

ORDINANCE NO. 1528 (06)

**AN ORDINANCE OF THE CITY OF LOMPOC, AMENDING CHAPTER 5,
ARTICLE 1, OF CHAPTER 50 OF THE LOMPOC CITY CODE
PERTAINING TO NON-CONFORMING USES, STRUCTURES, AND LOTS**

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

SECTION 1. Chapter 5, Article 1 of Chapter 50 (the Zoning Ordinance) of the Lompoc City Code is hereby amended to read as follows:

Section 8862. Non-Conforming Structures.

3. Modifying Non-Conforming Structures and Developed Properties.

a. Group B non-conforming structures shall not be enlarged or modified except for the purpose of making them suitable for a conforming use, a less intensive, or less detrimental non-conforming use as determined by the City Planner under the provisions of Section 8861.3.b, or to conform to the development standards of the zone.

b. Group A non-conforming structures shall not be moved, added, or enlarged unless such structure(s), including the additions and enlargements, is (are) made to conform in every respect with the provisions herein set forth for the zone in which such building, structure, or improvement is located as shown on the zoning map. However, the Planning Commission may approve Conditional Use Permits under the provisions of Section 8880 et seq. for expansion or redevelopment of properties which have been previously developed and do not conform with the regulations contained herein, provided the expansion or redevelopment is designed for permitted uses. Said Conditional Use Permits may permit deviation from the regulations contained herein, including parking requirements, when it can be found that:

1. Strict conformance with the Zoning Ordinance would preclude viable expansion or redevelopment of the site;
2. Strict conformance with the Zoning Ordinance would result in disorderly or illogical transition(s) between existing and expanded areas of the site; and
3. Deviation from Zoning Ordinance regulations would not jeopardize the public health, safety, and welfare, and would produce a quality built environment.

Should the non-conforming structure be a non-conforming sign in a commercial zone, modifications may be made provided the modifications are minor in nature, do not increase the overall square footage, and are approved by the Planning Commission.

c. Group A non-conforming structures may be modified to make them suitable for a conforming use, for a less intense non-conforming use, or to conform to the property development standards of the zone.

SECTION 2. Judicial review of this decision shall be governed by the time limits of Code of Civil Procedure Section 1094.6.

SECTION 3. This Ordinance shall be effective thirty (30) days after its enactment."

PASSED AND ADOPTED on August 1, 2006, by the following electronic vote:

AYES: Councilmember:
NOES: Councilmember:
ABSENT: Councilmember:
ABSTAINED: Councilmember:

Dick DeWees, Mayor
City of Lompoc

ATTEST:

Donna Terrones, City Clerk
City of Lompoc