



**MINUTES OF THE REGULAR MEETING
OF THE LOMPOC PLANNING COMMISSION
Wednesday, August 22, 2018, at 6:00 p.m.
City Hall, 100 Civic Center Plaza, Council Chambers**

ROLL CALL: Commissioner Federico Cioni
Commissioner Ron Fink
Commissioner Nicholas Gonzales
Commissioner Mary Leach
Commissioner Jack Rodenhi

STAFF: Planning Manager Brian Halvorson
Principal Planner Greg Stones
Assistant City Attorney Jeff M. Malawy
Jennifer Daugherty of Lisa Wise Consulting

ORAL COMMUNICATIONS: None

PUBLIC HEARING ITEM:

GP 17-01 / ZC 15-02 – Comprehensive Update to Lompoc Municipal Code Title 17 (Zoning)

Planning Commission consideration of a comprehensive update to the Zoning Code including updates to the Land Use/Zoning Map, a General Plan Amendment/Zone Change for sixty-six existing parcels along East Ocean Avenue, rescinding the Old Town Specific Plan and comprehensive amendments, reorganization and adoption of a new Title 17 (Zoning) of the Lompoc Municipal Code. An Environmental Impact Report (EIR) Addendum to the 2030 General Plan EIR has been prepared for this project pursuant to the requirements of the California Environmental Quality Act (CEQA).

Staff: Brian Halvorson, Planning Manager
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Commissioner Fink proposed reviewing each section of the Code individually, 17.2, 17.3, etc., the Commission agreed.

Brian Halvorson, Planning Manager, thanked the Commission, Staff, and the Public for their hard work on the Zoning Code. He emphasized that the goal is to discuss the draft code and receive input from the public and try to receive consensus on changes and recommendations to the City Council.

Jennifer Daugherty, Lisa Wise Consulting, presented highlights and key changes in the proposed Zoning Code in a PowerPoint presentation. The action the Commission is looking for is receiving public input, reviewing the draft code and making recommendations to the City Council.

Brian Halvorson, Planning Manager, mentions conflict of interest rules for a City-wide ordinance and for the rezoning of the 66 parcels including the Overlays.

Jeff Malaway, Assistant City Attorney states that a Commissioner with property within 500 feet of one of the 66 parcels would need to recuse themselves from the rezoning discussion of those parcels. There are no concerns with the proposed parcels for the overlays, only the 66 parcels that are changing the Zoning designation.

Brian Halvorson, Planning Manager, mentions there is a conflict for Commissioner Gonzales and Leach.

OPEN PUBLIC HEARING for Chapter 17.2

John Linn, resident,

- 17.2.04.1 – H Street Corridor Infill Area, concerned that people would not understand the meaning of the term Infill Area.
- 17.2.04.2 – should define if map will be color or black and white.

CLOSE PUBLIC HEARING for Chapter 17.2

Commissioner Leach

- 17.2.04.3C – In regards to California Vehicle Code (CVC) 22507.5, Leach expressed that it was not clear what this meant.

Jeff Malaway, Assistant City Attorney, CVC section allows the prohibition or restriction of parking or standing of vehicles on certain streets or highways, or portions thereof, between the hours of 2 a.m. and 6 a.m. in a residential zone.

Brian Halvorson, Planning Manager, brought up conflicts of interest for 124 South F Street (Commissioner Leach) and 708 East Ocean (Commissioner Gonzales).

Commissioner Leach

- 17.2.08.30 – Field and Tree crop production. Why would a business be in an R-1 zone under any condition?

Jennifer Daugherty, Lisa Wise Consulting, Crops and Tree farming is currently a permitted use in the R-1 zone but we raised the permit level to a CUP to address these concerns.

Commissioner Leach

- 17.2.08.040A – width requirements, why is the 7R-1 width wider, than the 10R-1, when the 10R-1 is larger?

Jennifer Daugherty, Lisa Wise Consulting, you are correct, they should and will be switched.

Commissioner Leach

- 17.2.12.30 – we allow Residential uses in Commercial Zones, is there a Density Standard?

Jennifer Daugherty, Lisa Wise Consulting, clarified that multi-family residential is allowed in the OTC zone and other residential uses including emergency shelters and SRO. No density standards, only FAR (Floor Area Ratio) requirements.

Brian Halvorson, Planning Manager, asked the Commission if they wanted to keep Section 17.2.08.30 – Field and Tree crop production with a CUP in the R-1 zone or not allow.

Commission agrees to remove Field and Tree crop production with a CUP in the R-1 zone.

Commissioner Leach

- 17.2.12.030A – Parking Lots are not allowed in the OTC, does this mean not required or not allowed?

Brian Halvorson, Planning Manager, clarified that there is a difference between infill developments versus building a stand-alone parking lot. Projects can still build parking lots but the intent is to try to get the highest/best use in an urban area.

Commissioner Leach

- 17.2.16.050A4 – A paved surface may be required. Who determines when it is or is not required?

Jennifer Daugherty, Lisa Wise Consulting, it is on a case by case review, the review authority would have the discretion to identify when that would be required. If a paved space was needed to comply with health and safety, the review authority would be able to require that during the review.

Jeff Malawy, Assistant City Attorney, it could be the discretion of the Planning Manager but we can add to Section 17.2.16.050A4 – A paved surface may be required, *if necessary to protect the health, safety, and public welfare.*

Commissioner Leach agreed to this change.

Commissioner Leach

- 17.2.20.050 – A minimum of 30-foot setback shall be maintained and measured from the top of bank of any river or creek. Is this only in Open Space Zones?

Brian Halvorson, Planning Manager, agreed to research origin of 30-foot requirements.

Commissioner Cioni

- Section 17.2.16 -would like to prevent formula restaurants in the Industrial Zones, is that where this should be?

Commissioner Leach agreed to no formula restaurants in the Industrial Zones.

Jeff Malawy, Assistant City Attorney, asked the Commission what types of restaurants should be allowed or prohibited in the Wine Ghetto.

- Include all Industrial Zones in the ordinance, not just the Wine Ghetto if we can.
- Prohibit fast food, chain, and formula restaurants in Industrial Zones.
- Would the Commission also like to consider prohibiting sit-down restaurants such as Applebee's, Yard House, etc.?

The Commission agreed to move forward with prohibiting formula restaurants in the Industrial Zones.

Commissioner Fink

- 17.2.12.30A – Cannabis Testing Laboratories, believes this should be a CUP instead of a permitted use in CB and PCD Zones but does not object to having it in the Industrial zones.
 - Discussion- Commissioner Gonzales feels that it is a benign use. Commissioner Leach has concerns of dangerous chemicals in testing process and odor.

- Commissioner Rodenhi suggests looking at other cities and typical requirements for this use.
- Direction was given to Staff to bring back examples of Laboratories from other Cities.
- 17.2.12.0503bii – parking screening, do we want to include hedges, fencing, walls, and trellises for screening?
 - The word screen is an issue, the term landscaping is good.
 - Commissioner Gonzales -wants to be able to see in parking areas and would like to have the word “screen” removed.
 - Commissioner Fink, “screening” bothers me but landscaping is fine.

OPEN PUBLIC HEARING

John Linn, resident

- 17.2.08.020D – “...and more efficient use of open space.” Is this applicable to this section?
 - Brian Halvorson, Planning Manager, will need to research.
- 17.2.08.030A – Residential Care Homes and Transitional Supportive Care under 7 homes should be a Minor Use Permit.
 - Jeff Malaway, Assistant City Attorney, State law requires that we treat them as single-family homes.
- 17.2.08.040A – concern regarding lot size of 7-R-1 and R-2, we do not have 60 foot lots we have 50 foot lots in the City.
 - Brian Halvorson, Planning Manager, this a carryover from current code, and an industry standard. Commissioner Fink asked if we can add a footnote for existing 50 foot lots.
 - Jennifer Daugherty, Lisa Wise Consulting, consults Section 17.6.20.060 (Nonconforming Parcels).
 - Commission requested a lot inventory to see how many parcels are affected, and were concerned with lot width, not depth or square footage.
 - Commissioner Gonzales suggests 0-foot width for infill lots, not impacting new development.
 - Commission came to a consensus on flexibility for infill lots.
- 17.2.08.40A – rear alley setbacks should be 0 feet.
- 17.3.04.030 – setbacks for Accessory Structures – older version, updated in July 2018 version of Draft Zoning Code.
- 17.2.12.030A – Recreation, Outdoor in the CB should be a permitted use.
 - Commissioner Leach thought it should be a MUP.
- 17.2.12.030A – Micro-alcohol production should remove or change the word Micro, possibly Artisan or Small scale.
 - Commissioner Fink asks for a consensus.
 - Commissioner Leach stated we should leave as is.
 - Commissioner Gonzales would like to change.
 - Commissioner Rodenhi would like to look into an industry standard.
 - Jenelle Osborne, resident, Micro-Alcohol is the industry standard term.
 - Commission agreed to leave as is.
- 17.2.12.030A – General Retail greater than 5,000 square feet requiring a MUP or CUP could stifle business.
 - Commission had a consensus to change greater than 5,000 square feet in the CB and OTC from a CUP to MUP.
 - Commission consensus on changing greater than 5,000 square feet and for outdoor dining change from PCD to Permitted.

- 17.2.12.030A – Parking Lots OTC – discussed previously.
- 17.2.12.040A – Smaller lot size in PCD – staff will study and bring back.
- 17.2.12.040A – Build to requirement in OTC of 5 feet from property line – refer to Section 17.2.12.040.1 and callout property line and sidewalk to avoid confusion.
 - Commissioner Gonzales questioned the determination of the previous discussion of a 10 foot set back from the property line.
- 17.2.12.060B2c – Windows on ground level facing a street shall not be opaque – requests that medical offices be allowed to have opaque windows for privacy.
 - Commissioner consensus to exempt medical offices.
- 17.2.12.060B3a – use of word street, feels it should be property line.
- 17.2.12.060B4ai – Walkway shall be minimum of six wide – feels it is too large.
- 17.2.16.030A – Micro-production, would like to strike Micro. If struck would not be a defined use.
 - Commission consensus to leave Micro-Alcohol and also add Alcohol to the manufacturing processing definition.
- 17.2.16.030A – Cannabis Testing Laboratory is not listed as a permitted use in the Industrial Zone, it is in Business Park.
 - Commission consensus to change to a permitted use in the Industrial Zone.
- 17.2.16.030A – Equipment Rental Yard is listed as an MUP in the Industrial Zone, feels it should be permitted.
 - Commission consensus to change to permitted in the Industrial Zone.
- 17.2.16.030A – There is no RV storage.
 - Jennifer Daugherty, Lisa Wise Consulting, it would be considered under Large Vehicle and Boat Sales and Rental is allowed in the Industrial Zone.
- 17.2.16.030A – Office General – an older version of Code had CUP it is now P.
- 17.2.16.040A – Set back of 10 feet for landscaping, feels it should be a block wall
 - Staff will review the General Plan and return with suggestions.
- 17.2.16.040A – Building Form Standard – maximum building height of 35 feet for the main structure, why does accessory structure have a reduced height?
 - Carryover from existing code.
 - Commission consensus to make building heights for main and accessory structures the same, 35 feet maximum.
- 17.2.16.050A2 – 10 linear feet from wall or fence, would like this removed.
 - Staff will research if this a requirement from the Fire Department.
- 17.2.16.050B – 15% Accessory use – would like this changed to 20% for Accessory Uses.
 - Commission consensus to change to 20% accessory uses if parking requirements can be met.
- Mixed-Use Zone – would like it removed or renamed.
 - Commissioner Rodenhi suggests leaving in Zoning Code and to revisit later if needed.
- 17.2.20.30A – Community Assembly, Neighborhood requires CUP for MU and PF. Neighborhood no more than 200 seats, Regional more than 200
 - Commission consensus to leave as is.
- 17.2.20.30A – Recreation, Indoor requires CUP for MU and PF zones.
 - Commission consensus to leave as is.
- 17.2.20.30A – General Retail over 5,000 sq. ft. requires a CUP in MU zone, could we make it a MUP instead?
 - Commission consensus to change to MUP.
- 17.2.20.30A – Daycare, commercial – CUP in MU zone, would like to see MUP instead.
 - Commission consensus to leave as is.
- Mixed Use parking requirements, would like to see shared parking within 300 feet.

- Commissioner Fink, we currently have Reciprocal Parking Agreements that are used when needed.
- 17.2.20.040A – Lot width of 75 feet, will this be changed to 50 feet?
 - Commission consensus to change lot width in MU zone to 50 feet.
- 17.2.20.040A – Rear set back of 10 feet, would like to see 5 feet instead.
 - Jennifer Daugherty, Lisa Wise Consulting, notes footnote 4 states that the Review Authority may reduce the setback if there is sufficient room for solid waste receptacles and equipment storage and access.
- 17.2.24.030A – Transportation Facilities Use Types in HSO Zone need a CUP, would like them all to be MUP's.
 - Jennifer Daugherty, Lisa Wise Consulting, these are for when parking is the primary use or business.
 - Commission consensus to change to MUP.
- 17.2.24.0504c – Preservation in place shall be the preferred manner of mitigation.
 - Commission consensus to leave as is.

CLOSE PUBLIC HEARING

NEW BUSINESS: None

ORAL COMMUNICATIONS:

Will Schuyler, resident, was a proponent for Mixed-Use Zone. Has found that there has been difficulty with financing, would like to see the Zone changed. Glad to see the CO is being removed.

Larry Deese, senior project manager with the Housing Authority of Santa Barbara County, works with Cypress Court where one of the two lots are proposed to be rezoned from CO to PCD which would make the lots non-conforming.

The senior housing project is required to be affordable under a 55-year covenant. We are in the process of adding more units, around 15 to develop this second parcel along the lines of affordable housing. Creating a non-conforming use may not be the correct alternative for us. Non-conforming scares finance people and it will be difficult to refinance for renovations and adding units at a later date. Tax credit properties like the senior housing project are on a 15-year contract and will be changed every 15 years. At that time if the property is considered nonconforming it will be difficult to obtain financing.

Commissioner Fink – We will be discussing this item at a later date and you can contact Mr. Halvorson.

Jeff Malawy, Assistant City Attorney, has consulted a map and Commissioners Leach and Gonzales will be able to participate in the discussion on the properties for the Senior Housing (Cypress Court Property). We will speak about the other groups separately.

WRITTEN COMMUNICATIONS:

APPROVAL OF MINUTES:

MOTION: It was moved by Commissioner Leach, seconded by Commissioner Cioni, that the Commission adopt the minutes from July 11, 2018.

VOTE: The motion passed on a voice vote of 5-0

DIRECTOR/STAFF COMMUNICATIONS:

- Update on the circulation of the Starbucks Coffee drive-thru located at 400 East Ocean Avenue. Staff has been monitoring Starbucks for the last 6 months and has not seen any problems. There has not been stacking onto the alley. The project is a good example where a lot of people are walking.

COMMISSION REQUESTS: None

ADJOURNMENT:

MOTION: It was moved by Commissioner Fink , seconded by Commissioner Cioni to adjourn the meeting at 8:58 P.M. to the Regular Meeting on Wednesday, September 12, 2018, 6:30 P.M. in the City of Lompoc Council Chambers.

VOTE: The motion passed on a voice vote of 5-0

Brian Halvorson
Secretary

Ron Fink
Chair