s Zoning Map to achieve consistency with the General Plan Land Use Map following adoption of a new Development Code.”

The City Council has subsequently determined that a new Development Code is not desired and has directed Planning Division staff to proceed with incremental updates to the existing Zoning Ordinance via Text Amendments. Four Text Amendments have been adopted and work is underway on two additional Text Amendments.

In order to follow the City Council directive in the FY 2005/2007 Budget and to be consistent with State law, the recommendation for denial of the Planning Commission for this Zone Change must be heard by the City Council. The Planning Commission discussed the need for the City Council to review and final determination.

ANALYSIS:

In October of 1997, the City of Lompoc adopted the current General Plan Land Use Element Map. After several public hearings by the General Plan Advisory Committee (GPAC), Planning Commission, and City Council some properties were assigned a Land Use designation which differs from the existing Zoning Map designation. State law requires that the General Plan Land Use Element Map and the Zoning Map be consistent.

When the City Council adopted the General Plan, the resolution included language requiring property owners to develop under the development standards of the approved General Plan Land Use designation, even though the Zoning Map showed conflicting designations.

Since the adoption of the General Plan, property owners with development plans have been required to process individual Zone Changes for their properties to insure conformance with the General Plan. This additional requirement adds expense and lengthens the processing time of the development applications.

When the Zone Change is adopted, applicants will no longer be required to incur this additional expense of amending the Zoning Map in the future.

The proposed Zone Changes will establish consistency with the existing General Plan designation. The Planning Commission would continue to review specific future development plans as they are proposed to ensure compatibility with adjacent uses.

Lucille T. Breese, AICP, City Planner

Attachments:

1. Notice of Appeal
2. Planning Commission Staff Report dated November 30, 2006
3. Minute Excerpts for November 30, 2006 meeting
4. Planning Commission Resolution No. 535 (06)

APPROVED FOR SUBMITTAL TO THE CITY ADMINISTRATOR:

Arleen T. Pelster, AICP, Community Development Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Gary P. Keefe, City Administrator