

Executive Summary

- o Happy to see restaurants as a permitted use in the wine overlay zone in the draft ordinance
 - Need to remove the 1000 sq ft limitation
 - Unlikely to be financially viable for a new restaurant to make the investment
 - Have proposed a new constraint to address the concern of too many restaurants
 - Recommend limiting restaurants to the wine overlay zone
- o Need to add a section that frees the wine industry from mobile food constraints so pop up kitchens and food trucks are only constrained by health and safety rules.
- o Need to eliminate the constraint on tasting room size to the 15% limited accessory use.
- o The Special Event Overlay Zone (see map) should include outdoor space controlled by the winery. Example - fenced in outdoor space and outdoor areas already approved for tasting and use by the city and the ABC (Alcohol Beverage control). These areas have already been reviewed and approved for building code, fire and other city concerns

Remove 1000 sq ft limitation on restaurants in the wine overlay zone

We were happy to see that restaurants are now a permitted use, as this was something that was very clear the vast majority of customers, winery owners and citizens wanted restaurants in the wine overlay zone during previous open meetings on this topic. We do not think allowing restaurants in all industrial zones makes sense (see below for details) We do not agree with or understand the limitation of size put on restaurants in footnote#1 to table 17.2.16.030.A. Limiting the size of a restaurant to no more than 1,000 sq ft of gross space including outdoor space is not reasonable and will stifle most potential entrepreneurs. Not only is it rare for zoning to limit restaurant size (nowhere else in Lompoc is there a limit) but the limit is likely to stop a restaurant from opening for 2 reasons. First there are very few 1000 sq ft or less spaces in the wine overlay zone (only 4 in the Sobinhi business park) which is where a restaurant would focus its energy and investment due to customer traffic. Secondly the smaller the restaurant the more difficult it is to justify the ROI since many start-up costs would be nearly the same for a small restaurant (1000 sq ft) or a larger one. Our input is do not dictate size of restaurant. The city has many other approvals that would reasonably limit a restaurant for building code issues like parking spaces and restrooms. If too many restaurants in the wine overlay zone is a concern that can't be handled by parking constraints, *we suggest that limiting the % of sq ft in the wine overlay zone that can be converted to a restaurant is a better way to address the concern of too many restaurants. The wine overlay zone has approximately 161,000 sq ft of enclosed space and limiting this to 5% or 8000 sq ft of enclosed space in total should address that concern.*

If someone can and is willing to invest in a restaurant that meets the building code the city should welcome them at any size.

Recommend limiting restaurants to the wine overlay zone

As part of the Lompoc City planning activity it would be reasonable and beneficial for Lompoc to decide that given the wine overlay zone is where a vast majority of the wine tourism traffic is already and given

the lack of "real" industrial space (industrial space not situated in the middle of a wine tourism zone) that limiting restaurants to the wine overlay zone would make more sense than allowing in all industrial zones. Restaurants should be limited to that zone for two reasons. 1) Pure industrial zoning advocates would typically be interested in being surrounded by other pure industrial uses as noise, parking, rising rents, competition for space and many other issues come into play when tourist zones and industrial zones are mixed together. In the wine overlay zone this transition is nearly complete with wine and wine tourism dominating the sq ft and the remaining non-wine businesses have figured out how to coexist with the wine tourism side. Few if any new industrial businesses have opened in the wine overlay zone in years. We have 3 new businesses that have opened that are complimentary to wine tourism as they saw the value in the customer set. These businesses include wine barrel furniture, a glass blowing art studio and sausage making. We also believe wineries anywhere in the city should be allowed to provide food for their customers, so relaxing mobile food rules would allow this. Of course, all health building and safety codes would need to be followed. There have never been any neighborhood complaints against the wineries in the wine overlay zone. If you look at Paso Robles many wineries have restaurants incorporated into their wineries and as you may know more Southern Californian wine tourists visit Paso Robles for wine tasting than Santa Barbara even given a longer drive, Options for food is part of the reason. Since Lompoc can make their own rules on food within wineries this is a great opportunity to make rules that support the local wine industry growth.

Limiting restaurants to the wine overlay zone would be great for the traditional industrial zone businesses as well as the wine industry and would show the city is making decisions impacting both stakeholders in a thoughtful manner. Keep the rest of the industrial zones more industrial and recognize and support that the wine overlay zone is a tourism zone. If someone wanted to open a restaurant in an incompatible industrial spot the proposed ordinance could not stop this, and neither could the neighbors. Wine tourism with its extra visitors, parking and foot traffic has been incorporated into the wine overlay zone without any complaints from surrounding neighborhoods or existing industrial tenants. There is no guarantee that other industrial areas would incorporate a restaurant without any issues. There are many examples of long running issues the city is arbitrating between neighborhood/homeowners and businesses proactive planning can limit those to some extent. Also the main likely opposition to restaurants in the industrial zones are industrial tenants that are concerned about the possible impact that industrial tenants in the wine overlay zone have seen that they don't want impacting their businesses. Most industrial tenants have left and none are starting new businesses in the wine overlay zone. The limit would eliminate those concerns

Allow mobile food trucks and pop ups without constraints

Stepping back a moment to look at the big picture of the new proposed zoning ordinance from wine industry point of view, it does not look like a "let's try to help the wine industry grow in Lompoc" view was taken on the ordinance update. There is much talk about the city of Lompoc about being welcoming to the wine industry - this ordinance update is where the city can walk the talk. Currently there is very little change in ordinance that is focused on the wine industry. While there are many great economic growth engines impacting Lompoc, the wine industry has lots of growth potential above its current impact on Lompoc. Just a quick look at most of our neighbors and the Lompoc wine industry is greatly underperforming in terms of visitor count, overnight hotel stays, people relocating due to wine,

etc. These are all areas that could see additional positive economic impact for Lompoc. Buellton, Los Alamos, Funk Zone and others have seen great food become the driver of wine visitors. The Wine Ghetto's #1 complaint (only real complaint commonly voiced) from customers and why traffic is low is lack of food. Most believe that food will unlock the visitor potential as seen by all of our recently successful neighbors whose potential was unlocked via food – Buellton, Los Alamos, funk zone. We believe that the new zoning ordinance should not only allow restaurants to open without sq ft constraints it should also remove any constraints on mobile food vendors except safety and health licensing constraints. A combination of mobile and fixed restaurants will attract the most overnight visitors and our hotels and many other businesses outside the wine overlay zone would benefit from those visitors who are typically spending at the higher end of the spectrum vs an average tourist.

Remove tasting room size limits

Limiting the size of tasting rooms in the industrial zone does not seem to be reasonable for wine tasting in 2018. There may have been an original goal of limiting wine tourism in the zone a long time ago. But now with the wine overlay zone recognizing that this zone is a tourism zone and given that tasting rooms are not competing with other Lompoc businesses this should be eliminated for wine tasting rooms. This will allow the Lompoc wine industry to compete with the other areas within the Central Coast.

Do not limit the SEO to indoor space only – include outdoor space controlled by winery and previously approved for tasting

The Special Event Overlay zone should include outdoor space controlled by the winery – owned or leased and fenced in. As currently written it only includes events that are 100% contained inside the building. Example - A fenced in or enclosed outdoor space leased or owned by the winery and already approved for tasting and use by the city and the ABC (Alcohol Beverage Control). These areas have already been reviewed and approved for building code, fire and other city standards. There is no need for a TUP in this case

Thank you please let me know if you have any questions about our input

Steve Arrowood Montemar and Member of Lompoc Wine Alliance (LWA)

List of wineries and associations supporting this input

Lompoc Wine Alliance

Artisan Uprising

Pall Wine Co

Tower 15

Millennial Wines

Ampelos Cellars

Morretti Wine Co

Fiddlehead Cellars

Turlya Wines

Arcadian Winery

Sevtap Winery

Sweetzer Winery

Flying Goat Cellars

Bolshoi Family Wines



CITY OF LOMPOC
PUBLIC REVIEW DRAFT ZONING CODE COMMENT FORM

Date: 3/8/2018

Comment – Please Print Legibly

Ordinance Section(s): 17.2.20

Comment:

It would be a great opportunity for the community as well as the city and local businesses if this ordinance section allowed under 17.2.20 Artisan Manufacturing for micro breweries, winery and tasting rooms where food and banquets may be held in Mixed Use. In addition, it would be further helpful if there was a way to figure out allowances for some form of dry storage in city approved containment units of some sort. As we are sure the city is aware, easily accessible storage for businesses especially in areas like old town and similar, have a very difficult time finding realistic space to house necessary stock, inventory goods, equipment, etc. We assume aesthetics and clutter are of the main concern and we are hopeful the city may be open to creative ideas to resolve this current hardship. Moreover, creating annually updated permits for customer parking in city approved Mixed Use areas would help enhance the ability for customers/tourists to have more parking available than that currently afforded in city/state right of way. These perceptions are made in the best interest of the community as a whole, to provide for economic growth and sustainability. "A rising tide lifts all boats" it is our hope that all businesses as well as the city are afforded every reasonable opportunity to succeed, grow and flourish. We appreciate this opportunity to comment in the public review and thank the city for its consideration.

Topics(s) that were not addressed in proposed zoning code:

Comment Submitted By (this section must be completed)

Name: Stephen Renfrow
Address: 234 North H Street, Lompoc, Ca 93463
Phone: 805-234-0819 Email: srenfrow@solvangbrewing.com

STAFF USE ONLY

RECEIVED BY: Greg Stones DATE: 03/09/2018

For more information regarding the Draft Zoning Code, please contact:
Brian Halvorson, Planning Manager at b_halvorson@ci.lompoc.ca.us or 805-875-8228
or Greg Stones, Principal Planner at g_stones@ci.lompoc.ca.us or 805-875-8273

Comments from
Councilman Mosby

17.1.04.020: Intent and Purpose

- A. The purpose of these regulations are to protect and promote the public health, safety, comfort, convenience, prosperity, morals, and general welfare of the people of Lompoc, and to that end to effectuate the applicable provisions of the General Plan.

Table 17.2.20.030-A: Other Zones Allowed Uses

Requirement by Zone				
MU				
Parking Lot	- (put in P)	P	MUP	-

- Parking is way to lenient and should resemble existing zoning code.

17.3.8.70

- A. **Off-Site Parking.** A reduction of up to 25% of on-site parking may be approved with a Minor Use Permit provided the number of spaces that is eliminated as an on-site requirement is provided through off-site parking. A reduction of up to 50% of on-site parking may be approved through a Conditional Use Permit in compliance with Chapter 17.5.20 (Conditional and Minor Use Permits). The off-site parking area shall be located within the same block or within 400 300 feet of the use(s).

- **17.3.8.60 provide option for one strip instead of two for parking stalls.**

17.6.28.020: Summary Abatement

- A. The City Administrator Manager or his/her designee shall have authority to summarily abate a nuisance that imminently endangers public health or safety. Any such abatement activity is exempt from the notice requirements of this Chapter.

17.2.24.020: Overlay Zones

Remove: H street overlay and references.

~~A. **H Street Overlay Zone (HSO).**~~

~~The H Street Overlay (HSO) Zone applies to lots along the H Street corridor~~

that are anticipated to be redeveloped or developed with commercial, residential, or a mix of uses in buildings and with associated improvements that result in a more attractive built environment that accommodates pedestrians, bicycles, transit, and private vehicles.

17.2.20.040: Other Zones Development Standards

Table 17.2.20.040.A: Other Zones Development Standards			
Development Feature	Requirement by Zone ¹		
	MU	PF	OS
Lot Requirements			
Lot Area (min.)	10,000 s.f.	-	-
Lot Width (min.)	75 ft.	-	-
Lot Depth (min.)	-	-	-
Setbacks			
Front (min.)	-	45 ft. ^{2,3} - 5	-
Side - Interior (min.)	-	10 ft. - 5	-
Side - Street (min.)	-		-
Rear (min.)	10 ft. ⁴		-

April 20, 2018

Comments on Draft Zoning Code

Cherridah Weigel

17.2.08.030 B

Table

Home Occupations MH – not permitted

We currently process HUP's within MH parks with property owner or park manager permission. Is this something we are changing? If not this should read AUP like the other Zones.

17.4.04.100 D

- 1. All applicable provisions of the Lompoc City Code are made a part of these conditions of approval in their entirety, as if fully contained herein.**

The above statement is currently on the conditions for the HUP and it not in Draft ZO, should be added.

17.4.04.100 E17 End of statement – any food preparation **or (not of)** packaging activity.

17.5.52.20 A Permit & Approvals – AUP's, MUP, Minor Mods, Sign Permits, and TUP are typically issued and an event or work is started within a day or two. With the permit not being "effective on the 14th day following the actual date the decision is rendered" some of the events may have concluded by the time permit is in effect. Some of these need to be effective immediately.

17.5.44.030 Exempt Temporary Uses B & C

We have required TUP's for both B & C and have not allowed residence trailers. Are we changing policy? We have done the TUP for 1 year at a time for large projects.

Stones, Greg

From: Linda Smith <linda.smith1970s@gmail.com>
Sent: Friday, April 20, 2018 5:02 AM
To: Halvorson, Brian; Stones, Greg
Subject: Draft Zoning Code Comments

Hello,

Please see my below comments on the draft Zoning Code. I may have additional comments and hope to be able to provide them after the comment period.

17.5.12.020 - revise to include the highlighted text.

D. Additions and alterations to existing buildings and structures that will not increase the gross floor area of the building by more than 2,500 square feet and will not involve exterior alterations along any street-facing façade on Ocean Avenue, H Street north of Cypress Avenue, or Central Avenue (excluding additions);

17.5.12.040 - To regulatory, bump up from 2,500 to 5,000 square feet.

A.2. Major Architectural Design and Site Development Review. The Commission shall be the Review Authority for the following:

a. New construction of 5,000 square feet or more;

c. Additions of 5,000 square feet or more; and

17.3.8 - I like the new parking requirements as they seem much more business friendly promoting economic growth. However, General Services in Table 17.3.08.040A, should be at 1/250 instead of 1/200. Many of the uses under general services would be considered 1/250 under the current code. Change to 1/250.

17.2.12.40 & 50 - Simplify the build to requirements found in 17.2.12.40, and remove the build transparency in 17.2.12.50 as this is to authoritarian which can stifle design options.

17.3.16 - 60 square feet for each monument sign. Does this include the signage or is this the area of the structure. This 60 square feet should be for the actual sign area not the structure area.

17.2.16 - general office should be a permitted use in the BP zone if parking requirements are met instead of a CUP.

17.2.16- since storage is a permitted use in the BP zone also permit construction storage/supply yard.

Thank you for providing us an opportunity to comment.

Regards,

Linda Smith

Morris & Gloria Sobhani
204 Rametto Road
Santa Barbara, CA 93108
mngsobhani@cox.net
Office: (805) 736-5744 Cell: (805) 705-3674

April 16, 2018

City of Lompoc Planning Commission
100 Civic Center Plaza
Lompoc, CA 93436

RECEIVED

APR 16 2018

RE: **Zoning Ordinance**
200 North H Street, Lompoc

Planning Division


City of Lompoc Planning Commission:

Followings are our Comments about the proposed new ordinance, currently under review.

1. Existing Down Town Specific Ordinance was developed decades ago with vision to make the 4 blocks of the area into a walking mall with neighborhood business to be supported by the community.
 - a. That vision has proven to be ineffective and has in fact adversely impacted the area resulting in many businesses leaving the area.
 - b. Use restrictions are causing loss of business in Lompoc. Many national businesses have shown interest to lease in these 4 blocks, but the use restriction either have caused them to abandon the area or move to North H street which has created major congestion and an increase in potential traffic accident.
 - c. "Drive Through" restrictions causing sharp decrease in property value. This restriction has caused the cost of the property **outside** the 4 blocks area to be sold at almost 3 times as listed in the market. Star Buck is a good example.

I urge you to consider the following Ordinance changes:

- A. Remove the Ordinance restrictions, limitations and allow the drive through as long as property owners are able to provide the necessary setbacks, parking requirements and all other conditions set forth in the C1 zoning ordinance.
- B. Existing drive through to remain as they have been used in the past.
- C. Allow Conditional Use Permit for this area to encourage other businesses, including national businesses, to move into the area and make up for the losses of the past.


Morris Sobhani

From: Morris Sobhani mngsobhani@icloud.com
Subject: Fwd: Workshop, draft title 17 Zoning Ordinance
Date: March 28, 2018 at 5:47 PM
To:



Morris Sobhani
M: 805.705.3674
O: 805.736.5744
mngsobhani@icloud.com

Begin forwarded message:

From: Morris Sobhani <mngsobhani@icloud.com>
Subject: Workshop, draft title 17 Zoning Ordinance
Date: March 28, 2018 at 4:47:06 PM PDT
To: City Lompoc Brian Halverson <b_halvorson@ci.lompoc.ca.us>

Brian:

I would like to submit the following comment about the draft ordinance, 17.2.16 Industrial Zones as follow:
Page 5 Item B, Limited Accessory/Accessory Uses.
My understanding is the limit of 15% is to provide protection for the business in C zone, but the wine tasting room
in no way can be a completion in the C zone stores. I requested reconsideration to exempt the tasting rooms from this limitation.

I also would like to add another comments in reference to the 1000 SF in gross area,
we have been trying to allow food serving in the Ghetto for the past 12 years now after
all these years why the proposed ordinance has a 1000 SF limitation. Please reconsider
this limitation and remove the 1,000 SF as long the tenant of restaurant comply with Building code and parking requirement.

Morris Sobhani
M: 805.705.3674
O: 805.736.5744
mngsobhani@icloud.com

ES 3-28-18
✓

From: Morris Sobhani <mngsobhani@icloud.com>
Subject: Fwd: Workshop, draft title 17 Zoning Ordinance
Date: March 28, 2018 at 5:27 PM
To:



Morris Sobhani
M: 805.705.3674
O: 805.736.5744
mngsobhani@icloud.com

Begin forwarded message:

From: Morris Sobhani <mngsobhani@icloud.com>
Subject: Workshop, draft title 17 Zoning Ordinance
Date: March 28, 2018 at 4:47:06 PM PDT
To: City Lompoc Brian Halverson <b_halverson@ci.lompoc.ca.us>

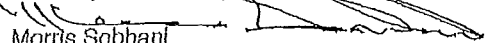
Brian:

I would like to submit the following comment about the draft ordinance, 17.2.16 Industrial Zones as follow:

Page 5 Item B. Limited Accessory/Accessory Uses.

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Morris Sobhani
M: 805.705.3674
O: 805.736.5744
mngsobhani@icloud.com

Date: 3/28

Comment - Please Print Legibly

Ordinance Section(s): 17.2.16 Industrial Zones

Comment:

Limiting restaurant/outdoor dining to 1000sq ft will limit the likelihood of someone investing in the building of a restaurant because 1000sq ft may not be large enough to justify the investment in addition there are very few units in the "wine ghetto" that are that small, I believe there are only 4 units ~~at~~ 1000sq ft. All are currently rented. Restaurants in the wine ghetto will be a growth engine as seen in Los Alamos, Buellton (industrial way) and the fork zone. Other restaurants will benefit from the increase in tourism.

Topics(s) that were Not Addressed in Proposed Zoning Code:

Comment Submitted By (this section must be completed)

Name: Steve Arrowood
Address: 1209 Meridian Way
Phone: 310.365.6236 Email: pugarajuste@gmail.com

STAFF USE ONLY

RECEIVED BY: 44

DATE: 3-28-18

✓

For more information regarding the Draft Zoning Code, please contact:
Brian Halvorson, Planning Manager at b_halvorson@ci.lompoc.ca.us or 805-875-8228
or Greg Stones, Principal Planner at g_stones@ci.lompoc.ca.us or 805-875-8273

Date: 3/28

Comment - Please Print Legibly

Ordinance Section(s): 17, 2, 16 Industrial Zones

Comment:

Constraining wine tasting rooms to the accessory use
of 15% does not make sense in 2018 when there are
so many tasting rooms approved most exceed 15% and
are not competing with other businesses in town. The
wine tasting rooms should be seen as growth
engines as they bring overnight visitors as well as
new lompo residents as seen in all other wine tasting
Topics(s) that were Not Addressed in Proposed Zoning Code: regions.

Comment Submitted By (this section must be completed)

Name: Steve Arrowood
Address: 1209 Mendocino Way
Phone: 703656236 Email: psjaragiste@gmail.com

STAFF USE ONLY

RECEIVED BY: GS

DATE: 3-28-18 ✓

For more information regarding the Draft Zoning Code, please contact:
Brian Halvorson, Planning Manager at b_halvorson@ci.lompoc.ca.us or 805-875-8228
or Greg Stones, Principal Planner at g_stones@ci.lompoc.ca.us or 805-875-8273

Date: 3.28.18

Comment - Please Print Legibly

Ordinance Section(s): BP Zone usage

Comment:
in BP ZONE, Residential use types
allowed should not be allowed, Business
types like restaurants, ~~bars~~ wineries, micro
brews, etc are not consistent w suggested
permitted residential use types

Topics(s) that Were Not Addressed in Proposed Zoning Code:

Comment Submitted By (this section must be completed)

Name: DAN KESSLER

Address: 1700 GUSH CANYON RD Lompoc 93436

Phone: 805.479.0043 Email: DDK@Kesslerhaackwine.com

STAFF USE ONLY

RECEIVED BY: 65 DATE: 3-26-18 ✓

For more information regarding the Draft Zoning Code, please contact:
Brian Halvorson, Planning Manager at b_halvorson@ci.lompoc.ca.us or 805-875-8228
or Greg Stones, Principal Planner at g_stones@ci.lompoc.ca.us or 805-875-8273

Date: 3/28/18

Comment - Please Print Legibly

Ordinance Section(s): COMMERCIAL / INDUSTRIAL

Comment:

AS A SMALL BUSINESS OWNER IVE
NOTICED A LACK OF INDUSTRIAL ZONES.
UNFORTUNATELY MY BUSINESS FALLS UNDER
INDUSTRIAL USE. WITH THERE BEING SO
FEW INDUSTRIAL SITES AND NOW STIFF
COMPETITION FROM WAREHOUSES AND NOW POT
WORKSHOPS I THINK IT'D BE IMPORTANT TO
HAVE DESIGNATED WINE AND POT ZONES.

STRICT CUP REQUIREMENTS ARE ALSO
NOT VERY BUSINESS FRIENDLY.

Topics(s) that Were Not Addressed in Proposed Zoning Code:

DESIGNATED WINE AND POT ZONES.

Comment Submitted By (this section must be completed)

Name: STEVEN BRILSOO
Address: 4000 RIVER AVE LOMPOC
Phone: 805-588-8273 Email: STEVE@AUTODETAILING
EXCELLENCE.COM

STAFF USE ONLY

RECEIVED BY: 65

DATE: 3-28-18 ✓

For more information regarding the Draft Zoning Code, please contact:
Brian Halvorson, Planning Manager at b_halvorson@ci.lompoc.ca.us or 805-875-8228
or Greg Stones, Principal Planner at g_stones@ci.lompoc.ca.us or 805-875-8273

**REESE AND ASSOCIATE
ARCHITECT**

115 East College Avenue, Suite #5, Lompoc, CA 93436
(805) 736-8117 sr@reeseearchitect.com

April 11, 2018

City of Lompoc
Planning and Development
100 Civic Center Plaza
Lompoc, CA 93436

Dear Sir or Madam:

The following are my comments on the proposed zoning code update. Thank you for the opportunity to provide input.

PARKING:

1. Off-Street Loading Requirements (Table 17.3.08.040B)
 - A. Residential – Delete, no loading zone should be required.
 - B. Non-Residential < 50,000 SF – Revise to : Loading zone required >25,000 SF for commercial or retail.
 - C. Industrial – Revise to > 25,000 SF.
2. Bicycle Parking (17.3.08.050)

Delete "B" – delete requirement for enclosure, bike rack only.
3. Motorcycles –How about allowing 2 motorcycles for 1 auto - substitution for 1 stall in parking lots between 20 and 30 autos? Not required in parking lots < 20. 1 motorcycle per 15 autos in parking lots > 30.
4. Parking lot lighting: (Pg 17.3.08-9)

18 feet should be revised to 24 feet, additional 6 feet to 30 feet by approval of director.
5. Compact car spaces: Revise to " 20% of provided parking spaces may be compact spaces."

LANDSCAPING:

1. Table 17.3.12.040.B

Walls – Masonry material a minimum of 6" (4" wall will blow over in hard wind).

Solid fence: add vinyl slats.

2. Equipment Screening

- A. Diagram indicates screening of roof-mounted equipment – what is horizontal distance for viewing?
- B. Industrial zones should be excluded from this requirement.

3. Parking Area Landscape

- A. Required interior: I don't believe this should be required since total area is specified in Table 17.3.12.050.A and allocation should be designer option.
- B. Delete Scenic Highway requirement/section.

SIGNS:

- 1. Monument sign base: This section should be deleted as it is too limiting. Also, is in conflict with Figure 17.3.16.030.3, which shows full base. Also figure 17.3.16.060.5.
- 2. Rotating signs: Signs can be boring. I would not be opposed to rotating signs such as Union Oil ball or Thriftmart windmill. These are classic and interesting signs.
- 3. Size criteria: Non-residential (Table 17.3.16.060.B)
 - A. No awning signs should be allowed. There is no need for this type of sign which cannot be viewed from street level.
 - B. Flags – should allow two flags (U.S. and State).
 - C. Wall signs – I doubt Starbucks would meet this requirement.

INDUSTRIAL (Table 17.2.16.030.A)

- 1. Why is cannabis testing not allowed in an industrial zone? I believe it should be allowed.
- 2. Manufacturing/Heavy: Should be allowed in industrial zone without CUP.

Thank you,

Steven Reese, Architect

Date: 3.28.18

Comment – Please Print Legibly

Ordinance Section(s): Wine Ghetto

Comment:

Our winery, Transcendence is at the corners of F, G & Chestnut. I would just like to make sure the wine Ghetto ordinance extends into those areas as well. In addition to Transcendence there is Longona Brewer-Ciffin and the wine Factory in that area just to name a few.

Thank you!

Good work !!

Topics(s) that Were Not Addressed in Proposed Zoning Code:

Comment Submitted By (this section must be completed)

Name: Sara Summerville - owner Transcendence

Address: 138 Inverness Ave

Phone: 805-455-9589 Email: sara@transcon

STAFF USE ONLY

RECEIVED BY: GS

DATE: 3-28-18 ✓

For more information regarding the Draft Zoning Code, please contact:
Brian Halvorson, Planning Manager at b_halvorson@ci.lompoc.ca.us or 805-875-8228
or Greg Stones, Principal Planner at g_stones@ci.lompoc.ca.us or 805-875-8273

Date: 4-17-18

Comment – Please Print Legibly

Ordinance Section(s): Zoning Code

Comment:

Dear Mr. Halvorson, we met 2 weeks ago at the public forum. Many of my colleagues in the "wine ghetto" proper would like the industrial/restaurant zoning to be exclusive to the "wine ghetto" area. I just want to voice my opposition to this. There are numerous wineries in Lompoc outside of the ghetto where tourists and residence go. It seems very exclusionary and short sighted. I'm sure the zoning won't be amended for another 40 years and who knows what types of industries will accommodate those buildings. Although we don't have immediate plans for a restaurant we are early corner to Solvang Brewery which is a great location for food. Also 1000 square feet is really small!!
Thank you - Sara

Comment Submitted By (this section must be completed)

Name: Sara Gummere Transcendence
Address: 313 N F Street - Lompoc CA 93436
Phone: 805-455-9589 Email: Sara@transcendwines.com

STAFF USE ONLY

RECEIVED BY: _____ DATE: _____

For more information regarding the Draft Zoning Code, please contact:
Brian Halvorson, Planning Manager at b_halvorson@ci.lompoc.ca.us or 805-875-8228
or Greg Stones, Principal Planner at g_stones@ci.lompoc.ca.us or 805-875-8273



Public Works Department/Engineering Division Memorandum

DATE: April 20, 2018
TO: City Planning
FROM: Kevin P. McCune, Public Works Director
SUBJECT: Wireless Telecommunication Facilities 17.4.04.200

We need zoning standards to control how Small Cell wireless antennas are developed in City. Draft Zoning Code Section B Applicability says this section applies:

- Outside Public Right of Way
- Outside City-Owned properties
- Not mounted upon or occupying, city owned support structures

Section B also references Chapter 17.5.12 for standards and requirements. However no wireless antenna standards are contained in this chapter.

I recommend the above is revised so that the zoning code applies within the right of way. We want to keep the right of way as clear as possible. If we don't limit these antennas to existing poles we will end up with new poles all over from multiple cell providers.

Add standards to say cell providers must keep antennas on existing street light poles when available. The old city pole is removed and cell provider provide a new pole with integrated antenna installed. The new pole must meet certain aesthetic requirements determined by Planning. Generally require all equipment in base, not in separate box. Look to City of Cupertino for examples.

Background

1. Small cells "re-use" and boost the RF spectrum to improve performance.
2. Used where customer data speed is too slow due to population density.
3. Expect multiple carriers to want to install these as they compete in 4G.
4. Next rollout will be 5G and will require 10-20x the siting of 4G!
5. It is in city interest to minimize the number of poles in right of way.
6. Cell industry likes the integrated pole (antenna/light pole) because high public trust in something familiar looking (compared with a standalone antenna).
7. Cell industry has right to use the public right of way.
8. City has right to limit placement in right of way based on aesthetics.
9. City needs to keep control of streetlights for public safety.
10. Poles are approved by PUC.

This is what they did in Cupertino:

- A. Planning standards say cell providers must keep antennas at existing street light pole if available. The old pole is removed and a new pole with integrated antenna installed. The new pole must meet certain aesthetic requirements. Generally require all equipment in base, not in separate box.
- B. If fiber optic is provided, spare conduit for city must be installed and dedicated to city.
- C. City removes the old pole. The new pole is installed by the carrier then dedicated to the City.
- D. If pole is hit or damaged, cell provider replaces pole.
- E. Cell provider equipment is metered.
- F. Cupertino met with the 4 major providers and standardized on a pole that works for all and has a bolt pattern that works for the existing foundations.
- G. Fee is \$1500/pole.
- H. They have master agreements with each carrier.

Section	Paragraph	Notes
17.2	08.030. Table A	Agricultural Uses and Animal Keeping Use Types; why is "Animal Keeping and Production" and "Field and Tree Crop Production" even considered in R-1 areas?

Section	Paragraph	Notes
17.2	08.030. Table A	Services Use Types; "Bed & Breakfast", should be CUP in all zones.

Section	Paragraph	Notes
17.2	08.030. Table A	Public Services, major; should be CUP in all zones Public Services, minor; should be permitted use in all areas Define "public Services, minor in 17.7.04

Section	Paragraph	Notes
17.2	12.030. Table A	Industrial, Manufacturing, Processing, and Wholesaling Use Types; "Cannabis Testing Laboratory" should be CUP in CB and PCD zones NOTE: remove all cannabis related uses from this document until a CEQA analysis has been completed. See separate notes.

Section	Paragraph	Notes
17.2	12.030. Table A	Recreation, Education, and Assembly Use Types; define "Recreation, Passive" in 17.7.04

Section	Paragraph	Notes
17.2	12.030. Table A	Retail Trade Use Types; "Dispensary" define dispensary types in 17.7.04

Section	Paragraph	Notes
17.2	12.030. Table A	Other Use Types; "Adult Businesses" require CUP in all zones.

Section	Paragraph	Notes
17.2	24.050 E3b	H Street Overlay Zone, Limitations on location of parking. (2) The parking area is screened along the public right-of-way with a wall, hedge, trellis, and/or landscaping consistent with Chapter 17.3.12 (Landscaping and Screening Standards). This is a new requirement – need to discuss.

Section	Paragraph	Notes
17.2	24.050 E5	H Street Overlay Zone, Maximum block length. 400 and 600-foot block lengths are inconsistent with the current configuration of H Street.

17.2	24.050 E7	H Street Overlay Zone, Street trees. "A minimum of two trees shall be located along every 40 feet of street frontage and may only be located in
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		City right-of-way if approved through an Encroachment Permit." CALTRANS does not want trees along the state right-of-way.
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Section	Paragraph	Notes
17.3	04.020A	Attached Accessory Structures; how do attached, open sided patio covers fit into the set back requirements. Most extend to property line.

Section	Paragraph	Notes
17.3	04.050A2	Wildland fire risk areas; has fire department approved these requirements?

Section	Paragraph	Notes
17.3	04.100D	Tree Protection and Replacement Guidelines; these guidelines should only apply to native trees. Trees that are diseased, are brittle (eucalyptus) or are a danger during storms should be prohibited in landscape design.

Section	Paragraph	Notes
17.3	08.040 Table A	Retail Trade Use Types; Commercial area Parking: currently based on "gross floor area". Should change to acknowledge that a large majority of the available floor space in retail establishments is taken up by storage and merchandise display racks. Change "gross floor area" to "1 space per 250 square feet of net retail floor area" and define it as "the net floor area available after subtracting for storage and merchandise display racks". <ul style="list-style-type: none"> This requirement should be retroactive to free up more space for commercial development in existing PCD areas.

Section	Paragraph	Notes
17.3	08.040 Table A	Services Use Types; Medical Clinics and Laboratories; the current requirement "1 space for each 250 sq. ft., plus 1 space per exam room, plus .5 space per employee" is inadequate based on experience gained from recent developments. Change to "2 spaces for each examining room or lab, plus one space for each 30 square feet of waiting room, plus .5 space per employee".

Section	Paragraph	Notes
17.3	08.040 Table A	Industrial, Manufacturing, Processing, and Wholesaling Use Types; All industrial, manufacturing, processing and wholesaling uses, unless otherwise listed: currently "1 space per 300 sq. ft. office area plus 1 space per 1,500 sq. ft. indoor storage area" change to "1 space per 300 sq. ft. office area plus 1 space per 3,000 sq. ft. indoor storage area".

Section	Paragraph	Notes
17.3	12.030 Table A	Minimum Landscape Coverage; the minimum coverages seem excessive (e.g. R-1 properties require 60%; the minimum size for a R-1 property in 7,000 square feet. Using this calculation would require over half the lot to be landscaped.)

Section	Paragraph	Notes
17.3	3.12.040 3D	Height measurement. "a. All screening height shall be measured as the vertical distance between the finished grade at the base of the screening and the top edge of the screening material". Where is it measured from between adjacent lots that differ in elevation?

Section	Paragraph	Notes
17.4	04.160	Outdoor Display; what percentage of the parking area may be used for outdoor display?

Section	Paragraph	Notes
17.4	04.190C3	Music festivals; establish db levels in proximity to residential areas. Needs to include standards for fireworks stands.

We are adding cannabis use, cultivation, manufacturing, packaging, processing, testing, and sales to several zones within the City. These uses were added by the City Council to Section 9.36 of the Municipal Code and the established planning protocols as defined in the Public Resources Code weren't considered in their hearings.

Title 9 of the Municipal Code addresses "Public Peace and Welfare"; Title 17 addresses "Zoning". The purpose of each Title differs greatly:

- The Public Peace and Welfare title is concerned with human behavior such as curfews, firearms, gambling, houses of ill fame, etc. and not land use planning.
- The Zoning Ordinance title establishes land use planning requirements.

Before adding cannabis cultivation, manufacturing, packaging, processing and testing as an approved use in Zoning Ordinance I am requesting that we analyze the action using the CEQA process, which is the established way to evaluate any issues associated with new land uses. The council didn't use this process while creating this new policy, therefore they didn't fully vet any potential hazards or conflicts with neighboring businesses or adjacent residential zones.

Since placement of commercial cannabis operations in any zone was not evaluated using CEQA guidelines during development of the General Plan or in the creation of Ordinance 6147(17), we don't know if the development standards, or approved zones contained in the Ordinance considered all potential impacts because the project hasn't been properly assessed.

When illegal, there were many public safety issues associated with a variety of processing operations; these unregulated distilleries blew up, killed or maimed the operators and set fire to the buildings they were in and exposed neighbors to preventable hazards. These so-called "drug labs" also produced substantial quantities of hazardous waste, solid waste and air pollution to name a few.

The City has a duty to inform the public about the potential significant environmental impacts of proposed activities being considered by governmental decision makers. Decision makers, in this case the Planning Commission, are accountable for their decisions regarding potential environmental impacts and need to articulate the reasons for zoning decisions.

This request is consistent with the process used in many cities and counties throughout the state, including the City and County of Santa Barbara, who were considering the adoption of cannabis business enabling ordinances.

As I understand it, changing or adding a new land use constitutes a "project" (as defined in the Public Resources Code, Division 13, Chapter 2.6, Section 21080a) if it involves "discretionary projects proposed to be carried out or approved by public agencies, including, but not limited to, the enactment and amendment of zoning ordinances".

It is the policy of the state that projects to be carried out by public agencies be subject to the same level of review and consideration under this division as that of private projects required to be approved by public agencies.

As you all know the purpose of the CEQA process is to identify significant effects on the environment of a project, to identify alternatives to the project, and to indicate the way those significant effects can be mitigated or avoided.

The processes described/allowed in the Ordinance 6147(17) indicates that numerous hazardous materials may be used. Processing subjects to be analyzed in the EIR as a minimum are cannabis:

- Cultivation methods,
- extraction processes,
- hazardous materials storage and waste disposal,
- greenhouse gas impacts,
- potential use of cancer causing agents,
- processing, sales and storage odors,
- solid waste storage and disposal,
- hydroponic growing facilities,
- waste water processing,
- manufacturing,
- packaging,
- processing,
- testing, and
- sales area impacts on surrounding residential zones.

The inclusion of cultivation as a permitted activity does not currently fit into any zone within the City. In the General Plan "cultivation, processing, packing, greenhouses (and) farm equipment storage" is only permitted in the Agriculture (AG) zone; there are no AG zones in the City limits; therefore, this is a new use that must be properly assessed if it is to be allowed in any other zone.

The Business Park (BP) zone uses are described this way; "Attractive Industrial areas for light manufacturing, research and development activities, storage and distribution facilities, administrative offices, and accessory uses. These areas are accessed by arterials and major roadways. Appropriate uses include aerospace-related activities and services, assembly and repair, industrial services, wholesaling, warehousing (with inside storage only), and administrative facilities. This category differs from the Light Industrial category by including commercial service uses which complement industrial services and operations."

Industrial (I) zone uses are described this way; "Industrial areas which include all uses identified for the Industrial categories as well as manufacturing and distribution activities which require separation from residential areas. This category permits a wide range of industrial activities including manufacturing, assembling, mechanical repair, product storage, wholesale trade, heavy commercial (e.g. lumber yards), and accessory office and services."

Lastly, the Council created development standards which are unique to the cannabis industry in Ordinance 6147(17). This Ordinance contains vague standards and terms which are inconsistent with any in the draft ZO, some examples are:

- mixed light construction;
- doesn't define what constitutes "separation (of commercial cannabis activity) from a sales area";
- requires "a material strong enough to prevent entry" for walls, floors and roofs, but doesn't define what those materials are, the construction method or what "translucent materials" on the roof may have this quality.

- Note: common construction materials are not strong enough to prevent entry if common tools such as hammers, breaking bars, axes or saws are used; ask the fire or police department.

I respectfully request that the staff prepare an EIR prior before including this new use in the Zoning Ordinance. We can always use a Text Amendment to include cannabis use in various zones and add development standards later when we have all the facts we need to explain our decision.

Halvorson, Brian

From: Ron <rfink@impulse.net>
Sent: Thursday, August 09, 2018 3:12 PM
To: Halvorson, Brian
Subject: Zoning workshop notes
Attachments: 08-22-18 CC-PC ZO workshop.docx

The issues I previously identified as “difficult to enforce” on June 3 remain in the ordinance and are still unenforceable. Also attached are portions of the ZO that I still feel need to be improved.

In the “Enforcement” Chapter, Section 17.6.28: Property Nuisances, there are, in my opinion many examples of subjective and unenforceable public nuisances.

Paragraph	Condition	Comment
17.6.28.010A2	A building or structure containing dry rot infested with termites or other similar insects, or is in a dilapidated condition	Most older buildings contain some level of dry rot and most have termites; what is the metric to determine the severity of the nuisance?
17.6.28.010A4b	A condition likely in the opinion of the City Manager, to likely to harbor rats, vermin, or other similar creatures constituting a health hazard;	How many rats or vermin does it take to constitute a health hazard? Is the presence of animal droppings sufficient evidence or does the officer have to see the critters?
17.6.28.010A4c	A condition which causes appreciable harm or material detriment to the aesthetic and/or property value of surrounding property;	Very subjective; some combinations of paint colors, yard art, choice of landscaping materials, etc. can cause the noted conditions.
17.6.28.010A8	Trash receptacles stored in front or side setbacks that are visible from a public street and rear setback, except when placed for the purposes of collection	City provided trash receptacles do not fit into alleyway trash enclosures in the older sections of town; likewise, older shopping centers don't have trash enclosures, so this condition cannot be mitigated in many cases.
17.6.28.010A11	The accumulation of dirt, waste, or debris, in vestibules, doorways, or adjoining sidewalks or walkways.	The wind blows debris into doorways daily; is there a time metric to base a complaint on? What about the public way; the same trash accumulates in publicly owned spaces and the City makes no effort to clean it up.

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I respectfully request that the staff prepare an EIR prior before including this new use in the Zoning Ordinance. We can always use a Text Amendment to include cannabis use in various zones and add development standards later when we have all the facts we need to explain our decision.

Section No.1 – Staff Agrees

The comments listed have been reviewed by Staff and Staff recommends to the Planning Commission that these should be incorporated into the Draft Zoning Code.

Other Zones

1. 17.2.20.030 A – Add Mirco-Alcohol Production in MU zone with CUP (like in OTC zone). **(Staff agrees)**

General Site Development Standards

2. 17.3.04.030 2 – Provide measurable number (scaling) for the diagram illustrating the setbacks for accessory structure. IE – 1'=x, 2'=x, etc. **(Staff agrees)**
3. 17.3.04.080 B1 – Include a reference to fence section of the code. **(Staff agrees)**
4. 17.3.04.090 H – Provide language regarding clean up and add "onto" the ground. **(Staff agrees)**

Parking reductions, alternatives and incentives

5. 17.3.08.070 G – reduce to 4 spaces instead of 5 **(Staff agrees)**
6. 17.3.08.070 H – Be consistent (Do we use "lot" or "parcel" in the code) **(Staff agrees)**
7. 17.3.08.030 E2 – Take out "rear" and allow tandem parking in rear yard. **(Staff agrees)**
8. 17.3.08.040 D – Remove "balconies" from floor area calculation. **(Staff agrees)**
9. 17.3.08.060 B – Add compact spaces dimensions on the diagram grid. **(Staff agrees – Staff to determine format)**
10. 17.3.08.060 D2 – Increase standard light pole size from 18' to 20' tall. **(Staff agrees)**
11. 17.3.08.070 I – Do not require peer review for parking studies, only staff review. **(Staff agrees)**

Landscape and Screening standards

12. 17.3.12.020 C – Change to "Final Certificate of Occupancy" **(Staff agrees)**
13. 17.3.12.050 E – Add "with rebar" **(Staff agrees)**
14. 17.3.12.040 C – (Table 17.3.12.040.B) – In planting section indicate no juniper plants (to flammable). **(Staff agrees)**
15. 17.3.12.040 D – For commercial zones (such as CB) allow fence screening also 8' (instead of just 6'). Revise Table 17.3.12.040C to include and allow CB commercial zone to have 8' tall screening heights. **(Staff agrees)**
16. 17.3.12.040 D3 – (Figure 17.3.12.040.1) – label the 1st graphic with "landscape/wall." **(Staff agrees)**

Sign Standards

- 17.17.3.16.040 A2 – Take out "burned" (**Staff agrees**)
- 18.17.3.16.040 B8 – Change to include "except those located in a multi-parcel center" (**Staff agrees**)

Specific to Use Standards

- 19.17.4.04.070 B1 – Construction of storage/supply yard – Change setback requirement from 3-5 feet to 2-3 feet instead (**Staff agrees**).

Home Occupation

- 20.17.4.04.100 D – Add wording to say "excludes cottage foods". (**Staff agrees**)

Mixed-Use Development

- 21.17.4.04.130 C2 – Add "where appropriate" instead of "or similar features" (**Staff agrees**)
- 22.17.4.04.130 C3b – Change from "within 100 feet of the unit" to "300 feet of the unit" (**Staff agrees**)
- 23.17.4.04.130 D3 – change "involve" to "include" (**Staff agrees**).

Outdoor dining

- 24.17.4.04.150 2b – delete "near curb". (**Staff agrees**)
- 25.17.4.04.150 C – delete "compatible with the building's façade and general streetscape" (**Staff agrees**)
- 26.17.4.04.150 C5 – Add "fixed" busing facilities (**Staff agrees**)

Temporary uses

- 27.17.4.04.190 7 – include "4th of July" (**Staff agrees**)

Application processing requirements

- 28.17.5.04 – Include somewhere in this section the process for an applicant to attend and get input at DAT (Development Assistance Team) – (**Staff agrees**)

Property Nuisances

- 29.17.6.28.010 A8 – Remove "rear" setback since people commonly store trash receptacles (such as off the alley) in this location (**Staff agrees**)

Definitions of Terms

- 30.17.07.04 – Provide definition of Ldn (sound) like in GP. (**Staff agrees**)

Section No.2 – Reviewed by Staff / Planning Commission Discussion needed

The comments listed have been reviewed by Staff and Staff recommends the Planning Commission discuss and make recommendation if they should be incorporated into the Draft Zoning Code.

General Site Development Standards

- 31. 17.3.04.050 B 2b – Need to say for new lots only. Include statement to meet development standards. **(staff to review)**
- 32. 17.3.04.070 D – (Figure 17.3.04.070.2) – Revise site visibility standards based on sidewalk size. IE- 4 foot sidewalk requires 4' site visibility, 8 foot sidewalk requires 0'. **(not recommended. staff to clarify and indicate back of sidewalk)**
- 33. 17.3.04.100 – Remove tree protection section as it applies to private property **(not recommended)**

Parking reductions, alternatives and incentives

- 34. 17.3.08.070 A1 – 50% parking reduction is too high. Should not apply to assembly uses. Include a provision to allow parking to be reduced if located within 400 feet. **(discuss)**
- 35. 17.3.08.030 C – Increase to 20% for compact spaces. **(discuss)**
- 36. 17.3.08.040 E – Why residential parking in OTC? Not enough space to construct parking. Remove time frame. **(discuss)**
- 37. 17.3.08.070 A2 – Do not include residential for parking reduction. **(discuss)**
- 38. 17.3.08.080 A3a&b – Remove language regarding trip reduction strategies as this requirement could cause fear in developers and potentially kill project. **(not recommended as they are options)**
- 39. 17.3.08.030 B2 – Add wording that it does not include alley. **(not recommended)**

Landscape and Screening standards

- 40. 17.3.12.050 D1 – (Table 17.3.12.050.A) – For 15 or fewer, change to 0% (instead of 5%) **(discuss)**
- 41. 17.3.12.050 F2 – Only require trees in front of lot **(not recommended)**
- 42. 17.3.12.050 F3c – Change redwood chips to "wood chips" (recommended) and increase amount from 15% to 40% **(not recommended)**
- 43. 17.3.12.040 B – Why require screening of equipment such as meter boxes and transformers? Remove this requirement. **(staff to research)**
- 44. 17.3.12.040 F – only required solid walls for a barrier and do not include additional landscaped buffer areas as this takes up more land. **(discuss)**
- 45. 17.3.12.040 F5a – exempt railroads from requirement of providing a minimum 5' native landscaping of 75% opacity planted and maintained next to open space areas. **(discuss)**

- 46.17.3.12.040 H – provide additional options for security fencing and add language regarding security fencing. Allow materials such as chain mail. Look at Home Depot fencing material for examples. **(discuss – staff to research)**

Sign Standards

- 47.17.3.16.040 C2 – Add “steam” **(discuss)**

Specific to Use Standards

- 48.17.4.04.050 C2a – Caretaker’s unit – Why is the unit required to be on the 2nd floor? rear is better **(discuss)**
- 49.17.4.04.060 D – Community Gardens – Add: “Remove all garden improvements” instead of “replaced with landscaping” **(discuss)**
- 50.17.4.04.080 E – Emergency Shelters – Add the limit to 104 beds “per facility”. The limit is a “cap”, not per facility. **(no change)**
- 51.17.4.04.080 L – Can the waiting and intake area be increased? (100 sq. ft. seems small, is there flexibility to increase?).

Home Occupation

- 52.17.4.04.100 F6 – Can we take out? Conflicts with IRS rules relating to the requirement of fixed signage. **(research needed)**
- 53.17.4.04.100 F11, 12, & 16.– This is regulated by the County, do we need these provisions? **(staff to research)**
- 54.17.4.04.100 F18: Do we need since they are required to use City water? **(no change)**

Mixed-Use Development

- 55.17.4.04.130 4 – Add “when possible or feasible” **(discuss)**
- 56.17.4.04.130 D3 – Include language referring to “exceed City Standards” instead of “may be detrimental” **(discuss)**

Temporary uses

- 57.17.4.04.190 4h – Mobile vending – Need to have a length requirement for vending carts **(discuss)**
- 58.17.4.04.190 9 – Is text missing here?
- 59.17.4.04.190 10 – wood chips should be an allowable material for a temporary parking lot **(discuss, not recommended)**

Application processing requirements

- 60.17.5.04.040 C – Application fees – use the word “may” instead of “shall” regarding refunds authorized by the Director **(discuss)**

Sign permit and sign program

- 61.17.5.40.020 A – Add “Directory Sign” to this list **(consider change)**

62. 17.5.40.020 B1 – Consider excluding residential in this section (**discuss**)

Nonconforming uses, structures, and Parcels

63. 17.6.20.010 E

64. 17.6.20.040 C – Why can't the nonconforming use be replaced with a "residential use" (**staff follow-up**)

65. 17.6.20.080 A2 – Wording should be added to exempt OTC (**no change recommended by staff**)

66. 17.6.20.100 C – There should be a trigger for this requirement, not 3 years (**discuss**)

Property Nuisances

67. 17.6.28.010 A4c – Instead of the word "appreciable", use "significant" instead (**discuss**)

68. 17.6.28.010 A9 – Consider revising wording of "reasonable enjoyment of property by neighbors" (**discuss**)

Section No. 3 – Review by City Attorney

The comments listed have been reviewed by Staff and Staff recommends review by the City Attorney prior to the Planning Commission discussing and making recommendations if they should be incorporated into the Draft Zoning Code.

Sign Standards

69.17.3.16.040 B7 – Can we prohibit "people signs"? (*Attorney to review*)

70.17.3.16.040 D – Remove "convey" (*Attorney to review*)

Specific to Use Standards

71.17.4.040.080 J3 – Do they have the right to put up a sign? Consider changing to "no permanent signs and temporary signs are permitted". (*Attorney to review*)

Temporary uses

72.17.4.04.190 8 – can we regulate semi-trailers? (discuss, *Attorney to review*)

Nonconforming uses, structures, and Parcels

73.17.6.20.020 A – The City should have the burden of proof for structures built prior to 1960 (records are not complete before this year) (**Follow-up with staff**, *Attorney to Review*)

Property Nuisances

74.17.6.28.020 C – Are we required to Notice Owner? (*Attorney to Review*)