

## 17.1.04: Title and Purpose

17.1.04.010: Adoption

17.1.04.020: Intent and Purpose

17.1.04.030: Short Title

17.1.04.040: Applicability

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### 17.1.04.010: Adoption

This Title is hereby adopted as the Zoning Code for the City of Lompoc, State of California.

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### 17.1.04.020: Intent and Purpose

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

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**B.** These regulations are intended to:

1. Encourage the best location and use of buildings, structures, and land as designated by the General Plan.
2. Regulate and limit the height and size of buildings and other structures and the density of populations to provide for orderly growth and development of Lompoc.
3. Conserve and stabilize the total value of property within the community.
4. Provide adequate open spaces for light and air.
5. Provide for appropriate land conservation to protect natural resources and avoid harmful environmental impacts.
6. Lessen congestion of streets.
7. Create a comprehensive and stable pattern of land uses upon which to plan transportation, water supply, wastewater, schools, parks, and other public facilities and utilities.

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### 17.1.04.030: Short Title

This Title shall be known by the following short title: "The City of Lompoc Zoning Code."

**E. Residential Mobile Home Park Zone (MH).**

The Residential Mobile Home Park (MH) Zone applies to areas of the City appropriate for the exclusive and orderly planned development of mobile home parks and subdivisions, and travel trailer parks and recreational vehicle parks. The purpose of the Zone is to establish appropriate regulations and standards pursuant to § 18000 et seq. of the Health and Safety Code of the State of California.

**17.2.08.030: Allowed Land Use and Permit Requirements**

The land uses allowed in the residential zones are listed below, together with the planning permit type required for each use.

**A. Establishment of an Allowable Use.**

1. Any one or more land uses allowed in Table 17.2.08.030.A (Residential Zones Allowed Uses) may be established on any lot within the residential zone, subject to the planning permit requirement listed in the Table, and in compliance with all applicable requirements of this Code. Accessory uses are allowed only in conjunction with a primary use to which the accessory use relates.
2. Where a single parcel is proposed for development with two or more of the land uses listed in the Table at the same time, the overall project will be subject to the highest permit level required by the Table for any individual use.
3. Uses not listed below may be allowed in compliance with Subsection 17.1.08.030.D (Allowable Uses of Land).

**B. Allowed Uses.**

Table 17.2.08.030.A: Residential Zones Allowed Uses						
Use	Requirement by Zone					Specific Use Regulations
	RA	R-1	R-2	R-3	MH	
<b>Agricultural Uses and Animal Keeping Use Types</b>						
Animal Keeping and Production	P	-	-	-	-	Title 6 (Animals)
<u>Animal Raising and Keeping</u>	<u>P<sup>1</sup></u>	<u>P<sup>1</sup></u>	<u>P<sup>1</sup></u>	<u>P<sup>1</sup></u>	<u>P<sup>1</sup></u>	<u>17.4.04.040</u>
Community Garden	P	P	P	P	P	17.4.04.060
Field and Tree Crop Production	P	<del>P</del>	-	-	-	-
<b>Recreation, Education, and Assembly Use Types</b>						
College/University	CUP	-	-	-	-	-
Community Assembly, Neighborhood	CUP	CUP	CUP	CUP	-	-
Recreation, Outdoor	CUP	P	P	P	-	-
Recreation, Passive	P	P	P	P	-	-
Recreational Vehicle (RV) Park	-	-	-	-	CUP	-
Schools, Public or Private	-	CUP	CUP	CUP	-	-
<b>Residential Use Types</b>						
Accessory Dwelling Unit	P	P	P	P	-	17.4.04.020
Emergency Shelter	CUP	CUP	CUP	CUP	CUP	17.4.04.080

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17.2.08: Residential Zones

Table 17.2.08.030.A: Residential Zones Allowed Uses						
Use	Requirement by Zone					Specific Use Regulations
	RA	R-1	R-2	R-3	MH	
Family Day Care Home, Large	AUP	AUP	AUP	AUP	-	17.4.04.090
Family Day Care Home, Small	P	P	P	P	-	17.4.04.090
Home Occupation	AUP	AUP	AUP	AUP	AUP	17.4.04.100
Mobile Home Park	CUP	CUP	CUP	CUP	P	-
Multi-Family Residential: Duplex	-	-	P	P	-	17.4.04.140
Multi-Family Residential: Triplex & Four-Plex	-	-	MUP <sup>2</sup>	P	-	17.4.04.140
Multi-Family Residential: > 4 Units	-	-	CUP <sup>2</sup>	P	-	17.4.04.140
Residential Care Homes <7 Ppl	P	P	P	P	P	17.4.04.180
Residential Care Homes ≥7 Ppl	CUP	CUP	CUP	CUP	CUP	17.4.04.180
Single-Family Residential	P	P	P	CUP <sup>3</sup>	-	-
Supportive Housing <7 Ppl	P	P	P	P	P	-
Supportive Housing ≥7 Ppl	CUP	CUP	CUP	CUP	CUP	-
Transitional Housing <7 Ppl	P	P	P	P	P	-
Transitional Housing ≥7 Ppl	CUP	CUP	CUP	CUP	CUP	-
<b>Services Use Types</b>						
Bed & Breakfast	P	MUP	MUP	MUP	-	-
Lodging	CUP	-	-	-	-	-
Public Services, Major	CUP	-	-	-	-	-
Public Services, Minor	MUP	-	CUP	CUP	-	-
Safe Parking Program	MUP	MUP	MUP	MUP	-	LMC 10.30
<b>Wireless Telecommunications Facility Use Types</b>						
Other Wireless Telecommunications Facility	See Section 17.4.04.200					
<b>Transportation and Infrastructure Use Types</b>						
Airport	CUP	-	-	-	-	-
<b>Other Use Types</b>						
Temporary Use	See Section 17.4.04.190					

P = Permitted Use

AUP = Administrative Use Permit (See Chapter 17.5.08)

MUP = Minor Use Permit required (See Chapter 17.5.20)

CUP = Conditional Use Permit required (See Chapter 17.5.20). A conditionally permitted use may be permitted subject to a Minor Use Permit when the use will be in an existing building and all applicable development standards applicable are met.

- = Use not allowed

<sup>1</sup> Permitted use on any lot containing a single-family residence, including a legal nonconforming single-family residence, provided the use complies with 17.4.04.040.

<sup>2</sup> Permitted use when only one new unit is added to an existing project.

<sup>3</sup> Multi-family projects of single-family homes are permitted (e.g., cottage court), but a standalone single-family dwelling requires a CUP.

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17.2.08.040: Residential Zones Development Standards

Table 17.2.08.040.A: Residential Zones Development Standards						
Development Feature	Requirement by Zone					
	RA	10-R-1	7-R-1	R-2	R-3	MH
<b>Lot Requirements<sup>1</sup></b>						
Lot Area (min.)	20,000 s.f.	10,000 s.f. <sup>2</sup>	7,000 s.f. <sup>2</sup>	6,000 s.f.	7,000 s.f.	10 acres
Lot Width (min.)	100 ft.	75 ft. interior and corner lots <sup>2</sup>	65 ft. interior lots; 70 ft. corner lots <sup>2</sup>	50 ft.	50 ft.	-
Lot Depth (min.)	-	90 ft.	90 ft.	-	-	-
<b>Setbacks</b>						
Front (min.)	20 ft.	15 ft.	15 ft.	15 ft.	15 ft.	-
Side - Interior	10% of lot width; min. 5 ft. and max. 10 ft. <sup>3,4</sup>	5 ft. <sup>4</sup>	5 ft. <sup>4</sup>	5 ft. <sup>4</sup>	5 ft. <sup>4</sup>	-
Side - Street (min.)	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	-
Rear (min.)	15 ft. <sup>4</sup>	5 ft. (1-story building); 10 ft. (2-story building) <sup>4,5</sup>	10 ft. <sup>4</sup>	10 ft. <sup>4</sup>	10 ft. <sup>4</sup>	-
<b>Building Form Standards</b>						
Height (max.) - Primary Building	35 ft. or 2 stories, whichever is less	30 ft.	30 ft.	30 ft.	35 ft.	-
Height (max.) - Accessory Building	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	-
Lot Coverage (max.)	-	40%	50%	50%	60%	-
Landscaped Open Area (min.)	-	-	300 s.f./unit	250 s.f./unit	250 s.f./unit	250 s.f./unit
<b>Density Standards<sup>6</sup></b>						
Density (max.)	2.2 dwelling units/net acre	2.5 to 6.2 dwelling units/net acre depending on General Plan LDR land use sub-category	14.5 dwelling units/net acre	22 dwelling units/net acre	7 mobile home spaces/gross acre	-
Density (min.)	-	-	6.2 dwelling units/net acre	14.5 dwelling units/net acre	-	-
<b>Other Standards</b>						
Accessory Structures	See Section 17.3.04.020: (Accessory Structures)					
Fences and Walls	See Chapter 17.3.12 (Landscaping and Screening Standards)					
Landscaping and Screening	See Chapter 17.3.12 (Landscaping and Screening Standards) & Title 15, Chapter 15.52 (Water Efficient Landscape and Irrigation Standards)					
Parking	See Chapter 17.3.08 (Parking Standards)					

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17.2.08: Residential Zones

Table 17.2.08.040.A: Residential Zones Development Standards						
Development Feature	Requirement by Zone					
	RA	10-R-1	7-R-1	R-2	R-3	MH
Performance Standards	See Section 17.3.04.090 (Performance Standards)					
Signs	See Chapter 17.3.16 (Sign Standards)					
Additional Requirements	See Section 17.2.08.050 (Additional Standards and Requirements)					

<sup>1</sup> See Section 17.3.04.060 (Hillside Development) for lot requirements where steep slopes exist.

<sup>2</sup> Minimum lot sizes and widths for recreation, education, and assembly uses shall be approved by the Review Authority. Also, see exceptions in Subsection 17.3.04.050.B.

<sup>3</sup> A 10-foot minimum side setback is required for any agricultural building or structure greater than 45 feet in height.

<sup>4</sup> See Section 17.3.04.020 (Accessory Structures) for additional setback standards.

<sup>5</sup> The setback may be reduced to five feet for a two-story building with a garage entrance facing an alley.

<sup>6</sup> Any resulting fractions shall round up, and only a whole number shall be considered in determining the number of units allowed on a lot, unless required by State density bonus law.

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<sup>3</sup> See exceptions in Subsection 17.3.04.050.B.

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17.2.08.050: Additional Standards and Requirements

**R-1 Zone.** All dwelling units in the R-1 Zone should have a minimum roof overhang of six inches on all sides of the structure, except that this standard does not apply to dwelling units with exterior mansard roofs on four sides or to dwelling units with parapet walls on at least two sides.

**17.2.12.030: Allowed Land Use and Permit Requirements**

The land uses allowed in the commercial zones are listed below, together with the planning permit type required for each use.

**A. Establishment of an Allowable Use.**

1. Any one or more land uses allowed in Table 17.2.12.030.A (Commercial Zones Allowed Uses) may be established on any lot within the commercial zone, subject to the planning permit requirement listed in the Table, and in compliance with all applicable requirements of this Code. Accessory uses are allowed only in conjunction with a primary use to which the accessory use relates.
2. Where a single parcel is proposed for development with two or more of the land uses listed in the Table at the same time, the overall project will be subject to the highest permit level required by the Table for any individual use.
3. Uses not listed below may be allowed in compliance with Subsection 17.1.08.030.D (Allowable Uses of Land).

**B. Allowed Uses.**

Use	Requirement by Zone				Specific Use Regulations
	CC	CB	OTC	PCD	
<b>Agricultural Uses and Animal Keeping Use Types</b>					
<u>Animal Raising and Keeping</u>	<u>P<sup>1</sup></u>	<u>P<sup>1</sup></u>	<u>P<sup>1</sup></u>	<u>P<sup>1</sup></u>	<u>17.4.04.040</u>
Community Garden	P	P	P	P	17.4.04.060
<b>Industrial, Manufacturing, Processing, and Wholesaling Use Types</b>					
Artisan Manufacturing	-	MUP	MUP	MUP	-
Cannabis Testing Laboratory	-	P	-	P	LMC 9.36
Manufacturing/Processing: Light/Medium	-	CUP	-	CUP	-
Micro-Alcohol Production	-	CUP	CUP	CUP	-
<b>Recreation, Education, and Assembly Use Types</b>					
Business/Trade School	-	P	CUP	P	-
Civic/Government	-	P	P	P	-
Community Assembly, Neighborhood	-	P	CUP	P	-
Community Assembly, Regional	-	CUP	CUP	CUP	-
Entertainment, Indoor - Neighborhood	-	P	P	P	-
Entertainment, Indoor - Regional	-	CUP	CUP	CUP	-
Library/Museum	-	MUP	MUP	MUP	-
Recreation, Indoor	MUP	MUP	MUP	MUP	-
Recreation, Outdoor	P	MUP	MUP	P	-
Recreation, Passive	P	P	P	P	-
Schools, Public or Private	-	P	P	P	-
Studio, Instructional Services	P	P	P <sup>2</sup>	P	-

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17.2.12: Commercial Zones

Table 17.2.12.030.A: Commercial Zones Allowed Uses					
Use	Requirement by Zone				Specific Use Regulations
	CC	CB	OTC	PCD	
<b>Residential Use Types</b>					
Emergency Shelters	P	P	CUP	CUP	17.4.04.080
Caretaker's Unit	-	MUP	-	MUP	17.4.04.050
Home Occupation	-	-	AUP	-	17.4.04.100
Live/Work	MUP	MUP	P	MUP	17.4.04.110
Multi-Family Residential	-	-	P <sup>3</sup>	-	17.4.04.140 Deleted: <sup>2</sup>
Single Room Occupancy	CUP	CUP	CUP	CUP	-
Supportive Housing	-	-	P <sup>3,4</sup>	-	-
<b>Retail Trade Use Types</b>					
Alcohol Sales	P	P	P	P	- Deleted: , Liquor Store
Bar/Nightclub	-	P	MUP	P	- Deleted: Alcohol Sales, Specialty Alcohol Shop
Dispensary	P	P	P	P	LMC 9.36
Drive-Through, Non-Restaurants	MUP	MUP	CUP <sup>5</sup>	MUP	- Deleted: <sup>3</sup>
General Retail ≤ 5,000 sf	P	P	P	P	-
General Retail > 5,000 sf.	MUP	MUP	MUP	P	- Deleted: C
Outdoor Dining	P	P	P	P	17.4.04.150 Deleted: C
Outdoor Display	AUP	MUP	AUP	AUP	17.4.04.160 Deleted: MU
Restaurant- w/o Alcohol Sales	P	P	P	P	- Deleted: MU
Restaurant- w/ Alcohol Sales	MUP	P	P	P	- Deleted: MU
Restaurant- w/ Drive Through	CUP	CUP	CUP <sup>5</sup>	CUP	- Deleted: MU
<b>Services Use Types</b>					
Bed & Breakfast	-	-	CUP	-	- Deleted: MU
Day Care, Commercial	CUP	-	CUP	-	- Deleted: <sup>3</sup>
Dry Cleaning, Processing	P	-	-	P	-
Funeral Homes and Mortuaries	-	P	-	P	-
General Services	P	P	P	P	-
Hospital	-	P	-	P	-
Lodging	-	P	MUP	P	-
Medical Clinics and Laboratories	-	P	P	P	-
Offices, General	P	P	P	P	-
Public Services, Emergency Services	-	P	P	P	17.4.04.170
Safe Parking Program	MUP	MUP	MUP	MUP	LMC 10.30
Veterinary Clinics and Hospitals	-	P	-	P	-
<b>Wireless Telecommunications Facility Use Types</b>					
Wireless Tower	CUP	CUP	CUP	CUP	17.4.04.200
Other Wireless Telecommunications Facility	See Section 17.4.04.200				
<b>Transportation Facilities Use Types</b>					
Parking Lot	-	P	-	P	-
Parking Structure	-	P	CUP	P	-
Passenger Transportation Facilities	-	CUP	CUP	CUP	-
<b>Vehicle Sales and Services Use Types</b>					
Automotive Sales and Rental	-	P	P <sup>6</sup>	P	- Deleted: <sup>4</sup>
Gas/Service Station	CUP	CUP	-	CUP	-
Large Vehicle and Boat Sales and Rental	-	P	-	P	-
Repair, Minor	-	P	P <sup>6</sup>	P	- Deleted: <sup>4</sup>

17.2.12: Commercial Zones

Use	Requirement by Zone				Specific Use Regulations
	CC	CB	OTC	PCD	
Repair, Major	-	P	-	P	-
<b>Other Use Types</b>					
Adult Businesses	-	MUP	-	MUP	17.4.04.030
Temporary Use	See Section 17.4.04.190				

P = Permitted Use

AUP = Administrative Use Permit (See Chapter 17.5.08)

MUP = Minor Use Permit required (See Chapter 17.5.20)

CUP = Conditional Use Permit required (See Chapter 17.5.20). A conditionally permitted use may be permitted subject to a Minor Use Permit when the use will be in an existing building and all applicable development standards applicable are met.

- = Use not allowed

<sup>1</sup> Permitted use on any lot containing a single-family residence, including a legal nonconforming single-family residence, provided the use complies with 17.4.04.040.

<sup>2</sup> Chemical-based photographic studios, laundry facilities, and similar uses shall not be allowed in the OTC Zone.

<sup>3</sup> For buildings with H Street or Ocean Avenue frontage in the OTC Zone, residential uses may only be located on the first floor if the residential use does not face the street (i.e., H Street or Ocean Avenue) and residential access is provided at the rear of the building.

<sup>4</sup> Permitted use only if the supportive housing development satisfies all of the requirements in Government Code § 65651.

<sup>5</sup> Limited to lots that are listed in the City's registry of Old Town Commercial lots with previously existing drive-throughs. Drive-through uses may be reestablished on these lots, and any on-site building(s) that previously functioned as a drive-through may be improved to accommodate the reestablishment of the drive-through use provided the improvements comply with Section 17.6.20.050 (Nonconforming Structures), if applicable.

<sup>6</sup> Limited to indoor motorcycle and smaller footprint automobile sales, rental, and repair. However, if a lot is listed in the City's registry of Old Town Commercial lots with previously existing automobile sales, rental, or repair sites, a CUP is required to allow for the reestablishment of automobile sales, rental, or repair uses. Any building(s) on these lots that previously functioned as automobile sales, rental, or repair may be improved to accommodate the reestablishment of the automobile sales, rental, or repair use provided the improvements comply with Section 17.6.20.050 (Nonconforming Structures), if applicable.

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17.2.12.040: Commercial Zones Development Standards

Development Feature	Requirement by Zone			
	CC	CB	OTC	PCD
<b>Lot Requirements</b>				
Lot Area (min.)	7,000 s.f.	7,000 s.f.	5,000 s.f.	10,000 s.f.
Lot Area (max.)	3 acres	-	-	-
Lot Width (min.)	-	60 ft.	25 ft.	-
<b>Setbacks</b>				
Front (min.)	10 ft.	-	-	CB standards apply unless a Preliminary Development Plan is approved (see Subsection 17.2.12.050.A)
Side - Interior (min.)	-	When adjoining residential - 10 ft.	-	
Side - Street (min.)	-	-	-	
Rear (min.)	15 ft.	When adjoining residential - 10 ft.	5 ft.	

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17.2.12: Commercial Zones

Table 17.2.12.040.A: Commercial Zones Development Standards					
Development Feature	Requirement by Zone				
	CC	CB	OTC	PCD	
<b>Building Form Standards</b>					
Height (max.)	30 ft.	50 ft. or 4 stories, whichever is less	45 ft. or 3 stories, whichever is less	CB standards apply unless a Preliminary Development Plan is approved (see Subsection 17.2.12.050.A)	
Height (max.) - Accessory Building	20 ft.	20 ft.	20 ft.		
Height (min.)	-	-	20 ft.		
Lot Coverage (max.)	-	-	-		
Floor Area Ratio (max.)	0.5	0.5	2.0 with up to 50% of floor area for residential		
<b>Density Standards<sup>2</sup></b>					
Density (max.)	-	-	44 dwelling units/net acre	-	
Density (min.)	-	-	20 dwelling units/net acre	-	
<b>Build-to Requirement<sup>3</sup></b> See Figure 17.2.12.040.1					
Build-to-area Width		-	-	0 – 10 ft.	CB standards apply unless a Preliminary Development Plan is approved (see Subsection 17.2.12.050.A)
H Street or Ocean Avenue	Corner Lot	-	-	25 ft. from street corner (min.)	
	Interior Lot	-	-	60% of street frontage (min.)	
Any Other Street	All Lots	-	-	40% of street frontage (min.)	
<b>Other Standards</b>					
Accessory Structures	See Section 17.3.04.020 (Accessory Structures)				
Fences and Walls	See Chapter 17.3.12 (Landscaping and Screening Standards)				
Landscaping and Screening	See Chapter 17.3.12 (Landscaping and Screening Standards) & Title 15, Chapter 15.52 (Water Efficient Landscape and Irrigation Standards)				
Parking	See Chapter 17.3.08 (Parking Standards)				
Performance Standards	See Section 17.3.04.090 (Performance Standards)				
Signs	See Chapter 17.3.16 (Sign Standards)				
Additional Requirements	See Section 17.2.12.050 (Additional Standards and Requirements)				

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<sup>1</sup> If a lot is located within the H Street Overlay, also see standards in Chapter 17.2.24 (Overlay Zones).

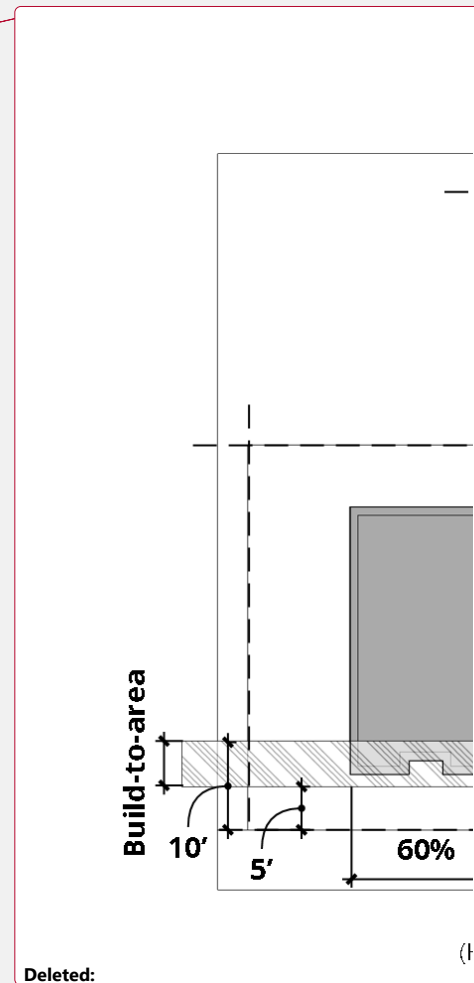
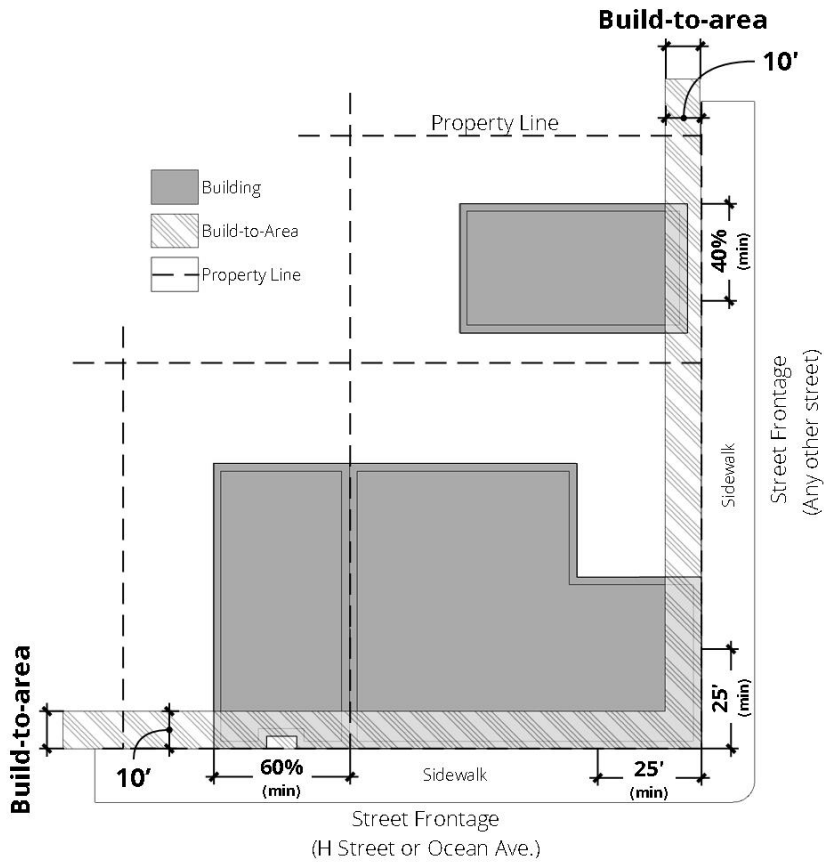
<sup>2</sup> Any resulting fractions shall round up, and only a whole number shall be considered in determining the number of units allowed on a lot, unless required by State density bonus law.

<sup>3</sup> Build-to requirements may be waived if the Director finds that 1) plazas, courtyards, or outdoor eating areas that function as publicly accessible open space with amenities such as seating, landscaping, and lighting are located between the build-to-line and the building or are adjoining the build-to-line and the building; 2) the building incorporates an alternative entrance design that creates a welcoming entry feature facing the street; 3) a larger area is required to preserve existing mature trees or landscaping; or 4) another alternative provides a desired outcome along the street.

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Figure 17.2.12.040.1: Build-to Requirement



**17.2.12.050: Additional Standards and Requirements**

**A. Planned Commercial Development Zone. Preliminary Development Plan.** An application for a Preliminary Development Plan shall be prepared, filed, and processed in compliance with Chapter 17.5.32 (Planned Development, Preliminary Development Plan). The Commission may approve a Preliminary Development Plan in the PCD Zone only after the findings listed in Section 17.5.32.050 (Findings and Decision) are made.

**B. Old Town Commercial Zone.**

**1. Building orientation and entrances.**

- a. The primary entrance to a building shall be located to face a street or be connected to a street via a courtyard, walkway, plaza or similar public space. When it is not possible to locate the primary entrance to face the street, plaza, courtyard, or walkway, a secondary entrance should be designed to connect to these public places.
- b. Building entrances shall be clearly identifiable with enhanced architectural features such as a change in plane (e.g., the entrance may be recessed on the street level facade), differentiation in materials and colors, lighting, modulation of roof lines to define the building entrance, or landscape treatments.

**2. Building transparency and openings for non-residential uses.** The standards of this Subsection are illustrated in Figure 17.2.12.050.1 (Building Transparency and Openings).

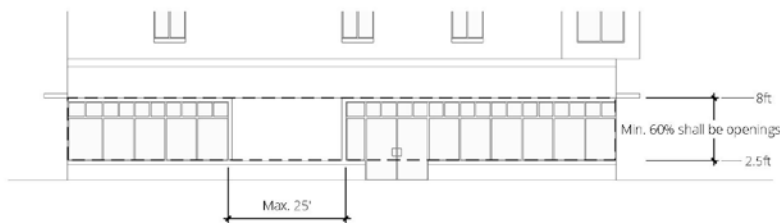
- a. Exterior walls facing and within 20 feet of a street, park, plaza, pedestrian walkway, or other public outdoor space shall include windows, doors, or other openings for at least 60% of the building wall area located between 2.5 and eight feet above the level of the sidewalk, and such walls shall not have a continuous horizontal plane for more than 25 feet without an opening.
- b. Openings fulfilling the requirement in Subsection 2.a shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces or into window displays that are at least three feet deep.
- c. Windows on the ground level building façade facing a street shall not be opaque; however, this requirement may be waived by the Director if the use is a medical clinic or similar that requires privacy.
- d. Alternatives to the building transparency requirement may be approved if the Director finds that the street-facing building walls exhibit architectural

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relief and detail or are enhanced with landscaping in such a way as to create visual interest at the pedestrian level.

- e. A parking garage that does not incorporate ground-floor non-residential or residential use or is not otherwise screened or concealed at street frontages on the ground level, must provide a landscaped area at least 10 feet wide between the parking garage and public street. The landscaping may encroach into the City's right-of-way with an Encroachment Permit and shall comply with the standards in Chapter 17.3.12 (Landscaping and Screening Standards).

**Figure 17.2.12.050.1: Building Transparency and Openings**



**3. Limitations on location of parking.**

- a. Building frontages must be placed within or adjoining the build-to-area where required by Table 17.2.12.040.A so that vehicle parking and circulation areas, including driveways, can be located behind or to the side of the building.
- b. Surface parking may be located within 20 feet of a street facing property line when the Director makes the following findings:
  - (i) Buildings comply with the build-to-area requirement (Table 17.2.12.040.A); and
  - (ii) The parking area is landscaped along the public right-of-way with a hedge, trellis, and/or landscaping consistent with Chapter 17.3.12 (Landscaping and Screening Standards).

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**4. Pedestrian access.** On-site pedestrian circulation and access shall be provided to connect all buildings on a site including connections to parking and open space amenities; there shall be a connection to the public sidewalk.

- a. **Pedestrian walkway design.**

**17.2.16.030: Allowed Land Use and Permit Requirements**

The land uses allowed in the industrial zones are listed below, together with the planning permit type required for each use.

**A. Establishment of an Allowable Use.**

1. Any one or more land uses allowed in Table 17.2.16.030.A (Industrial Zones Allowed Uses) may be established on any lot within the industrial zone, subject to the planning permit requirement listed in the Table, and in compliance with all applicable requirements of this Code. Accessory uses are allowed only in conjunction with a primary use to which the accessory use relates.
2. Where a single parcel is proposed for development with two or more of the land uses listed in the Table at the same time, the overall project will be subject to the highest permit level required by the Table for any individual use.
3. Uses not listed below may be allowed in compliance with Subsection 17.1.08.030.D (Allowable Uses of Land).

**B. Allowed Uses.**

Table 17.2.16.030.A: Industrial Zones Allowed Uses			
Use	Requirement by Zone		Specific Use Regulations
	I	BP	
<b>Agricultural Uses and Animal Keeping Use Types</b>			
<u>Animal Raising and Keeping</u>	P <sup>1</sup>	P <sup>1</sup>	17.4.04.040
Community Garden	P	P	17.4.04.060
<b>Industrial, Manufacturing, Processing and Wholesaling Use Types</b>			
Artisan Manufacturing	P	P	-
Cannabis Cultivation	P	P	LMC 9.36
Cannabis Manufacturing	P	P	LMC 9.36
Cannabis Testing Laboratory	P <sub>2</sub>	P	LMC 9.36
Construction Storage/Supply Yard	P	-	17.4.04.070
Equipment Rental Yard	P	-	-
Equipment Rental Yard, Heavy	P	-	-
Feed and Fuel Facility	P	-	-
Manufacturing/Processing: Heavy	CUP	-	-
Manufacturing/Processing: Light/Medium	P	P	-
Micro-Alcohol Production	P	P	-
Mini-Storage Warehousing or Facility	P	-	-
Research and Development	P	P	-
Warehousing, Storage, and Distribution	P	P	-
Winery	P	P	-
<b>Recreation, Education, and Assembly Use Types</b>			
Community Assembly, Neighborhood	CUP	MUP	-
Community Assembly, Regional	-	CUP	-
Recreation, Passive	P	P	-

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17.2.16: Industrial Zones

Table 17.2.16.030.A: Industrial Zones Allowed Uses			
Use	Requirement by Zone		Specific Use Regulations
	I	BP	
<b>Residential Use Types</b>			
Emergency Shelters	CUP	CUP	17.4.04.080
Caretaker's Unit	CUP	MUP	17.4.04.050
Live/Work	-	CUP	17.4.04.110
<b>Retail Trade Use Types</b>			
Dispensary	CUP	CUP	LMC 9.36
Food Service	SUP <sup>2</sup>	SUP <sup>2</sup>	-
Outdoor Dining	MUP	MUP	17.4.04.150
Restaurant	MUP <sup>3</sup>	MUP <sup>3</sup>	-
<b>Services Use Types</b>			
Dry Cleaning, Processing	MUP	-	-
Kennel	CUP	-	-
Office, General	-	P	-
Public Services, Major	MUP	-	-
Public Services, Minor	P	-	-
Safe Parking Program	MUP	MUP	LMC 10.30
<b>Wireless Telecommunications Facility Use Types</b>			
Wireless Tower	CUP	CUP	17.4.04.200
Other Wireless Telecommunications Facility	See Section 17.4.04.200		
<b>Vehicle Sales and Services Use Types</b>			
Automotive Storage	P	-	-
Large Vehicle and Boat Sales and Rental	P	-	-
Repair, Major	P	-	-
Repair, Minor	P	-	-
<b>Other Use Types</b>			
Temporary Use	See Section 17.4.04.190		

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P = Permitted Use. A permitted use that will be the first development on a vacant site requires Architectural Design and Site Development Review approval by the Commission.

AUP = Administrative Use Permit (See Chapter 17.5.08)

MUP = Minor Use Permit required (See Chapter 17.5.20). A use requiring a Minor Use Permit that will be the first development on a vacant site, or a site cleared for new structures, requires Architectural Design and Site Development Review approval by the Commission.

CUP = Conditional Use Permit required (See Chapter 17.5.20). A conditionally permitted use may be permitted subject to a Minor Use Permit when the use will be in an existing building and all applicable development standards applicable are met.

SUP = Special Use Permit required (See Chapter 17.5.52)

- = Use not allowed

<sup>1</sup> Permitted use on any lot containing a single-family residence, including a legal nonconforming single-family residence, provided the use complies with 17.4.04.040.

<sup>2</sup> Food service shall be provided in conjunction with a use directly related to the wine industry (e.g., winery, wine tasting operation, wine storage, etc.). The food service area shall not exceed 749 square feet. This size limitation does not apply to outdoor patio or deck areas that do not reduce the number of existing parking spaces.

<sup>3</sup> A restaurant devoted to the preparation and offering for sale of food and/or beverages for consumption either on or off the premises, which (1) offers any of the following: standardized menus, ingredients, food preparation, décor, uniforms, or similar standardized features, and (2) has 10 or more similarly standardized other locations worldwide is not allowed.

17.2.16.040: Industrial Zones Development Standards

Table 17.2.16.040.A: Industrial Zones Development Standards		
Development Feature	Requirement by Zone	
	I	BP
<b>Lot Requirements</b>		
Lot Area (min.)	7,000 s.f.	2 acres <sup>1</sup>
Lot Frontage Width (min.)	50 ft.	150 ft.
<b>Setbacks</b>		
Front (min.)	None, except when <b>new construction</b> adjoins residential uses - 10 ft. landscape area	10 ft. <sup>2</sup>
Side - Interior (min.)		5 ft. <sup>2</sup>
Side - Street (min.)		
Rear (min.)		5 ft. <sup>2</sup>
<b>Building Form Standards</b>		
Height (max.)	35 ft.	35 ft.; 18 ft. adjacent to the boundary of Lompoc Airport <sup>3</sup>
Height (max.) - Accessory Building		
Lot Coverage (max.)	-	-
Floor Area Ratio (max.)	0.5	0.75
<b>Other Standards</b>		
Accessory Structures	See Section 17.3.04.020 (Accessory Structures)	
Fences and Walls	See Chapter 17.3.12 (Landscaping and Screening Standards)	
Landscaping and Screening	See Chapter 17.3.12 (Landscaping and Screening Standards) & Title 15, Chapter 15.52 (Water Efficient Landscape and Irrigation Standards)	
Parking	See Chapter 17.3.08 (Parking Standards)	
Performance Standards	See Section 17.3.04.090 (Performance Standards)	
Signs	See Chapter 17.3.16 (Sign Standards)	
Additional Requirements	See 17.2.16.050 (Additional Standards and Requirements)	

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<sup>1</sup> Any proposed subdivision creating lots of less than 10 acres shall require approval of a conceptual Architectural Design and Site Development Review (See Chapter 17.5.12).

<sup>2</sup> Setback applies to building and parking areas.

<sup>3</sup> Unless more restrictive height standards are required by the Airport Master Plan.

- = No standard

17.2.16.050: Additional Standards and Requirements

**A. All Industrial Zones. Permanent Outdoor Storage.** Permanent outdoor storage and areas in the industrial zones shall comply with the following standards:

17.2.16: Industrial Zones

1. Provide screening with walls and landscaping in compliance with Chapter 17.3.12 (Landscaping and Screening);
2. Ensure no material is stored at a height greater than the height of the required wall or fence;
3. Storage material shall not cover more than 50% of the site area and shall be located on the rear portion of the parcel, unless storage is the primary use; and
4. A paved surface may be required if necessary to protect the public health, safety, and general welfare as determined by the Review Authority.

**B. Industrial Zone. Limited Accessory Uses.** Accessory uses, such as office, showroom, retail, and similar uses, are only allowed as incidental and secondary to the primary use. Accessory uses shall not exceed 10% of the gross floor area of the primary industrial use and shall comply with parking requirements in Chapter 17.3.08 (Parking Standards). Wine tasting rooms approved with a Conditional Use Permit are not subject to this limitation.

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**17.2.20.030: Allowed Land Use and Permit Requirements**

The land uses allowed in the other zones are listed below, together with the planning permit type required for each use.

**A. Establishment of an Allowable Use.**

1. Any one or more land uses allowed in Table 17.2.20.030.A (Other Zones Allowed Uses) may be established on any lot within the other zone, subject to the planning permit requirement listed in the Table, and in compliance with all applicable requirements of this Code. Accessory uses are allowed only in conjunction with a primary use to which the accessory use relates.
2. Where a single parcel is proposed for development with two or more of the land uses listed in the Table at the same time, the overall project will be subject to the highest permit level required by the Table for any individual use.
3. Uses not listed below may be allowed in compliance with Subsection 17.1.08.030.D (Allowable Uses of Land).

**B. Allowed Uses.**

Table 17.2.20.030.A: Other Zones Allowed Uses				
Use	Requirement by Zone <sup>1</sup>			Specific Use Regulations
	MU	PF	OS	
<b>Agricultural Uses and Animal Keeping Use Types</b>				
Animal Keeping and Production	-	-	CUP	-
<u>Animal Raising and Keeping</u>	<u>P<sup>2</sup></u>	<u>-</u>	<u>-</u>	<u>17.4.04.040</u>
Community Garden	P	P	P	17.4.04.060
Field and Tree Crop Production	-	-	P	-
<b>Industrial, Manufacturing, Processing and Wholesaling Use Types</b>				
Artisan Manufacturing	CUP	-	-	-
<u>Micro-Alcohol Production</u>	<u>CUP</u>	<u>-</u>	<u>-</u>	<u>-</u>
Mining/Resource Extraction	-	-	CUP	17.4.04.120
<b>Recreation, Education and Assembly Use Types</b>				
Cemeteries, Crematories, or Mausoleums	-	P	-	-
Civic/Government	P	P	-	-
Community Assembly	CUP	CUP	-	-
Entertainment, Outdoor	-	CUP	-	-
Library/Museum	CUP	P	-	-
Recreation, Indoor	CUP	CUP	-	-
Recreation, Outdoor	P	P	MUP	-
Recreation, Passive	P	P	P	-
Schools, Public or Private	CUP	P	-	-
Studio, Instructional Services	<u>P<sup>3</sup></u>	-	-	-
<b>Residential Use Types</b>				
Accessory Dwelling Unit	<u>P<sup>4</sup></u>	-	-	17.4.04.020
Caretaker's Unit	<u>P<sup>4</sup></u>	P	-	17.4.04.050

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17.2.20: Other Zones

Table 17.2.20.030.A: Other Zones Allowed Uses				
Use	Requirement by Zone <sup>1</sup>			Specific Use Regulations
	MU	PF	OS	
Emergency Shelters	CUP <sup>4</sup>	CUP	-	17.4.04.080
Family Day Care Home, Large	AUP <sup>4</sup>	-	-	17.4.04.090
Family Day Care Home, Small	P <sup>4</sup>	-	-	17.4.04.090
Home Occupation	AUP	-	-	17.4.04.100
Live/Work	MUP	-	-	17.4.04.110
Multi-Family Residential: Duplex	P <sup>4</sup>	-	-	-
Multi-Family Residential	P <sup>4</sup>	-	-	-
Residential Care Homes <7	P <sup>4</sup>	-	-	17.4.04.180
Residential Care Homes ≥7	CUP <sup>4</sup>	-	-	17.4.04.180
Single-Family Residential	P <sup>4</sup>	-	-	-
Single Room Occupancy	CUP <sup>4</sup>	-	-	-
Supportive Housing	P <sup>4</sup>	-	-	-
<u>Transitional Housing</u>	<u>P<sup>4</sup></u>	<u>-</u>	<u>-</u>	<u>-</u>
<b>Retail Trade Use Types</b>				
Alcohol Sales, Specialty Alcohol Shop	P	-	-	-
Bar/Nightclub	CUP	-	-	-
General Retail ≤ 5,000 sf.	P	-	-	-
General Retail > 5,000 sf.	MUP	-	-	-
Outdoor Dining	MUP	-	-	17.4.04.150
Outdoor Display	MUP	-	-	17.4.04.160
Pharmacy	P	-	-	LMC 9.36
Restaurant- w/o Alcohol Sales	P	-	-	-
Restaurant- w/ Alcohol Sales	MUP	-	-	-
<b>Services Use Types</b>				
Bed & Breakfast	P	-	-	-
Day Care, Commercial	CUP	-	-	-
General Services	P <sup>3</sup>	-	-	-
Hospital	-	CUP	-	-
Medical Clinics and Laboratories	MUP	-	-	-
Offices, General	P	P	-	-
Public Services, Emergency Services	-	P	-	17.4.04.170
Public Services, Major	-	CUP	CUP	-
Public Services, Minor	-	P	CUP	-
Safe Parking Program	MUP	MUP	MUP	LMC 10.30
<b>Wireless Telecommunications Facility Use Types</b>				
Wireless Tower	CUP	CUP	CUP	17.4.04. 200
Other Wireless Telecommunications Facility	See Section 17.4.04.200			
<b>Transportation Facilities Use Types</b>				
Airport	-	CUP	-	-
Parking Lot	CUP	P	MUP	-
Parking Structure	-	MUP	-	-
Passenger Transportation Facilities	-	CUP	-	-

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17.2.20: Other Zones

**Table 17.2.20.030.A: Other Zones Allowed Uses**

Use	Requirement by Zone <sup>1</sup>			Specific Use Regulations
	MU	PF	OS	
<b>Other Use Types</b>				
Correctional Institution	-	CUP	-	-
Managed Resources Production	-	-	P	-
Temporary Use	See Section 17.4.04.190			

P = Permitted Use. A permitted use in the PF Zone requires Architectural Design and Site Development Review approval by the Planning Commission.  
 AUP = Administrative Use Permit (See Chapter 17.5.08).  
 MUP = Minor Use Permit required (See Chapter 17.5.20). A use requiring a Minor Use Permit in the PF Zone requires Architectural Design and Site Development Review approval by the Planning Commission.  
 CUP = Conditional Use Permit required (See Chapter 17.5.20). A conditionally permitted use may be permitted subject to a Minor Use Permit when the use will be in an existing building and all applicable development standards applicable are met.  
 - = Use not allowed

<sup>1</sup> Allowed uses within the Specific Plan Zone shall be established by an adopted specific plan.

<sup>2</sup> Permitted use on any lot containing a single-family residence, including a legal nonconforming single-family residence, provided the use complies with 17.4.04.040.

<sup>3</sup> Chemical-based photographic studios, laundry facilities, and similar uses shall not be allowed in the MU Zone.

<sup>4</sup> For buildings with H Street or Ocean Avenue frontage in the MU Zone, residential uses may only be located on the first floor if the residential use does not face the street (i.e., H Street or Ocean Avenue) and residential access is provided at the rear of the building.

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**17.2.20.040: Other Zones Development Standards**

**Table 17.2.20.040.A: Other Zones Development Standards**

Development Feature	Requirement by Zone <sup>1</sup>		
	MU	PF	OS
<b>Lot Requirements</b>			
Lot Area (min.)	7,000 s.f.	-	-
Lot Width (min.)	<del>50 ft.</del>	-	-
Lot Depth (min.)	-	-	-
<b>Setbacks</b>			
Front (min.)	-	5 ft. <sup>2</sup>	-
Side - Interior (min.)	-	5 ft. <sup>3</sup>	-
Side - Street (min.)	-		-
Rear (min.)	10 ft. <sup>4</sup>		-
<b>Building Form Standards</b>			
Height (max.)	45 ft. or 3 stories, whichever is less	35 ft. or 3 stories, whichever is less	-
Height (max.) - Accessory Building	20 ft.	20 ft.	-
Lot Coverage (max.)	-	40%	-
Floor Area Ratio (max)	All commercial - 0.75	1.0	-

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Table 17.2.20.040.A: Other Zones Development Standards			
Development Feature	Requirement by Zone <sup>1</sup>		
	MU	PF	OS
	Mixed use - 1.00 with 25% to 50% of floor area for residential uses		
<b>Density Standards<sup>5</sup></b>			
Density (max.)	44 dwelling units/net acre	-	-
Density (min.)	14.5 dwelling units/net acre	-	-
<b>Other Standards</b>			
Accessory Structures	See Section 17.3.04.02Q (Accessory Structures)		
Fences and Walls	See Chapter 17.3.12 (Landscaping and Screening Standards)		
Landscaping and Screening	See Chapter 17.3.12 (Landscaping and Screening Standards) & Title 15, Chapter 15.52 (Water Efficient Landscape and Irrigation Standards)		
Parking	See Chapter 17.3.08 (Parking Standards)		
Performance Standards	See Section 17.3.04.090 (Performance Standards)		
Signs	See Chapter 17.3.16 (Sign Standards)		
Additional Requirements	See 17.2.20.050 (Additional Standards and Requirements)		

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<sup>1</sup> Development standards applicable to parcels within the Specific Plan Zone shall be established by an adopted specific plan.

<sup>2</sup> When adjoining property that is zoned residential, and the residential property and the PF Zone property face the same street, a minimum 15-foot front yard setback is required.

<sup>3</sup> When adjoining property that is zoned residential, a minimum 10-foot setback is required along the property line abutting the residential zone.

<sup>4</sup> The rear setback may be reduced by the Review Authority if it can be demonstrated that there is sufficient room for solid waste receptacles and equipment storage and access.

<sup>5</sup> Applies to projects that are all residential (no commercial uses and not mixed use). Any resulting fractions shall round up, and only a whole number shall be considered in determining the number of units allowed on a lot, unless required by State density bonus law.

- = No standard

**17.2.20.050: Additional Standards and Requirements**

**A. Open Space Zone. River and Creek Setbacks.**

1. ~~The following~~ minimum setbacks shall be maintained from ~~river and creek channel margins~~;
  - a. ~~100 feet – Santa Ynez River; and~~
  - b. ~~50 feet – Salsipuedes, San Miguelito, Sloans Canyon, and Davis Creeks.~~
2. ~~The 50-foot creek setback may be reduced along channelized drainages provided the project is consistent with the following:~~

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17.2.20: Other Zones

- a. Project design results in the avoidance of significant impacts to riparian areas;
- b. The project includes design features that control for potential adverse water quality effects (e.g., direct runoff away from the creek, bioswales, etc.) and light spillover effects;
- c. The project emphasizes the natural features of the site;
- d. The project complies with applicable landscape standards (e.g., native landscaping in open space areas); and
- e. The project is consistent with the General Plan, including policies that require the City to protect the Santa Ynez River and its tributaries as open space.

**D. Allowed Uses.**

Table 17.2.24.030.A: Overlay Zones Allowed Uses							
Use	Requirement by Zone						Specific Use Regulations
	AO	CRO	SO	PD	SEO	HSO	
<b>Agricultural Uses and Animal Keeping Use Types</b>							
Agricultural Storage	CUP						-
Agricultural Support Sales and Service	P						-
Community Garden	-						17.4.04.060
Field and Tree Crop Production	p <sup>1</sup>						-
<b>Industrial, Manufacturing, Processing and Wholesaling Use Types</b>							
Artisan Manufacturing	-					MUP	-
Cannabis Cultivation	P					-	LMC 9.36
Construction Storage/Supply Yard	CUP					-	17.4.04.070
Manufacturing/Processing: Light/Medium	-					CUP	-
Micro-Alcohol Production	-					CUP	-
Mini-Storage Warehousing or Facility	CUP					-	-
<b>Recreation, Education, and Assembly Use Types</b>							
Business/Trade School	-					P	-
Civic/Government	-					P	-
Community Assembly, Neighborhood	-					P	-
Community Assembly, Regional	-					CUP	-
Entertainment, Indoor - Neighborhood	-					P	-
Entertainment, Indoor - Regional	-					CUP	-
Library/Museum	-					MUP	-
Recreation, Indoor	-					MUP	-
Recreation, Outdoor	-					MUP	-
Recreation, Passive	-					P	-
Schools, Public or Private	-					P	-
Studio, Instructional Services	-					p <sup>2</sup>	-
<b>Residential Use Types</b>							
Emergency Shelters	-					CUP	17.4.04.080
Caretaker's Unit	-					MUP	17.4.04.050
Home Occupations	-					AUP	17.4.04.100
Live/Work	-					P	17.4.04.110
Multi-Family Residential	-					p <sup>3</sup>	17.4.04.140
Single Room Occupancy	-					CUP	-
Supportive Housing	-					p <sup>4</sup>	-
<b>Retail Trade Use Types</b>							
Alcohol Sales	-					P	-
Bar/Nightclub	-					MUP	-
Drive-Through, Non-Restaurants	-					MUP	-
General Retail	-					P	-
Outdoor Dining	-					P	17.4.04.150
Outdoor Display	-					AUP	17.4.04.160
Restaurant- w/o Alcohol Sales	-					P	-
Restaurant- w/ Alcohol Sales	-					P	-
Restaurant- w/ Drive Through	-					CUP	-
<b>Services Use Types</b>							
Bed & Breakfast	-					MUP	-

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17.2.24: Overlay Zones

Table 17.2.24.030.A: Overlay Zones Allowed Uses							
Use	Requirement by Zone						Specific Use Regulations
	AO	CRO	SO	PD	SEO	HSO	
Day Care, Commercial	-					CUP	-
General Services	-					P <sup>2</sup>	-
Hospital	-					P	-
Kennel	CUP					-	-
Lodging	-					P	-
Medical Clinics and Laboratories	-					P	-
Offices, General	-					P	-
Public Services, Emergency Services	-					P	17.4.04.170
Safe Parking Program	-					MUP	LMC 10.30
<b>Wireless Telecommunications Facility Use Types</b>							
Wireless Tower							
Other Wireless Telecommunications Facility							Refer to base zone
<b>Transportation Facilities Use Types</b>							
Parking Lot	P					MUP	-
Parking Structure	-					MUP	-
Passenger Transportation Facilities	-					MUP	-
<b>Vehicle Sales and Services Use Types</b>							
Automotive Sales and Rental	P					MUP	-
Gas/Service Station	-					CUP	-
Large Vehicle and Boat Sales and Rental	-					CUP	-
Automotive Storage, Large Vehicles	CUP					-	-
Repair, Minor	-					P	-
Repair, Major	-					MUP	-

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P = Permitted Use  
 AUP = Administrative Use Permit (See Chapter 17.5.08)  
 MUP = Minor Use Permit required (See Chapter 17.5.20)  
 CUP = Conditional Use Permit Required (See Chapter 17.5.20). A conditionally permitted use may be permitted subject to a Minor Use Permit when the use will be in an existing building and all applicable development standards applicable are met.  
 - = Use not allowed

<sup>1</sup> No reflective surfaces allowed.  
<sup>2</sup> Chemical-based photographic studios, laundry facilities, and similar uses shall not be allowed in mixed-use projects.  
<sup>3</sup> Not allowed on the first floor if located 30 feet from an intersection of any street and H Street as measured from the edge of both streets (i.e., H Street and the intersecting street), except when the residential use does not face a street and residential access is provided at the rear of the building.  
<sup>4</sup> Permitted use only if the supportive housing development satisfies all of the requirements in Government Code § 65651.

**17.2.24.040: Overlay Zones Development Standards**

A. Development and new land uses within any Overlay Zone shall comply with all applicable development standards of the base zone, except as specifically modified, waived, or augmented by the Overlay Zone in Table 17.2.24.040.A (Overlay Zones Development Standards) or an approved Preliminary Development Plan in the case of the PD Overlay Zone. If there is a conflict between any of the development standards in a base zone and an Overlay Zone, the Overlay Zone development standards shall control.

Table 17.2.24.040.A: Overlay Zones Development Standards						
Development Feature	Requirement by Zone					
	AO	CRO	SO	PD	SEO	HSO
<b>Lot Requirements</b>						
Lot Area (min.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone.					
Lot Area (max.)						
Lot Width (min.)						
<b>Setbacks</b>						
Front (min.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone.					10 ft. along H St.
Side - Interior (min.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone.					0 ft.
Side - Street (min.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone.					10 ft. along H St.
Rear (min.)						0 ft.
<b>Building Form Standards</b>						
Height (max.)	See 17.2.24.050.A	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone.				
Height (max.) - Accessory Building						
Height (min.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone.					20 ft.
Lot Coverage (max.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone.					
Floor Area Ratio (max)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone.					1.0
<b>Density Standards</b>						
Density (max.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone.					
<b>Build-to Requirement<sup>1</sup> See Figure 17.2.24.040.1</b>						
Build-to-area Width	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone.					10 – 15 ft. along H Street; 0 – 10 ft. along any other street
Lots on H Street						60% of street frontage (min.)
Lots on Any Other Street						40% of street frontage <sup>2</sup> (min.)
<b>Other Requirements</b>						

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17.2.24: Overlay Zones

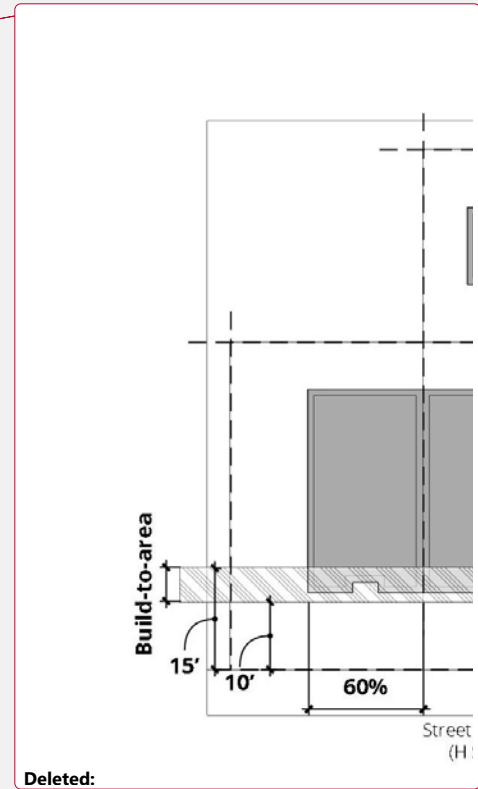
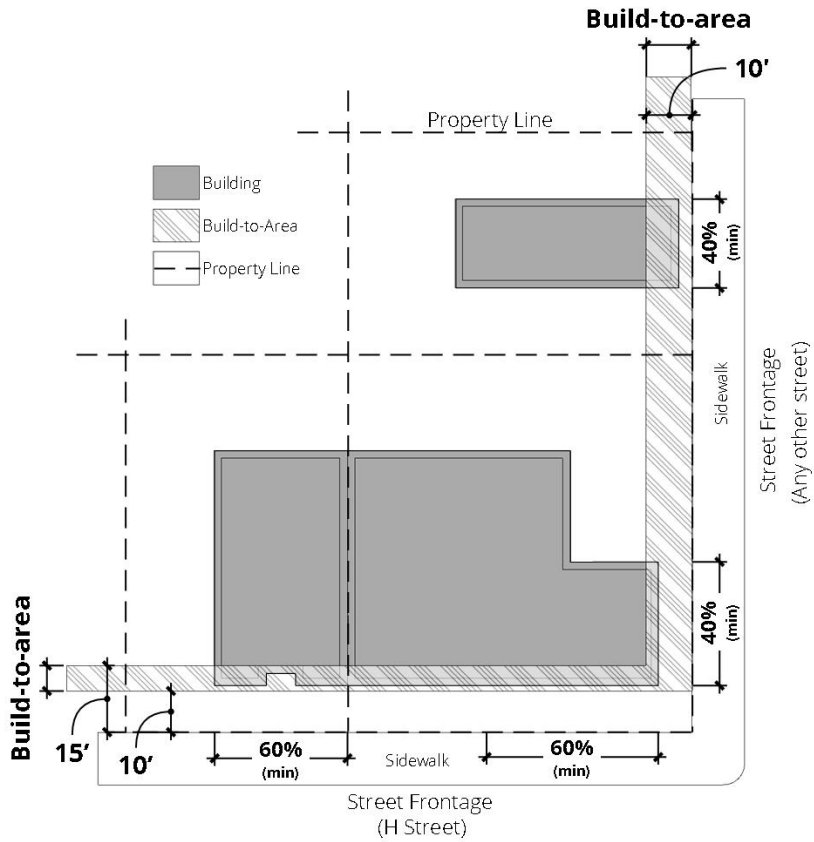
Table 17.2.24.040.A: Overlay Zones Development Standards						
Development Feature	Requirement by Zone					
	AO	CRO	SO	PD	SEO	HSO
Accessory Structures	See Section 17.3.04.020: (Accessory Structures)					
Fences and Walls	See Chapter 17.3.12 (Landscaping and Screening Standards)					
Landscaping and Screening	See Chapter 17.3.12 (Landscaping and Screening Standards) & Title 15, Chapter 15.52 (Water Efficient Landscape and Irrigation Standards)					
Parking	See Chapter 17.3.08 (Parking Standards)					
Performance Standards	See Section 17.3.04.090 (Performance Standards)					
Signs	See Chapter 17.3.16 (Sign Standards)					
Additional Requirements	See 17.2.24.050 (Additional Standards and Requirements)					

<sup>1</sup> Build-to requirements may be waived if the Director finds that 1) plazas, courtyards, or outdoor eating areas that function as publicly accessible open space with amenities such as seating, landscaping, and lighting are located between the build-to-line and the building or are adjoining the build-to-line and the building; 2) the building incorporates an alternative entrance design that creates a welcoming entry feature facing the street; 3) a larger area is required to preserve existing mature trees or landscape; or 4) another alternative provides a desired outcome along the street.

<sup>2</sup> The length of street frontage for corner lots along H Street shall be exclusive of required setbacks (e.g., 10-foot setback along H Street) (See Figure 17.2.24.040.1).

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Figure 17.2.24.040.1: Build-to Requirement



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**C. Planned Development Overlay Zone.**

- 1. The PD Overlay Zone may be adopted, consistent with Chapter 17.6.04 (Zoning Code, Zoning Map, and General Plan Amendments), and applied within any established zone except for the Specific Plan Zone.
- 2. Residential density shall not exceed that identified in the Land Use Element of the General Plan.

**D. Special Event Overlay Zone.**

1. Standards for Special Events. Special events, such as a wedding, wine club pick up party, live music, art show, or similar event, located indoors or partially or entirely outdoors shall comply with the following:

- a. The event shall not exceed 72 hours;
- b. The event cannot exceed the approved occupant load; and
- c. There shall be no more than four events per building in a calendar quarter.

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2. **Indoor Special Events.** A special event that is contained entirely within an existing enclosed building, does not exceed 749 square feet or 10% of the gross building floor area, and complies with the standards for special events in 17.2.24.050.D.1 shall not require the issuance of a Temporary Use Permit.

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3. Partially or Entirely Outside Special Events. Consistent with Section 17.4.04.190 (Temporary Uses), a special event located partially or entirely outside shall require the approval of a Temporary Use Permit consistent with Chapter 17.5.44 (Temporary Use Permit). However, the Director may authorize more flexible permit and review procedures to facilitate and encourage special events (e.g., an annual approval that allows special events to occur under certain criteria without the approval of Temporary Use Permit for each individual special event).

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**E. H Street Overlay Zone.**

**1. Building orientation and entrances.**

- a. The primary entrance to a building shall be located to face a street or be connected to a street via a courtyard, walkway, plaza or similar public space. When it is not possible to locate the primary entrance to face the street, plaza, courtyard, or walkway, a secondary entrance should be designed to connect to these public places.
- b. Building entrances shall be clearly identifiable with enhanced architectural features such as a change in plane (e.g., the entrance may be recessed on

the street level facade), differentiation in materials and colors, lighting, modulation of roof lines to define the building entrance, or landscape treatments.

2. **Building transparency and openings for non-residential uses.** The standards of this Subsection are illustrated in Figure 17.2.12.050.1 (Building Transparency and Openings).
  - a. Exterior walls facing and within 20 feet of a street, park, plaza, pedestrian walkway, or other public outdoor space shall include windows, doors, or other openings for at least 50% of the building wall area located between 2.5 and eight feet above the level of the sidewalk, and such walls shall not have a continuous horizontal plane for more than 25 feet without an opening. If residential uses are proposed on the first floor, as allowed by Table 17.2.24.030.A, the Review Authority may reduce this requirement.
  - b. Openings fulfilling the requirement in Subsection 2.a shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces or into window displays that are at least three feet deep.
  - c. Windows on the ground level building façade facing a street shall not be opaque; however, this requirement may be waived by the Director if the use is a medical clinic or similar that requires privacy.
  - d. Alternatives to the building transparency requirement may be approved if the Director finds that the street-facing building walls exhibit architectural relief and detail or are enhanced with landscaping in such a way as to create visual interest at the pedestrian level.
  - e. A parking garage that does not incorporate ground-floor non-residential or residential use or is not otherwise screened or concealed at street frontages on the ground level, must provide a landscaped area at least 10 feet wide between the parking garage and public street. The landscaping may encroach into the City's right-of-way with an Encroachment Permit and shall comply with the standards in Chapter 17.3.12 (Landscaping and Screening Standards).
3. **Limitations on location of parking.**
  - a. Building frontages must be placed within or adjoining the build-to-area where required by Table 17.2.24.040.A so that vehicle parking and circulation areas, including driveways, can be located behind or to the side of the building.
  - b. Surface parking may be located within 20 feet of a street facing property line when the Director makes the following findings:

17.2.24: Overlay Zones

- (1) Buildings comply with the build-to-area requirement (Table 17.2.24.040.A); and
- (2) The parking area is landscaped along the public right-of-way with a hedge, trellis, and/or landscaping consistent with Chapter 17.3.12 (Landscaping and Screening Standards).

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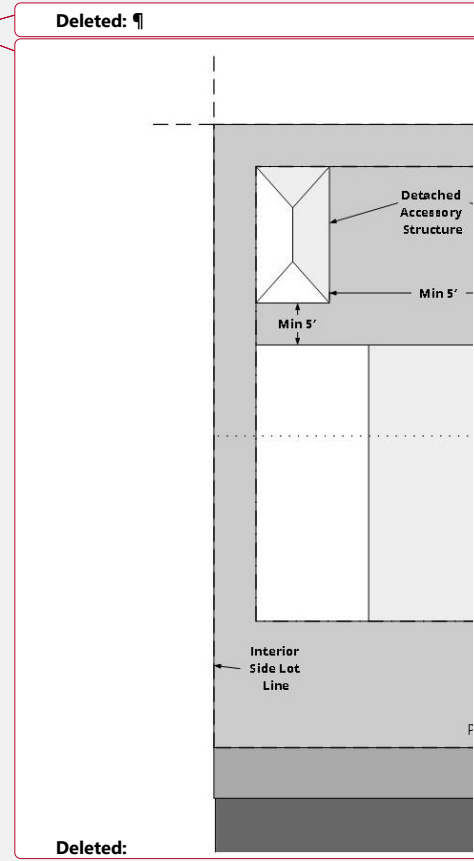
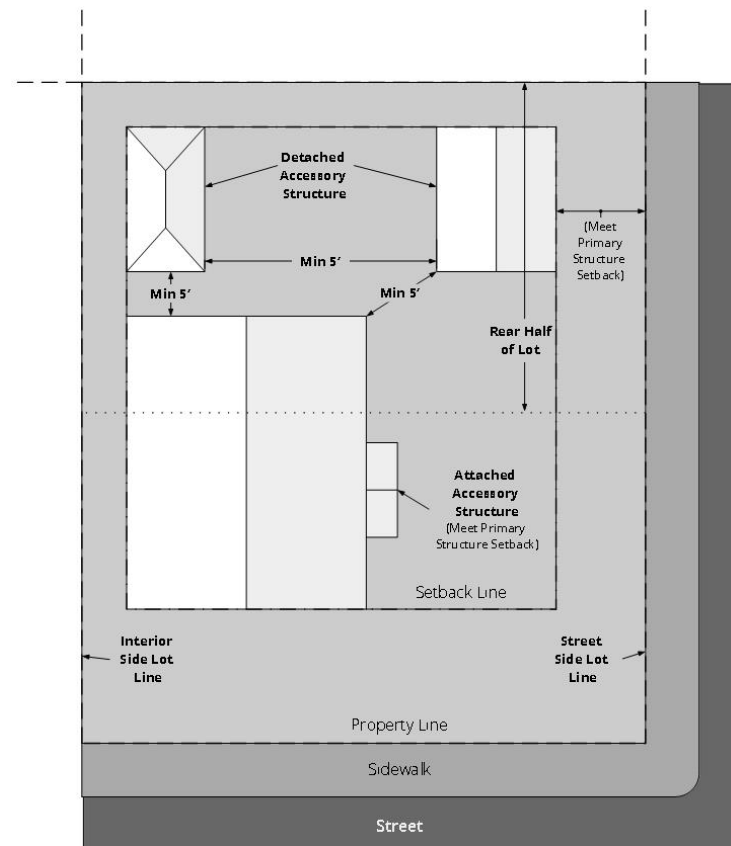
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- 4. **Pedestrian access.** On-site pedestrian circulation and access shall be provided consistent with the following standards.
  - a. **Internal connections.** A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
  - b. **Connections to street network.** Regular connections between on-site walkways and the public sidewalk shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage. On sloping sites, the walkway between the building and the sidewalk or other public outdoor area shall be designed as usable open space with generously sized steps and landings, with features such as low risers and wide treads, and any planter boxes that include seating ledges.
  - c. **To neighbors.** Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining residential, mixed-use, and commercial areas to the maximum extent feasible while still providing for safety and security.
  - d. **To transit.** Safe and convenient pedestrian connections shall be provided from transit stops to building entrances, walkways, plazas, and courtyards.
  - e. **Pedestrian walkway design.**
    - (1) Walkways shall be a minimum of six feet wide, shall be hard-surfaced, and paved with permeable materials.
    - (2) Where a required walkway crosses a driveway, parking area, or loading area, it must be clearly identified using a raised crosswalk, a different paving material, or a similar method.
    - (3) Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier.
- 5. **Maximum block length.** Block length is limited to 400 feet measured from curb edge to curb edge. A block length up to 600 feet shall only be allowed when a mid-block pedestrian connection is provided or the Director finds that:

**B. Detached Accessory Structures.** The following standards shall apply to detached accessory structures unless otherwise provided in this Code.

1. A detached accessory structure shall comply with the development standards of the applicable zone unless other standards are provided in this Section.
2. No detached accessory structure shall be located within a required front or street side setback.
3. A detached accessory structure shall be located on the rear half of a lot, and a minimum of five feet shall be maintained between a primary structure and a detached accessory structure and between accessory structures on the same lot (see Figure 17.3.04.020.1 (Accessory Structures)). Carports are not subject to this requirement.

**Figure 17.3.04.030.1: Accessory Structures**

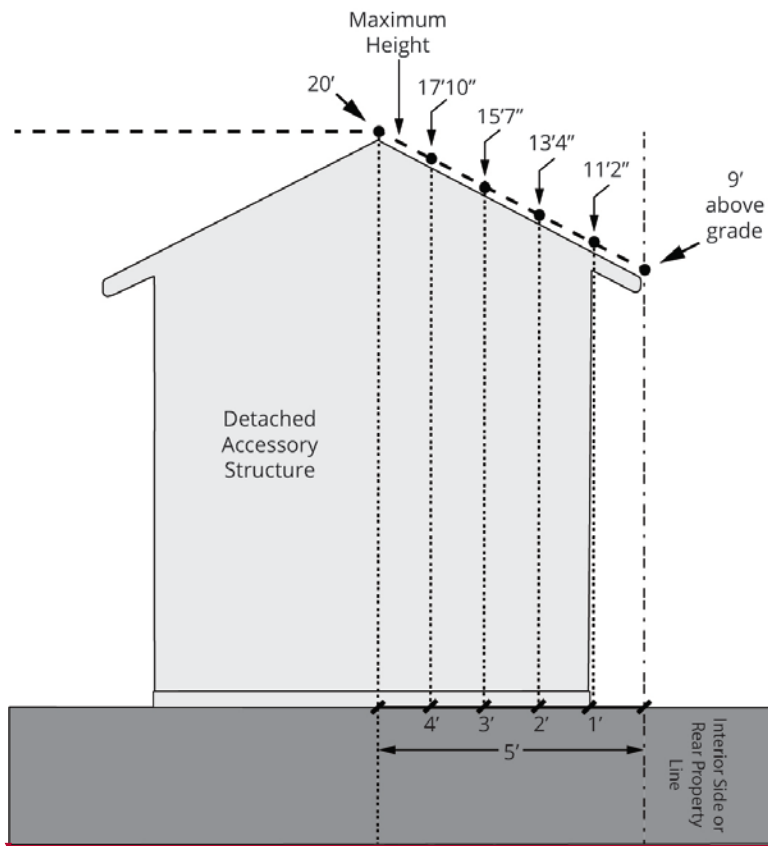


17.3.04: General Site Development Standards

4. **Non-Residential Zones.** In non-residential zones, a detached accessory structure may extend into the interior side and rear setbacks. The design of the accessory structures shall adhere to the Architectural Guidelines.

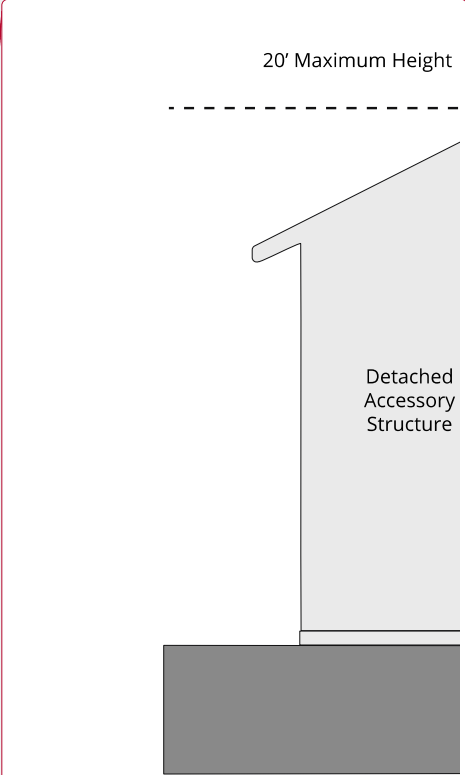
5. **Residential Zones.** In residential zones, a detached accessory structure may extend into the interior side and rear setbacks provided no portion of the accessory structure exceeds nine feet in height at the property line, increasing progressively to the maximum height of 20 feet at a point five feet from the property line (increasing at a rate of 2.2 feet or 26.4 inches in height per each additional foot of distance from the property line), and the accessory structure complies with California Building Code (see Figure 17.3.04.030.2).

**Figure 17.3.04.030.2: Detached Accessory Structures in Residential Zones Along Interior and Rear Property Lines**



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17.3.04: General Site Development Standards

- (iii) The use of materials and construction methods which provide greater fire resistance than standards requirements;
  - (iv) Strict adherence to clearance requirements; and
  - (v) Construction and maintenance of fuel breaks.
- b. The reductions to the minimum spacing requirements may be cumulative but shall not be less than otherwise specified in Subsection A.
  - c. Compliance with the separation requirements of this Subsection may result in reduced densities on the property.

**B. Residential Lots.**

- 1. In single-family residential zones, when any lot line between legal lots runs through a legal non-conforming dwelling, other than an accessory structure, the parcels may be divided as to create a new parcel of not less than 6,000 square feet.
- 2. The following exception applies within the portion of the City establishing urban blocks 1 through 136 consecutively; blocks 139, 140, 201, 202, 203, 239, 246, 247, 248, 264, and 265; and including, from the same blocks, those blocks or portions of blocks subsequently reverted to acreage or redivided such that the original 25-foot lots comprising the blocks or portions of the block are no longer described by the latest equalized County assessment roll. The width of any lot may be 50 feet, provided the following:
  - a. The property is located in the R-1 Zone;
  - b. The building site is a minimum of 7,000 square feet; and
  - c. The lot, when created, cannot be further reduced.

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**C. Exceptions for Green Buildings.** Exceptions to site development standards may be considered by the Review Authority as necessary to ensure compliance with Title 15 Building and Construction, Chapter 15.68 (Green Building Standards Code).

**D. Connectivity.** New projects shall provide safe and effective connectivity for pedestrians, bicyclists, and vehicles between the project site and adjacent neighborhoods, parks, and open space areas as determined by the Director and Public Works Director.

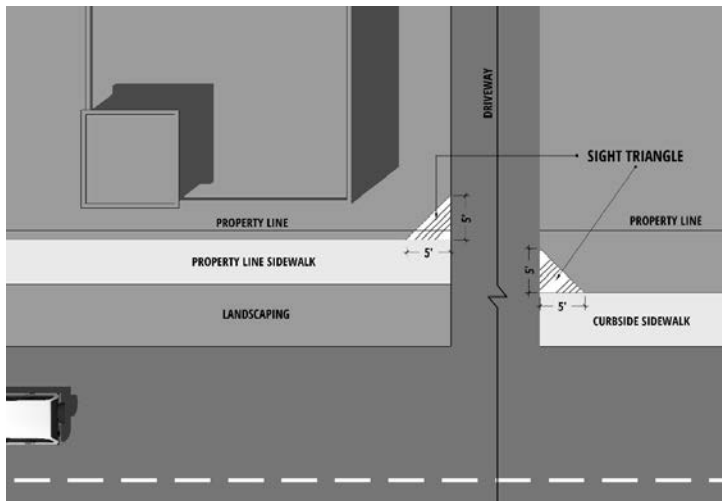
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17.3.04.060: Hillside Development

**A. Purpose.** This Section provides for the reasonable use of hillside areas while protecting the public health, safety, and welfare by ensuring that development will not induce soil erosion, result in excessive grading, create sewage disposal



Figure 17.3.04.070.3: Height Limit at Driveways



1. **Pedestrian Safety.** Within a driveway sight triangle, no plant material, tree trunks, signage, walls, fences or any other obstructions shall interfere with the driver’s view of pedestrians on a public sidewalk.
2. **Height Limit.** Within the driveway sight triangle, signage, walls, fences, etc., shall not exceed three feet in height. Within the driveway sight triangle, plant material shall not exceed three feet in height at maturity; trees shall be trimmed so that branches are at least seven feet above top of curb level.

17.3.04.080: Swimming Pools

- A. **Development Standards for Swimming Pools and Related Mechanical Equipment.** Swimming pools and any related mechanical equipment shall be setback a minimum of five feet from side and rear property lines, and shall not be located within a front setback.
- B. **Pool Enclosure.**
  1. Swimming pools shall be completely enclosed by a fence or structure of not less than six feet in height and consistent with screening height limits in Section 17.3.12.040 (Screening), as practical.
  2. All gates, doors, etc., shall be self-closing and self-latching.

17.3.04: General Site Development Standards

1. **Fixture height.**

- a. Outdoor light fixture shall be limited to 20 feet or the height of the nearest building, whichever is less.
- b. The Review Authority may approve a fixture greater than 20 feet if it determines that the additional height will provide lighting that still complies with all other requirements of this Subsection.

2. **Light and glare.**

- a. Lighting fixtures shall be shielded or recessed to minimize light bleed to adjoining properties, by ensuring that the light source (e.g., bulb) is not visible from off the site and confining glare and reflections within the boundaries of the site to the maximum extent feasible.
- b. Each light fixture shall be directed downward and away from adjoining properties and public rights-of-way, so that no on-site light fixture directly illuminates an area off the site.

3. **Temporary lighting.** Outdoor lighting for temporary uses may be exempt from this Subsection consistent with Section 17.4.04.190 (Temporary Uses), Chapter 17.5.44 (Temporary Use Permit), and subject to Review Authority approval.

**H. Liquid Waste.** No liquid waste shall be discharged into a public or private body of water, sewage system, watercourse, into or onto the ground, except in compliance with applicable regulations of the Lompoc Municipal Code and any applicable regulations of the Central Coast Regional Water Quality Control Board.

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**17.3.04.100: Tree Protection**

- A. Purpose.** The provisions of this Section are intended to protect existing trees that contribute to the environment and aesthetic quality of the City and preserve and enhance native species, particularly oak trees, and significant trees to maintain a natural-appearing landscape while still protecting view corridors, walkability, and public health, safety, and welfare.
- B. Applicability.** The provisions of this Section apply wherever a project requires Architectural Design and Site Development Review approval in compliance with Chapter 17.5.12, and these provisions are supplemental to the provisions of LMC Chapter 12.32 (Trees).
- C. Significant Tree Survey.** Site development plans shall include a survey of trees over six inches in diameter at breast height (DBH), that includes:
  - 1. Location, number, and diameter of trees;
  - 2. Identification of trees for removal; and
  - 3. Reason for removal.
- D. Tree Protection and Replacement Guidelines.** Trees shall be preserved to the extent possible and protected where future development activity poses risk to the health of the tree.
  - 1. For every tree over six inches DBH removed, at least one tree shall be planted on-site.
  - 2. Groups of trees shall be preserved to the extent possible. Where groupings of trees are removed, replanted trees shall replace the total canopy area, in full, upon reaching expected maturity.
  - 3. Replanting trees as part of this Section shall consist of species identified by the Urban Forestry Division.
  - 4. The Review Authority may approve an adjustment to site development standards for the purposes of preserving a tree or group of trees consistent with Chapter 17.5.28 (Minor Modification).
  - 5. On-site replacement requirements for significant trees or groups of significant trees may be modified to ensure compatibility with defensible space or fire safety requirements per the City of Lompoc Fire Department.

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## 17.3.08: Parking Standards

- 17.3.08.010: Purpose
- 17.3.08.020: Applicability
- 17.3.08.030: General Requirements
- 17.3.08.040: Off-Street Parking Requirements
- 17.3.08.050: Bicycle and Motorcycle Parking Requirements
- 17.3.08.060: Parking Design and Construction
- 17.3.08.070: Parking Reduction, Alternatives, and Incentives
- 17.3.08.080: Transportation Demand Management Plan

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### 17.3.08.010: Purpose

The purpose of this Chapter is to reduce street congestion and promote the safety and convenience of the residents of the City by requiring the provision of adequate, well-designed, and incentivized parking in connection with the land uses authorized by this Code. The standards in this Chapter are also intended to reduce the environmental and economic impacts associated with parking, including the reduction of inefficient, dispersed, single-use parking and encouragement of alternative transportation modes such as bicycling.

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### 17.3.08.020: Applicability

The provisions of this Chapter shall apply within all zones, uses, and structures within the City. Nonconforming parking is addressed in Chapter 17.6.20 (Nonconforming Uses, Structures, and Parcels).

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### 17.3.08.030: General Requirements

- A. Applicability.** The following general provisions shall apply to all off-street parking spaces for all uses and structures.
- B. General Requirements.**
  1. Except as provided in this Chapter, all required off-street parking spaces shall be located upon the same site as the use for which parking is provided.
  2. Parking lots with more than four spaces must be designed so that vehicles will not back onto public streets.

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### 17.3.08: Parking Standards

3. Parking spaces shall not be located within required setback areas except as otherwise allowed in this Code. The Review Authority may allow parking spaces in side and rear setback areas in multi-family residential zones if necessary based on lot configuration.

**C. Compact Car Spaces.** Up to 10% of provided parking spaces may be compact spaces, with minimum dimensions of seven feet by 17 feet.

**D. Handicapped Parking.**

1. The number and size of handicapped spaces shall be provided in compliance with State and Federal laws.
2. Parking spaces required for the disabled shall count toward compliance with the number of parking spaces required by this Chapter.
3. A site shall not be considered to have nonconforming parking if the number of off-street spaces provided is reduced to less than required by this Chapter solely because the lot is re-striped to comply with handicapped parking requirements.

**E. Tandem Parking.** Tandem parking spaces are allowed subject to approval by the Review Authority and compliance with the following criteria:

1. Tandem parking is limited to not more than two vehicles in depth, provided that both spaces are for the same occupancy; and
2. Tandem parking is not allowed in required front setback area.

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**F. Recreational Vehicle, Trailer, and Boat Parking.** Recreational vehicles, trailers, or boats shall not be parked on or over any landscaped area or on or over any private or public sidewalk.

**G.** No person shall park or leave unattended any vehicle, as defined by the California Vehicle Code in the front yard setback of a residential property, except on a driveway or paved area that is screened as required in Section 17.3.12.040 (Screening).

**H.** All access to individual parking spaces on a lot shall be from said lot or from a public alley or easement unless there is a reciprocal easement in place.

**17.3.08.040: Off-Street Parking Requirements**

- A.** Each land use shall provide the required number of parking spaces identified in Table 17.3.08.040.A (Parking Requirements).
- B. Uses Not Listed.** Where the parking requirement for a use is not specifically defined, the parking requirements shall be determined by the Director or the applicable Review Authority, and such determination shall be based on the requirement for the most comparable use specified in Table 17.3.08.040.A (Parking Requirements).
- C. Rounding of Calculations.** If a fractional number results from calculations performed in compliance with this Chapter, one additional parking space shall be required for a fractional unit of 0.50 or above, and no additional space shall be required for a fractional unit of less than 0.50.
- D. Floor Area.** Where Table 17.3.08.040.A lists a parking requirement based on square footage, the square footage shall include the gross leasable square footage of floor area measured in square feet, including basements, mezzanines, or upper floors, but excluding balconies and common areas such as elevators, stair wells, bathrooms, shared hallways, and lobbies, unless otherwise specified in Table 17.3.08.040.A. This shall apply to single and multiple occupant/tenant structures.

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Table 17.3.08.040.A: Parking Requirements	
Use	Parking Requirements <sup>1</sup>
<b>Agricultural Uses and Animal Keeping Use Types</b>	
Agricultural Storage	Determined by Director
Agricultural Support, Sales and Services	Determined by Director
Animal Keeping and Production	Determined by Director
Community Garden	Determined by Director
Field and Tree Crop Production	Determined by Director
<b>Industrial, Manufacturing, Processing, and Wholesaling Use Types</b>	
All industrial, manufacturing, processing and wholesaling uses, unless otherwise listed	1 space per 2,000 s.f. of indoor area + 1 space per 2,000 s.f. outdoor area + 1 space per 300 s.f. of accessory office or business area
Construction Storage/Supply Yard	1 space per 7,000 s.f. of yard, up to the first 42,000 s.f. 1 space per 20,000 s.f. of yard, in excess of 42,000 s.f. Minimum 3 spaces
Winery and Micro-Alcohol Production Sales, Tasting and Office Production, Storage	1 space per 350 s.f. 1 space per 1,000 s.f. first 5,000 s.f. + 1 space each additional 3,000 s.f.
<b>Recreational, Education, and Assembly Use Types</b>	
Business/Trade School	1 space per employee + 1 space per 3 students
Cemeteries, Crematories, or Mausoleums	Determined by Director
Civic/Government	Determined by Director based on similar use(s)
College/University	1 space per employee + 1 space per 3 students, or as otherwise required by the State
Community Assembly	1 space per 5 permanent seats or 1 space per 35 s.f. assembly room(s)
Entertainment, Indoor	1 space per 300 s.f. of floor area
Entertainment, Outdoor	Determined by Director

17.3.08: Parking Standards

Table 17.3.08.040.A: Parking Requirements	
Use	Parking Requirements <sup>1</sup>
Library/Museum	1 per 300 s.f. of floor area
Recreation, Indoor	1 space per 300 s.f. of floor area
Recreation, Outdoor	Determined by Director
Recreation, Passive	Determined by Director
Recreational Vehicle (RV) Park	1 space per RV + 1 space per employee
Schools, Public or Private	1 space for each 30 students (K-8); 1 space for each 10 students (9-12)
Studio, Instructional Services	1 space per 250 s.f. of floor area
<b>Residential Use Types</b>	
Accessory Dwelling Unit	See 17.4.04.020
Caretaker's Unit	1 space per unit
Emergency Shelters	1 space per 10 beds + 1 space for each employee (See 17.4.04.100)
Family Day Care Home	See 17.4.04.090
Home Occupations	See 17.4.04.100
Live/Work	1.5 space per unit
Mobile Home Park	2 spaces per unit + 1 guest space for each 25 units
Multi-Family Residential	1 space for each studio or 1-bedroom unit; 2 spaces per unit for units with 2 or more bedrooms; 50% of total spaces must be covered
Residential Care Homes <7	2 spaces per unit
Residential Care Homes ≥7	1 space per 3 beds licensed in the facility + 1 space per employee on the largest shift
Single-Family Residential	2 covered spaces per dwelling unit <sup>2</sup>
Single Room Occupancies	1 space for each 2 bedrooms
Supportive Housing	1 space per 2 units
<u>Transitional Housing</u>	<u>1 space per 2 units</u>
<b>Retail Trade Use Types</b>	
Alcohol Sales	1 space per 350 s.f.
Bar/Nightclub	1 space per 250 s.f.
Drive-Throughs, Non-Restaurants and Restaurant	5 stacking spaces per drive-through, including service window and menu board areas, plus base use requirement (e.g., office, restaurant, etc.)
General Retail	1 space per 250 s.f. net retail floor area
Outdoor Display	-
Outdoor Dining	1 space per 300 s.f. <sup>3</sup>
Restaurant	1 space per 200 s.f.
<b>Services Use Types</b>	
Bed & Breakfast	1 space for each guest room over 2 rooms and 2 spaces for the on-site manager
Day Care, Commercial	1 space for each 3 children
Dry Cleaning, Processing	1 space per 300 s.f.
Funeral Homes and Mortuaries	1 space per 200 s.f.
General Services	1 space per 250 s.f.
Hospital	1 space per 200 s.f.
Kennel	1 space per employee + 2 spaces
Lodging	1 space per room + 1 space per 10 rooms
Medical Clinics and Laboratories	1 space per 250 s.f. + 1 space per exam room + 0.5 space per employee
Office, General	1 space per 300 s.f.
Public Services	Determined by Director based on similar use(s)
Veterinary Clinics and Hospitals	1 space per 500 s.f. of floor area

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17.3.08: Parking Standards

2. Bicycle parking shall be placed in a convenient, highly-visible, and well-lit location not more than 50 feet walking distance from the main entrance and shall not interfere with pedestrian movements.
3. Bicycle stalls shall be provided in compliance with the following requirements:
  - a. A device capable of supporting a bicycle(s) in an upright or hanging position, that allows for two points of contact with the frame and will enable a user to lock the bicycle to the device shall be provided, and the device shall be approved by the City.
  - b. The minimum spacing dimension of bicycle stalls shall be three feet by six feet.
  - c. Areas containing bicycle stalls shall be surfaced with hardscape or paving.
  - d. When located within a parking area, bicycle spaces shall be protected by curbs, fences, planter areas, bumpers, or similar barriers for the mutual protection of bicycles, automobiles, and pedestrians, unless deemed by the Review Authority to be unnecessary because the intended safety is adequately achieved through other means.

**B. Motorcycle Parking.** Parking for motorcycles shall be provided at the rate of one space for the first 40 required automobile spaces and one space for each 20 required automobile spaces above the first 40 required automobile spaces. An individual motorcycle space shall be four feet by seven feet.

**17.3.08.060: Parking Design and Construction**

**A. Applicability.** All parking areas and the respective driveway approaches shall be designed and constructed in compliance with City standards.

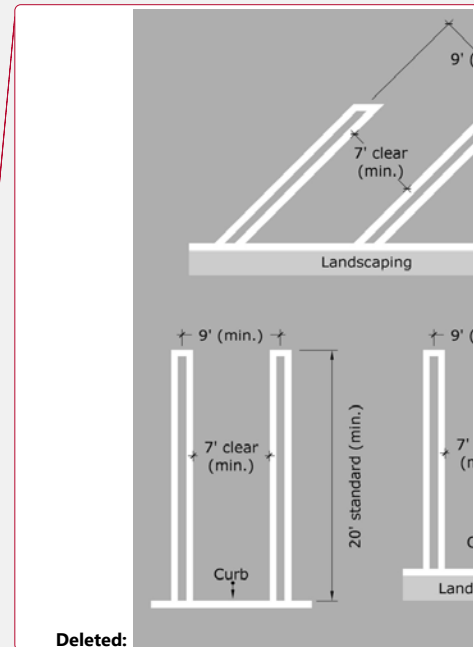
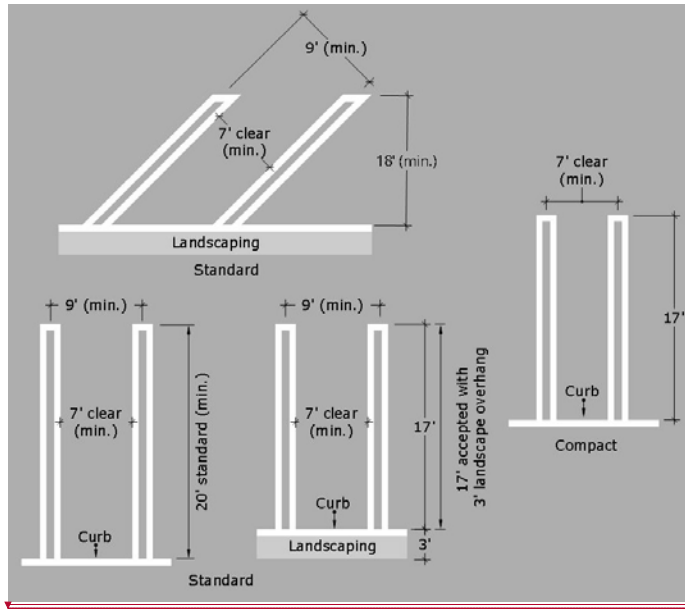
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**B. Parking Lot Design Criteria and Requirements.** All parking areas shall conform to the standards in Table 17.3.08.060.A (Parking Lot Requirements), Figure 17.3.08.060.1 (Parking Lot Design), Figure 17.3.08.060.2 (Striping Details), and City Engineering design standards. However, compact spaces may deviate from these standards consistent with 17.3.08.030.C.

Table 17.3.08.060.A: Parking Lot Requirements							
A	B	C	D1	E1	D2	E2	F
Parking Angle	Stall Width	Stall Length	Aisle Width				Stall to Curb
			One Way Double Loaded	One Way Single Loaded	Two Way Double Loaded	Two Way Single Loaded	
0°	9 ft.	24 ft.	12 ft.	12 ft.	24 ft.	24 ft.	24 ft.
45°	9 ft.	20 ft.	14 ft.	14 ft.	25 ft.	25 ft.	20.5 ft.
60°	9 ft.	20 ft.	18 ft.	18 ft.	25 ft.	25 ft.	22 ft.
90°	9 ft.	20 ft.	25 ft.	25 ft.	25 ft.	25 ft.	20 ft.



Figure 17.3.08.060.2: Striping Details



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**C. Striping Permit.** A Striping Permit, approved by the Department, is required for the restriping of a parking lot.

**D. Parking Lot Lighting.**

1. Any lighting used to illuminate a parking lot shall be directed and shielded as to not illuminate surrounding properties (e.g., hooded lights, focused beam lamps).
2. Light standards shall be in scale with the project setting; however, in no case shall light standards exceed 20 feet in height measured from top of finished grade to the highest point of equipment. Where additional height is required for health and safety reasons, an additional five feet in height is allowed subject to review and approval by the Director.

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**E. Temporary Parking.** A temporary parking area on a vacant parcel shall be subject to Architectural Design and Site Development Review approval (Chapter 17.5.12), and the following standards.

1. Screening of the lot from public view shall be provided consistent with Chapter 17.3.12 (Landscape and Screening Standards).

17.3.08: Parking Standards

- E. 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 feet of the use(s), and the off-site parking spaces shall be committed by a recorded deed, parking easement, or agreement acceptable to the City Attorney.
- F. Bicycle Parking.** For each 10 required bicycle parking stalls provided, there shall be a reduction of one required automobile parking space to a maximum of 15% of the required automobile parking spaces, except up to a 25% reduction shall be allowed in the Old Town Commercial Zone and the H Street Overlay Zone.
- G. Motorcycle Parking.** Projects that provide more motorcycle spaces than required may reduce the required automobile spaces at the rate of one space for each four motorcycle spaces, up to a 10% reduction.
- H. On-Street Parking.** On-street parking spaces adjoining the lot may count toward the required non-residential use parking standards. In the Special Event Overlay Zone, on-street parking spaces adjacent to the lot may also count toward the required non-residential use parking standards.
- I. Further Reductions Justified by a Parking Study.** The Review Authority may approve additional reductions in the number of required parking spaces if a parking study demonstrates that fewer parking spaces are necessary. The City may require a peer review of the traffic study to be conducted by a qualified traffic engineer prior to preparing a recommendation or determination on the request.

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**17.3.08.080: Transportation Demand Management Plan**

- A.** A transportation demand management plan shall be required for non-residential discretionary projects over 100,000 square feet. The plan shall be approved by the Review Authority and remain active throughout the life of the project. The plan shall be site specific for the proposed development and include following:

  - 1. An analysis of the expected travel behavior of employees and visitors to the site.
  - 2. A description of the existing transportation/circulation system in the project vicinity.
  - 3. A description of all feasible strategies that would be incorporated into the project to support on-site trip reduction efforts. Feasible trip reduction strategies may include:

    - a. Target higher vehicle occupancy in carpools.

17.3.12: Landscape and Screening Standards

1. **Conceptual Landscape Design Plan.** A Conceptual Landscape Design Plan shall be submitted for projects requiring a planning permit or approval consistent with Chapter 17.5.04 (Application Processing Procedures). As applicable the Conceptual Landscape Design Plan requirement may be combined with the Landscape Documentation Package as required in LMC Chapter 15.52 (Water Efficient Landscape and Irrigation Standards). If no planning permit or approval is required, a final landscape design plan shall be submitted in compliance with Subsection A.2, below.
  2. **Final Landscape Design Plan** A final landscape design plan shall be submitted in a Landscape Documentation Package, in compliance with LMC Chapter 15.52 (Water Efficient Landscape and Irrigation Standards), as part of the Building Permit application. The Review Authority shall approve the final landscape design plan if it is in substantial compliance with this Chapter.
  3. **Vegetation Management Plan.** Projects that include common areas that are, or are proposed to be, landscaped or open space areas shall submit a vegetation management plan subject to the review and approval of the Review Authority.
- B. Landscaping Materials.** Landscaping shall be a combination of drought tolerant ground cover, shrubs, and trees designed in compliance with LMC Chapter 15.52 (Water Efficient Landscape and Irrigation Standards). Hardscape material may be integrated into the required landscaping for residential zones in compliance with this Section.
- C. Minimum Landscape Coverage.** All projects shall meet the minimum landscape coverage as established in Table 17.3.12.030.A unless otherwise directed by this Chapter. The landscape coverage calculation may include the area(s) required for buffers and screening in compliance with Section 17.3.12.040 (Screening).

Zone	Coverage	Zone	Coverage
RA Zone	NA	OTC Zone	5%
R-1 Zone	30%	PCD Zone	15%
R-2 Zone	30%	I Zone	10%
R-3 Zone	30%	BP Zone	10%
MH Zone	30%	MU Zone	10%
CC Zone	15%	PF Zone	20%
CB Zone	15%		

1. **Exceptions.** The minimum landscape coverage requirements may be reduced by the Review Authority as follows:
  - a. In commercial and industrial zones if the following findings are made:
    - (1) It is impractical or infeasible to meet the minimum standards;

17.3.12.040: Screening

- A. Purpose and Applicability.** The requirements of this Section apply to all screening, fences, and walls for the conservation and protection of property, the enhancement of privacy, and the improvement of the visual environment. Standards for screening in parking and loading areas can be found in Section 17.3.12.050 (Parking Area Landscaping).
- B. Required Screening.** Screening shall be installed and maintained in the locations identified in Table 17.3.12.040.A (Required Screening).

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**Table 17.3.12.040.A: Required Screening<sup>1,2</sup>**

Land Uses/Zones	Location
Civic, commercial, industrial, agricultural uses	Along all boundaries other than streets, and where the site abuts residential uses.
Adjacent to residential uses and residential zones	Surrounding storage or loading areas and along the perimeter of open off-street parking adjacent to residential uses or zones.
<u>New construction adjoining residential uses</u>	<u>Along all property lines where new construction adjoins residential uses.<sup>3</sup></u>
Residential uses adjacent to agricultural uses	Along all property lines abutting or adjacent to agricultural uses.
Non-residential and multi-family uses in or adjacent to single-family residential uses or zones	Along all property lines abutting single-family residences or zones.
Mobile homes	Along all property lines and areas abutting a public street.
All properties, regardless of zone or use	Surrounding all mechanical equipment, meter boxes, and utility transformers, in compliance with Subsection 17.3.12.040.G (Equipment Screening).

<sup>1</sup> Subsection 17.3.12.040.F (Buffers) includes additional requirements for buffers between land uses and zones.

<sup>2</sup> Screening shall comply with height limitations of sight visibility triangles described in Subsections 17.3.04.070.D and E.

<sup>3</sup> A masonry wall shall be used for screening.

- C. Required Screening Types.** Required screening may consist of one or more of the following screening types identified in Table 17.3.12.040.B (Required Screening Types). Alternative screening types may be approved if the Review Authority finds that it achieves the intent and objectives of this Code.

**Table 17.3.12.040.B: Required Screening Types**

Type	Description
Walls	A wall shall consist of concrete, stone, brick, tile, or similar type of solid masonry material a minimum of 6 inches thick.
Berms	A berm shall be constructed of earthen materials, and it shall be landscaped.

17.3.12: Landscape and Screening Standards

Type	Description
Open Fence	An open fence may be constructed of wood, welded wire, chain link, tubular steel, or wrought iron. Chain link may only be used along sides behind the required front setback and along the rear. <sup>1,2</sup>
Solid Fence	A solid fence shall be constructed of wood, masonry, welded wire, or chain link type fence combined with plant materials, wood slats, or other material approved by the Director to form an opaque screen. <sup>1,2</sup>
Planting <sup>3</sup>	Plant materials, when used as a visual screen, shall consist of compact evergreen plants a minimum of 5 gallon in size, planted in a minimum 3 ft. wide planting strip. They shall be of a kind, or used in such a manner, so as to effectively eliminate any view of objects on the opposite side. <sup>4</sup>
Trees	Trees, when used as a visual screen, shall be a minimum of 5 gallon in size when planted, in compliance with Subsection 17.3.12.030.E (Trees). Planting shall be one tree for each 30 linear feet of the combined length of the rear and both sidewall dimensions of the structure or area intended to be screened.

<sup>1</sup> All parts of a fence shall be built with a uniform screen or design and shall be constructed to be architecturally compatible with main structures on the site.

<sup>2</sup> See Subsection 17.3.12.040.H (Regulated Fencing Materials).

<sup>3</sup> The selection of plants must have the ability to achieve a minimum height and width of two feet within 12 months after initial installation. The Review Authority may require installation of walls, berms or solid fence, if, after 12 months after installation, the plant materials have not formed an opaque screen or if, at any time, the plant materials are not maintained so as to create the desired screen.

<sup>4</sup> The required planting strip width may vary based on zone or use, see Subsection F (Buffers), below.

**D. Height.**

- Screening height.** Screening, except for plant material and trees, shall comply with the height limits established in Table 17.3.12.040.C (Screening Heights).

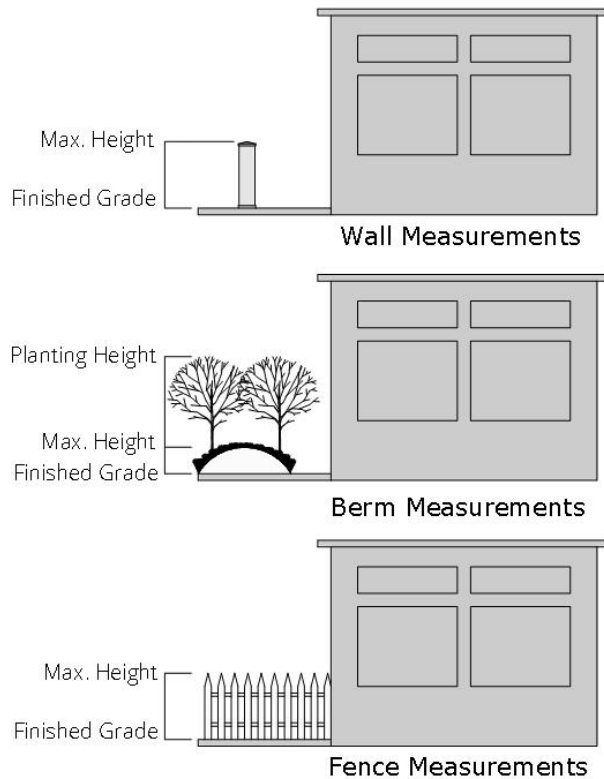
Location of Screening	Min. Height	Max. Height
Non-Industrial Zones	N/A	6 ft.
Industrial Zones	N/A	<del>7</del> ft.
<b>Exceptions:</b>		
Within front setback	N/A	3 ft.
Within street side setback		
Side and rear lot line in the CB Zone that adjoins a residential zone	5 ft.	6 ft.
Industrial zone lot line that is adjacent to a residential zone	6 ft.	<del>7</del> ft.

<sup>1</sup> All fences, walls, and berms shall comply with Subsection 17.3.04.070.D (Height Limit at Street Corners).

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**Figure 17.3.12.040.1: Screening Height Measurement**



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**E. Reduction of Required Screening or Screening Design Standards.** The Review Authority may approve an adjustment to the requirements of this Section in compliance with Section 17.1.08.030 (Rules of Interpretation), if it is determined that:

1. The relationship of the proposed uses makes the required screening unnecessary;
2. The intent of this Section can be successfully met by means of alternative screening methods;
3. Physical constraints on the site make the required screening infeasible; or

17.3.12: Landscape and Screening Standards

4. The physical characteristics of the site or adjoining lots make the required screening unnecessary.

**F. Buffers.**

1. **Industrial.** In the industrial zones, a minimum of 10 feet of landscaping of 75% opacity, shall be planted and maintained ~~when adjoining~~ residential zones.
2. **Commercial.** In commercial zones, a minimum of five feet of landscaping of 75% opacity, shall be planted and maintained adjacent to residential zones.
3. **Agriculture.** For residential uses, a minimum of five feet of landscaping of 75% opacity, shall be planted and maintained adjacent to areas designated for agriculture.
4. **Residential.** For new residential projects, a minimum of five feet of landscaping of 75% opacity, shall be planted and maintained along all property lines adjacent to commercial and industrial uses, except where mixed-use is a component of the residential project.
5. **Open space.** Non-invasive local native plants shall be included in landscaping areas and screening areas to protect designated open space and wildlife habitat.
  - a. A minimum of five feet native landscaping of 75% opacity, shall be planted and maintained adjacent to designated open space areas.
  - b. Native landscaping shall be used in the screening of stream or riparian habitats in compliance with the *Citywide Best Management Practices* for storm water pollution prevention.
  - c. Properties adjacent to or abutting the western and eastern boundaries of the City's Urban Limit Line shall provide screening along the Urban Limit Line in compliance with this Subsection and the standards of this Chapter.
6. **Hazardous materials routes.** Where feasible, open space buffers (e.g., landscape strips, masonry walls, etc.) shall be provided between hazardous materials routes and residential neighborhoods.
7. **Fuel breaks.** Fuel breaks shall be required around projects in wildland fire hazard areas, in compliance with the Wildland Fire Hazard Areas map in the General Plan. Compliance with the requirements of this Subsection may result in reduced densities on the property.
  - a. The minimum width of the fuel break shall be determined by the Fire ~~Chief~~.
  - b. Mosaic fuel breaks may be a minimum width of 100 feet if additional fire-resistant infrastructure and construction measures are provided.

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17.3.12: Landscape and Screening Standards

31 to 70	12%
71 and over	16%

- 2. Location of Landscaping.** Landscaping shall be dispersed throughout the parking area and include interior landscaped areas and perimeter landscaping.
- E. Protection.** Required landscaping next to parking spaces or driveways shall be protected by a minimum six-inch high continuous concrete border or curb wall with rebar.
- F. Plant Material.** Required landscape shall include a combination of drought tolerant trees, shrubs, ground covers, and permanent irrigation.
  - 1. Size and time of planting.** Plant materials shall be sized and spaced to achieve immediate effect and shall not be less than a five gallon container for trees with height consistent to Subsection 17.3.12.030.E, one gallon container for shrubs, and one gallon or less for perennials, vines, and mass planting, unless otherwise approved by the Review Authority on the basis that the alternate size will achieve the desired immediate and/or long-term effect equally well.
  - 2. Trees.** The minimum number of trees to be provided in any parking area shall be one for every eight parking stalls.
  - 3. Ground cover and shrubs.** The majority of areas required for landscaping shall be covered with ground cover, shrubs, or other types of plants.
    - a. Ground cover shall be provided throughout the landscaped area and shall be spaced to achieve full coverage within one year.
    - b. Excessive use of turf is discouraged.
    - c. Crushed rock, wood chips, pebbles, stone, and similar materials shall be allowed up to 15% of the total required landscaping.
    - d. Landscaped areas shall be top dressed with a bark chip mulch or approved alternative to avoid exposed bare soil.
- G. Reduction of required parking area landscaping.** The Review Authority may approve a reduction from the standards relating to the location of landscaped areas within parking areas if the lot configuration causes a hardship or unsafe condition. The Review Authority may approve a reduction not exceeding 50% in the size of any required area, provided another landscaped area is provided or increased to equally compensate for the loss.
- H. Storm Water Protection in Parking Areas.**

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**17.3.16.030: Sign Minor Modifications and Design Performance Standards**

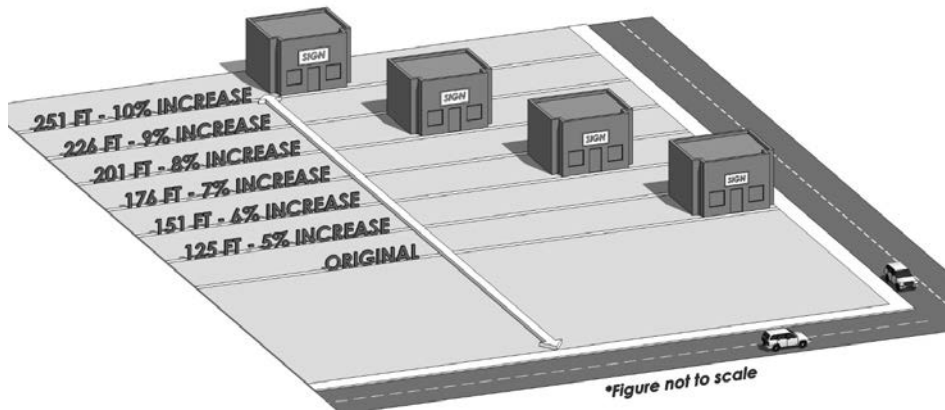
**A. Minor Modifications.** The following minor modifications or exceptions to sign standards are allowed subject to the approval of a Sign Permit by the applicable Review Authority in compliance with Chapter 17.5.04 (Application Processing Procedures) and Chapter 17.5.40 (Sign Permit and Sign Program); a Minor Modification does not trigger a different level of review than would otherwise be required for the Sign Permit.

**Deleted:** Minor modifications to a Sign Program may be approved by the Director.

1. **Sign area.** Allowable sign area may be increased incrementally by up to 10% if a sign and business frontage identified by the sign are located at certain distances or more from the property line along a street; provided however, that the incremental increase shall only be applied to the sign located at the given distance or more from the property line along the street the sign faces. Table 17.3.16.030.A identifies the incremental increases allowed (also illustrated by Figure 17.3.16.030.1).

Table 17.3.16.030.A: Incremental Sign Area Increase	
Distance Between Property Line Along the Street to Sign	Sign Area Increase
125 - 150 ft.	5%
151 - 175 ft.	6%
176 - 200 ft.	7%
201 - 225 ft.	8%
226 - 250 ft.	9%
251 ft. +	10%

Figure 17.3.16.030.1



- c. **Monument signs of reduced height.** This standard encourages the reduction of the overall height of monument signs as otherwise established in Table 17.3.16.060.A, while maintaining sign and site compatibility and improving the image of the business or development. See Table 17.3.16.030.B for percentage increases allowed.

Design Feature	Monument Sign		Building Mounted Sign	
	Area Increase	Height Increase	Area Increase	Height Increase
Raised Letter <sup>1</sup>	5%	5%	5%	N/A
Sign Materials	10%	10%	10%	N/A
Reduced Height	5%	N/A	5%	N/A

<sup>1</sup> Increases allowed by raised lettering do not apply to the Old Town Commercial Zone.

- 2. **Cumulative adjustments.** Where more than one feature listed in Subsection B.1 is proposed, the adjustment allowed for each individual feature is cumulative. Such sign area and/or height adjustment is measured and based upon the base maximum sign area and height for the applicable site as determined in Table 17.3.16.060.A. The cumulative maximum increase allowed for permanent monument and building mounted signs is 20% for sign area and 15% for sign height.

**17.3.16.040: Prohibited Signs and General Restrictions for All Signs**

**A. Location Restrictions.** Signs may not be placed in the following locations except where specifically authorized:

1. Signs placed in City right-of-way, except for governmental signs and signs specifically allowed by this Chapter (e.g., bus bench sign, portable signs in the OTC Zone, etc.);
2. Signs tacked, painted, cut, pasted, or otherwise affixed to trees, light and utility poles, posts, fences, ladders, or similar supports that are visible from the public right-of-way;
3. No person engaging in the business of automobile repair or selling, renting, or parking vehicles shall park or stand any such vehicle on any street or City public parking lot for display, advertising or storage purposes;
4. Signs constructed or placed in such a manner as to prevent or interfere with free ingress to or egress from any door, window, or any exit way required by the California Building Code or Fire Department standards;
5. Signs that obstruct the view of any authorized traffic sign, signal, or other traffic control device; and

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6. Signs constructed or placed in such a way as to be confused with any authorized traffic signal or device.

**B. Prohibited Signs.** The following signs are prohibited except where specifically authorized:

1. Abandoned signs;
2. Illegal signs;
3. Inflatable or tethered signs or devices, including air-activated graphics;
4. Pole signs;
5. Feather signs;
6. Roof signs;
7. People signs; and
8. Off-premises signs, except those permitted by an approved Sign Program pursuant to Section 17.5.40.020.B.

**C. Display Restrictions.** Signs with the following display features are prohibited:

1. Lighting devices with intermittent, flashing, blinking, or varying intensity of light or color, including animation or motion picture, or any lighting effects creating the illusion of motion, as well as laser or hologram lights unless explicitly allowed by this Chapter (e.g., electromagnetic messages).
2. Sound, odor, or smoke,
3. Rotating or moving sign body or any other portions of the sign whether mechanically or by other means unless explicitly allowed by this Chapter.

**D. Parking of Mobile Billboards Prohibited.** No person shall park or convey any mobile billboard advertising display as defined herein, either standing alone or attached to a motor vehicle, upon any public street or public lands in the City.

1. **Removal of mobile billboard advertising displays authorized.** Pursuant to § 22651 (v) and (w) of the California Vehicle Code, a peace officer, or any regularly employed and salaried employee of the City, who is authorized to engage in directing traffic or enforcing parking laws and regulations may remove, or cause to be removed, the mobile billboard, or anything the mobile billboard is attached to including a motor vehicle, located within the territorial limits of the City when the mobile billboard is found upon any public street or any public lands, if all of the following requirements are satisfied:

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8. Landscaping required by this Chapter shall be maintained in a neat, clean, and healthy condition, which includes pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.

**17.3.16.060: Permanent Signs**

Permanent signs shall comply with the standards provided in this Section. This Section is organized into three subsections: A.) signs allowed in residential zones; B.) signs allowed in non-residential zones; and C.) standards by sign type. Key standards are identified in the tables located in Subsections A and B (e.g., maximum sign number, sign area, sign height, permit requirements, etc.) which allows for a comparison across sign types. Subsection C identifies standards for each sign type regardless of zone and repeats certain standards listed in the tables located in Subsections A and B. Cross references provide linkages between standards.

**A. Signs Allowed in Residential Zones.**

1. Permanent signs in residential zones are allowed in compliance with the standards established in Table 17.3.16.060.A. The signs listed in Table 17.3.16.060.A are allowed in any number or combination, unless otherwise noted in the Section.
2. Multi-family residential subdivisions that have vehicle access off two or more streets shall provide directional signage (e.g., a site map with building locations and addresses) if necessary to facilitate emergency response activities as determined by the Fire Chief.

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**Table 17.3.16.060.A: Permanent Sign Standards for All Residential Zones<sup>1,2</sup>**

Sign Type	Maximum Number <sup>3</sup>	Maximum Area	Maximum Height	Lighting Allowed?	Permit Required?	Additional Requirements
Flag	1 per parcel	35 s.f.	Limited to the zone's allowable building height	External	yes	17.3.16.060.C.3.f
Monument Sign	1 per street frontage <sup>5</sup>	24 s.f.	5 feet	Limited, external, down-directed	yes	17.3.16.060.C.4
	1 per parcel <sup>5</sup>	4 s.f.	3 feet		no	
Wall Sign	1 per street frontage <sup>5</sup>	24 s.f.	Not displayed above the second story	Limited, external, down-directed	yes	17.3.16.060.C.9
	1 per parcel <sup>5</sup>	4 s.f.			no	

<sup>1</sup> Not allowed in the R-1 or R-2 zones unless approved with a Sign Program.

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17.3.16: Sign Standards

- <sup>2</sup> Parcels in the MU Zone that contain only residential uses shall be subject to the standards in this Table.
- <sup>3</sup> Additional signs may be allowed if approved with a Sign Program.
- <sup>4</sup> Directional signs required by 17.3.16.060.A.2 shall not be counted toward the maximum number of signs.
- <sup>5</sup> Allowed for signs identifying a multi-family building or complex by name and/or address. Only one 24 square foot sign is allowed per street frontage, which may be either a wall or monument sign.
- <sup>6</sup> Allowed for signs identifying or providing direction to the manager's office of a multi-family building or complex or similar directional signs.

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**B. Signs Allowed in Non-Residential Zones.** Permanent signs in non-residential zones are allowed in compliance with the standards established in Table 17.3.16.060.B. The signs provided in Table 17.3.16.060.B. are allowed in any combination unless otherwise noted in this Section; however, total square footage of all permanent signage shall not exceed two square feet per one lineal foot of street frontage or business frontage, with a maximum of 300 square feet per business.

**Table 17.3.16.060.B: Permanent Sign Standards for All Non-Residential Zones<sup>1</sup>**

Sign Type	Maximum Number	Maximum Area <sup>2</sup>	Maximum Height <sup>2</sup>	Lighting Allowed?	Included in maximum area of signs?	Sign Permit Required?	Additional Requirements
Awning or Canopy Sign	1 per awning or canopy; 1 per valance	1 s.f. per 1 lineal foot of awning or canopy width; 75% maximum coverage of valance	Not displayed above the second story	Internal or external	yes	yes	17.3.16.060.C.1
Directory Sign	Ground mounted - 1 per parcel	20 s.f.	6 ft.	Internal or external	no <sup>3</sup>	yes	17.3.16.060.C.2
	On-building - 1 per bldg. entrance		12 ft. above finished grade below				
Flag	1 per business	35 s.f.	Limited to the zone's allowable building height	External	yes	no	17.3.16.060.C.3
Monument Sign <sup>4</sup>	2 per street frontage, with minimum	60 s.f. (for each)	8 ft.	Internal or external	yes	yes	17.3.16.060.C.4

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17.3.16: Sign Standards

**Table 17.3.16.060.B: Permanent Sign Standards for All Non-Residential Zones<sup>1</sup>**

Sign Type	Maximum Number	Maximum Area <sup>2</sup>	Maximum Height <sup>2</sup>	Lighting Allowed?	Included in maximum area of signs?	Sign Permit Required?	Additional Requirements
	separation of 100 feet	monument sign)					
Parking Lot Sign	2 per parcel	4 s.f.	3 ft.	Internal or external	no	yes	17.3.16.060.C.5 Deleted: i
Projecting Sign <sup>5</sup>	1 per business entrance	12 s.f.	14 ft. above finished grade below	Internal or external	yes	yes	17.3.16.060.C.6 Deleted: i
Suspended Sign	1 per business entrance	8 s.f.	Limited to ground level businesses only	Internal or external	yes	yes	17.3.16.060.C.7 Deleted: i Deleted: i
Wall Sign	2 per bldg. façade, max 4 per bldg. Multi-tenant buildings may have at least one sign per tenant space	Max two square feet per one lineal foot of street frontage	Not displayed above the second story	Internal or external	yes	yes	17.3.16.060.C.8 Deleted: m Deleted: n Deleted: i
Window Sign	n/a	30% of window area <sup>6</sup>	n/a	Internal	no	yes	17.3.16.060.C.9 Deleted: i

<sup>1</sup> Parcels in the MU Zone that contain only residential uses shall be subject to the standards in Table 17.3.16.060.A.  
<sup>2</sup> See 17.3.16.050.B for how to measure sign area and height.  
<sup>3</sup> Only if not visible from the public right-of-way. If the sign is visible from the public right-of-way, it shall be considered a monument or wall sign and will be included in the limitations for maximum number of signs and sign area.  
<sup>4</sup> Prohibited in the OTC Zone.  
<sup>5</sup> Standards in Subsection 17.3.16.080.D.2 apply to projecting signs in the OTC Zone.  
<sup>6</sup> Only 25% of window area allowed for signage in the Old Town Commercial Zone (see Section 17.3.16.080).

### 17.3.16: Sign Standards

2. Signs are in proper scale to the business frontage on which they are displayed and clearly identify the business;
3. Sign elements on suspended signs, wall signs, and projecting signs not made of flexible material have relief or three-dimensional form (i.e., varied physical depth, projections, relief, or recesses); and
4. Signs are made of high quality and durable materials appropriate for an urban setting.

#### D. Supplemental Sign Standards.

1. **Portable signs.** The following standards apply to portable signs (Figure 17.3.16.070.3), in addition to the standards in Table 17.3.16.070.A. and Subsection 17.3.16.070.D.3.
  - a. Portable signs are allowed in the City right-of-way in the OTC Zone with an Encroachment Permit, provided the sign does not interfere with vehicular or pedestrian movement or wheelchair access to, through, and around the parcel on which the sign is located, or create traffic hazards. A minimum access width of six feet shall be maintained along all sidewalks and building entrances accessible to the public.
  - b. The placement of a portable sign in the City right-of-way requires the business, person, or entity responsible for placing the sign to indemnify and hold harmless the City from any action or expense that may occur as a result of a portable sign being located on any sidewalk or City right-of-way, satisfactory to the City Attorney. The Encroachment Permit shall not be issued until the City Attorney has determined that this requirement has been compiled with. Portable signs for any business that fails to indemnify the City shall be deemed illegal, nonconforming, and shall be removed.
2. **Projecting signs.** The following standards apply to projecting signs (Figure 17.3.16.080.1), in addition to the standards in Table 17.3.16.060.B. and Subsection 17.3.16.060.C.7. If conflicts occur between requirements of this Paragraph and other standards in this Chapter, this Paragraph shall control.

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17.3.20: Density Bonuses and Other Incentives for Affordable Housing

- 4. At least 10% of the total dwelling units are in a common interest development as defined in § 4100 of the Civil Code for persons and families of moderate income, as defined in § 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase;
  - 5. At least 10% of the total units of a housing development for transitional foster youth, as defined in § 66025.9 of the California Education Code, disabled veterans, as defined in Government Code § 18541, or homeless persons, as defined in the Federal McKinney-Vento Homeless Assistance Act (42 U.S.C § 11301 et seq.). These units shall be provided at the same affordability level as very low-income units; or
  - 6. At least 20% of the total units of a student housing development for lower income students, as defined in § 65915(b)(1)(F)(II) of the California Government Code.
- B.** An applicant shall be ineligible for a density bonus or any other incentive allowed by this Chapter if the housing development is proposed on any site that includes, or included in the last five years, rental dwelling units that are not replaced consistent with Government Code § 65915(c)(3).

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17.3.20.030: Allowed Density Bonuses

- A. Applicant Election.** The Applicant shall elect under which criteria identified in Subsection 17.3.20.020.A the density bonus shall be awarded.
- B. Density Bonus Calculation.** All density calculations resulting in fractional units shall be rounded up the next whole number consistent with Government Code § 65915(q). The density bonus units shall not be included when determining the number of dwelling units used to satisfy the criteria in Subsection 17.3.20.020.A. The applicant may select from only one of the income categories identified in Table 17.3.20.030.A (Density Bonuses) and may not combine density bonuses from different income categories to achieve a larger density bonus.
- C. Density Bonuses.** For projects meeting the criteria of Section 17.3.20.020 (Applicability), an increase in density over the otherwise maximum allowable residential density shall be awarded as indicated in Table 17.3.20.030.A (Density Bonuses).

Table 17.3.20.030.A Density Bonuses				
Affordability Category	Min. % Affordable Units	Base Density Bonus	Additional Density Bonus for Each 1% Increase in Affordable Units	Maximum Density Bonus
<b>Affordable Housing</b>				
Very Low Income	5%	20%	2.5%	35%
Low Income	10%	20%	1.5%	35%
Moderate Income	10%	5%	1.0%	35%
<b>Senior Citizen Housing</b>				



17.3.20: Density Bonuses and Other Incentives for Affordable Housing

Table 17.3.20.030.A Density Bonuses				
Affordability Category	Min. % Affordable Units	Base Density Bonus	Additional Density Bonus for Each 1% Increase in Affordable Units	Maximum Density Bonus
100% senior housing development or mobile home park for seniors	100%	20%	N/A	20%
<b>Transitional Foster Youth, Disabled Veterans, Homeless Housing</b>				
Very Low Income	10%	20% of the number of the type of units giving rise to this density bonus (Government Code 65915(f)(3)(B))		
<b>Student Housing<sup>1</sup></b>				
<u>Lower Income</u>	<u>20%</u>	<u>35% of the student housing units (Government Code 65915(f)(3)(C))</u>		
<b>Land Donation<sup>2</sup></b>				
Very Low Income	10% <sup>3</sup>	15%	1.0%	35%

<sup>1</sup> The student housing development must comply with the requirements of State Government Code § 65915(b)(1)(F).

<sup>2</sup> The land donation must comply with the requirements of State Government Code § 65915(g)(2).

<sup>3</sup> The developable acreage and zoning of the donated land must be sufficient to permit construction of very low-income units in an amount of not less than 10% of the number of residential units in the proposed development.

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**D. Floor Area Ratio Bonus In Lieu of Density Bonus.** Consistent with Government Code § 65917.2, upon the developer’s request, the City may grant the developer of an eligible housing development a floor area ratio bonus in lieu of a density bonus. The floor area ratio bonus shall be calculated in compliance with Government Code § 65917.2(b)(2).

**17.3.20.040: Density Bonuses and Incentives for Housing with Child Care Facilities**

- A. Projects meeting the criteria of Section 17.3.20.020 (Applicability), that also include a child care facility, shall be granted either an additional bonus in an amount of square feet of residential floor area equal to the amount of square feet in the child care facility, or an additional incentive as described in Section 17.3.20.070 (Allowed Incentives), that significantly contributes to the economic feasibility of constructing the child care facility.
- B. The requirements of Government Code § 65915(h)(2) shall be included as conditions of project approval.

**17.3.20.050: Density Bonuses and Incentives for Housing with Condominium Conversions**

In compliance with Government Code § 65915.5, when an applicant’s residential development project is the conversion of an existing apartment complex to a condominium complex, the applicant agrees to make at least 33% of the total units of the proposed condominium residential development project affordable to low- or moderate-income households as defined in Health & Safety Code § 50093, or 15% of

#### 17.3.24: Inclusionary Housing

**B. Exemptions.** The following developments are exempt from the inclusionary housing requirement of this Chapter:

1. Live/work units.
2. Accessory dwelling units.
3. Mobile homes.
4. Emergency shelters and any development operated by a non-profit or social services organization to provide food storage, meal service, and/or temporary shelter to the homeless.
5. Residential care homes.
6. Transitional housing.
7. Supportive housing.

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#### 17.3.24.030: Inclusionary Requirements

**A. Residential Development Outside of Old Town Redevelopment Project, Amendment No. 2 Area.**

1. A minimum of 10% of the total units shall be affordable units restricted for occupancy by target income groups, in compliance with Section 17.3.24.080 (Eligibility, Continued Affordability).
2. The on-site unit(s) required to satisfy the inclusionary housing requirement shall meet or exceed the housing quality standards described in Subsection 17.3.24.070.B (Design Quality) unless a waiver or modification to those standards has been approved by the Review Authority.

**B. Residential Development Projects within the Old Town Redevelopment Project, Amendment No. 2 Area.** A minimum of 15% of new housing affordable to low- and moderate-income households. A minimum of 40% of the required affordable units shall qualify for very low-income households.

**C. Inclusionary Calculations, Fractional Units.** In determining the number of whole inclusionary housing units required, any fraction above 0.1 shall be deemed a requirement for one additional affordable unit. The housing in-lieu fee shall be calculated on the number of affordable housing units required in the residential development.

17.4.04: Specific to Use Standards

**B. Applicability.** The provisions of this Section apply to all lots where ADUs are allowed in the applicable zone.

**C. General Requirements for ADUs.**

1. **Primary dwelling.** A single-family dwelling must be in existence on the lot for which the accessory dwelling is proposed, or an accessory dwelling may be approved and constructed simultaneously with the approval and construction of a single-family dwelling.
2. **Number of units allowed per lot.** No more than one ADU shall be located on a lot.
3. **Sale of unit prohibited.** No ADU shall be created for sale or financing through a condominium plan, community apartment plan, housing cooperative, or other subdivision. An ADU shall not be sold independently of the single-family dwelling.
4. **Deed restriction or covenant.** Prior to issuance of a certificate of occupancy for the ADU, the owner(s) shall record a deed restriction or covenant acknowledging the requirements contained herein. Said deed restriction or covenant shall run with the land, and shall be binding upon any future owners, heirs, or assigns.

**D. Permit Requirements.**

1. One ADU proposed within existing space of the primary structure, an attached or detached garage, or other accessory structure per single-family lot shall be allowed ministerially with a Building Permit regardless of all other standards within this Code if the proposed ADU complies with all of the following:
  - a. Building and safety codes;
  - b. Independent exterior access from the existing residence is provided; and
  - c. The side and rear setbacks are sufficient for fire safety.
2. ADUs shall be allowed ministerially, in compliance with this Section, within 120 calendar days of an application. The Building Official shall issue a Building Permit to establish an ADU in compliance with this Section if all applicable requirements of this Section are met. The Santa Barbara County Public Health Officer or his or her designee shall approve an application where a private sewage disposal system is being used.

**E. Development Standards.** Except as otherwise provided in this Section, ADUs shall comply with the development standards for the primary structure applicable to the zone in which the ADU is located and applicable California Building Code requirements, in addition to the following:

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#### 17.4.04: Specific to Use Standards

business or his or her agent or employee is in violation of the provisions of this Section if he or she refuses to permit such lawful inspection of the premises at any time it is occupied for business.

- J. Regulations Nonexclusive.** The standards of this Section regulating adult businesses are not intended to be exclusive and compliance therewith shall not excuse noncompliance with any other regulations pertaining to the operation of businesses as adopted by the Council; provided, however, that the provisions contained in Title 5 of the Municipal Code relating to Amusements, Chapters 5.16 through 5.28, shall be superseded by these regulations in the event a business activity meets the definitions contained herein and in Title 5.
- K. Violations – Penalties.** Any firm, corporation, or person, whether as principal, agent, employee, or otherwise, violating or causing the violation of any of these provisions regulating adult businesses shall be guilty of a misdemeanor, and any conviction thereof shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County jail for not more than six months, or by both such fine and imprisonment. Any violation of these provisions shall constitute a separate offense for each and every day during which such violation is committed or continued.
- L. Public Nuisance.** In addition to the penalties set forth in Section 17.4.04.030.L (Violations – Penalties), any adult business which is operating in violation of these provisions regulating adult businesses is hereby declared to constitute a public nuisance and, as such, may be abated or enjoined from further operation in compliance with Chapter 17.6.28 (Property Nuisances).

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#### **17.4.04.040: Animal Raising and Keeping**

- A. Applicability.** Where allowed by Division 2 (Zones), animal raising and keeping shall comply with the standards in this Section.
- B. General Standards.**
1. Animal raising and keeping shall only occur on a lot that is a minimum of 5,000 square feet in area.
  2. A clean and sanitary enclosure shall be provided. The enclosure shall be located consistent with the following requirements:
    - a. At least 40 feet from any door or window of each adjoining residence;
    - b. At least 10 feet from the rear property line, unless an alley abuts the rear of the property, then no rear setback required;
    - c. At least 10 feet from each side property line (excludes front yard); and
    - d. On the rear half of the lot.

17.4.04: Specific to Use Standards

3. The cumulative number of small animals on any property shall be a maximum of six.
4. Roosters are prohibited.
5. Birds, not including chickens or ducks, are permitted to be kept in an enclosed aviary, which shall be no closer than 30 feet from any residence other than that of the aviary owner. The number of birds in an aviary shall not exceed six for each 6,000 square feet of the owner's premises.
6. The use shall not create an offensive noise or odor for adjacent property owners.

**C. Miniature Asian Pot-bellied Pigs.** Notwithstanding any other provision of this Title, miniature Asian pot-bellied pigs shall be deemed to be household pets and allowed in residential zones, provided that:

1. No more than two miniature Asian pot-bellied pigs shall be kept at any one time; and
2. The Asian pot-bellied pigs shall not be used for commercial breeding purposes.

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**17.4.04.050: Antennas and Antenna Systems**

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- A. Applicability.** In interpreting and applying the provisions of this Section as to radio or television antennas or similar structures, they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort and general welfare.
- B. Proximity to Transmission Wires.** No person shall install, construct, erect, maintain, use or have within the City any outside radio antenna, television antenna, mast, pole or similar structure, whether intended for use in connection with the reception or transmission of radio, telephone, television or otherwise, which shall be so located, positioned, or constructed that the same shall be in contact with, or in dangerous proximity to any electric light or power transmission.
- C. Radio or Television Antennas.**
  1. **Applicability.** No person shall install or erect or cause to be installed or erected within the City any radio or television antenna, mast, pole, or similar structure, which exceeds 15 feet in vertical height, without first obtaining Architectural Design and Site Development Review approval.
  2. **Application.** Applications for each required permit shall be filed in compliance with Chapter 17.5.08 (Administrative Use Permit) and shall contain additional information as necessary to enable the Fire Marshal and Building Official to determine that the proposed installation will meet all the safety factors provided in this Section.

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- a. Except for antennas located on a roof in accordance with Subsection 17.4.04.050.D.3.b.(ii), such antenna shall not be installed at a height greater than 15 feet, including any platform or structure upon which said antenna is mounted or affixed.
- b. All satellite television antennas shall be located and designed to reduce visual impact upon surrounding properties at street level and from public streets.
- c. All antennas and the construction and installation thereof shall conform to the applicable California Building and Electrical Code regulations and requirements, and shall require issuance of a Building Permit.
- d. The maximum diameter size of a satellite antenna dish shall be limited to 12 feet.

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17.4.04.060: Caretaker's Unit

- A. Applicability.** Where allowed by Division 2 (Zones), caretaker's units shall comply with the standards in this Section.
- B. Eligibility.** Caretaker's units shall be allowed only where the primary use of the site involves operations, equipment, or other resources that require 24-hour oversight.
- C. General Standards.**
  - 1. **Occupant(s).** The only occupant(s) of a caretaker's unit shall be a full-time employee of the business, operation, or use that qualifies for caretakers in compliance with this Section.
  - 2. **Location of Unit.** A caretaker's unit shall be located on the same lot as the primary use proposing the caretaker's unit subject to the following standards.
    - a. **Attached Unit.** If the caretaker's unit is to be attached to the main building, the unit shall be located on the second floor or in the rear half of the building.
    - b. **Detached Unit.** A detached caretaker's unit shall be located behind the main building or on the rear half of the lot.
  - 3. **Size of Unit.** A caretaker's unit shall not exceed 900 square feet, unless a larger size is determined by the Review Authority to be appropriate due to the unique conditions or operating characteristics of the primary use.
  - 4. **Number of Units.** No more than one caretaker's unit per lot shall be allowed for the primary use.

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17.4.04: Specific to Use Standards

6. Fences shall be in compliance with Chapter 17.3.12 (Landscape and Screening Standards).
  7. On-site storm water systems and irrigation shall be consistent with applicable Public Works standards.
- C. Maintenance Required.** Maintenance of community gardens shall ensure that no conditions constituting a nuisance are created (Chapter 17.6.28, Property Nuisances).
- D. Abandoned or Unproductive Community Gardens.** If a community garden is left in an unproductive state for longer than a period of 12 months, the garden coordinator or other individual(s) responsible for the community garden shall ensure that it is replaced with landscaping in compliance with Chapter 17.3.12 (Landscaping and Screening Standards) or seeded in accordance with Public Works standards, subject to the approval of the Public Works Director.

**17.4.04.080: Construction Storage/Supply Yard**

- A. Storage.** All operations and storage, including all equipment used in conducting such use, other than parking, shall be conducted within an enclosed building or within an area enclosed by a solid wall or solid fence in compliance with Chapter 17.3.12 (Landscape and Screening Standards).
- B. Fences and Walls.** Where fences or walls are required by this Section, they shall comply with Section 17.3.12.040 (Screening) and the following.
1. All fences and walls shall be of a uniform height in relation to the ground upon which they stand and shall be a minimum of six feet in height. Areas outside of the storage/supply yard between the fence and the lot line shall be fully landscaped consistent with Subsection 17.4.04.080.D (Landscaping).
  2. The Commission may modify the requirements for fences or walls not exposed to view from any street or highway in the following cases:
    - a. Where adjoining property is developed with an automobile dismantling yard, junk and salvage yard, scrap metal processing yard, or other open storage use displaying similar characteristics; or
    - b. Where substantial fences, walls or buildings are located adjacent to property lines on surrounding property which serve to enclose such yard as well or better than the wall or fence required herein.
  3. Should the use, fence, wall, or building providing justification for such modification in Subparagraph 17.4.04.080.B.2.b, above, be removed, such wall or fence shall be provided within six months from the date of removal.

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17.4.04: Specific to Use Standards

- 5. **Fire Safety.** All requirements set forth by the State and the State Fire Marshal shall be met prior to operation of a large family day care home.

17.4.04.110: Home Occupation

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- A. Purpose.** This Section establishes standards for home occupations. The purpose of the standards contained in this Section is to provide criteria and procedures for the consideration and approval of home occupations.
- B. Administrative Use Permit and Business License Required.** A home occupation requires the approval of an Administrative Use Permit consistent with Chapter 17.5.08 and a business license consistent with Title 5 (Business Licenses and Regulations).
- C. Uses Allowed.** Any use, except those listed in Subsection E, below, may be a home occupation if the Director determines that it complies with the provisions of this Section.
- D. Home Occupation Standards.** Home occupations shall comply with the following:
  - 1. The home occupation shall be located entirely within a residence;
  - 2. There shall be no employees in connection with the home occupation, within the home at any time, including before or after the work day, other than a member of the resident household;
  - 3. There shall be no use of materials or mechanical equipment not recognized as part of normal household or hobby uses;
  - 4. There shall be no customers of the business or sales of products on the premises;
  - 5. The business shall not involve the use of commercial vehicles for delivery of materials to or from the premises other than a vehicle not to exceed the capacity of one ton, owned by the business owner, which shall be stored in an entirely enclosed garage;
  - 6. Storage of materials and/or supplies related to the business, outside the residence, is not permitted;
  - 7. No signs shall be displayed on the site in connection with the home occupation. There may be advertising on a vehicle that should not exceed three square feet in total. Magnetic signage is recommended;
  - 8. In no way shall the appearance of the dwelling be altered to identify the business and changed the residential character of the existing neighborhood; and

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17.4.04: Specific to Use Standards

**F. Cottage Food Industry Operation.** Consistent with the operational requirements set forth in California Health and Safety Code § 114365 et seq., a Cottage Food Operation (CFO) shall comply with the following standards,

1. All applicable provisions of the Municipal Code are made a part of the conditions of approval in their entirety, as if fully contained therein.
2. The CFO shall be registered with the Santa Barbara County Office of Environmental Health and conform with all regulations of AB 1616.
3. Food preparation shall take place entirely within the permitted area of the residence which is the private kitchen area with storage located in the same structure in residentially zone property.
4. Only foods defined as “non-potentially hazardous” are approved for preparation by CFOs. The California Department of Public Health will establish and maintain a list of approved cottage food categories on their website, which will be subject to change.
5. There may be one full-time equivalent employee (not counting family members or household members).
6. Class A CFOs are allowed to engage in direct sale, including up to two customers on-site at one time.
7. Class B CFOs may engage in both direct sale and indirect sale of cottage food products.
8. No Cottage Food Product preparation, packaging, or handling may occur concurrent with any other domestic activities, including, but not limited to, family meal preparation, guest entertaining or dishwashing.
9. No infants, small children, or pets may be in the Registered or Permitted Area during the preparation, packaging, or handling of any Cottage Food Products.
10. Equipment and utensils used to produce Cottage Food Products shall be clean and maintained in a good state of repair.
11. All food contact surfaces, equipment, and utensils, used for the preparation, packaging, or handling of any Cottage Food Products shall be washed, and sanitized before each use.
12. All food preparation and food and equipment storage areas shall be maintained free of rodents and insects.
13. No preparation, packaging, storage, or handling of Cottage Food Products and related ingredients and/or equipment shall occur outside of the Registered or Permitted Area.

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17.4.04: Specific to Use Standards

14. Smoking shall be prohibited in the Registered or Permitted Area during the preparation, packaging, storing, or handling of Cottage Food Products and related ingredients and equipment.
15. A person with a contagious illness shall refrain from work in the Registered or Permitted Area of the CFO.
16. A person involved in the preparation of packaging of Cottage Food Products shall keep his or her hands clean and exposed portions of his or her arms clean and shall wash his or her hands before any food preparation or packaging activity.
17. Water used during the preparation of Cottage Food Products shall meet potable drinking water standards.
18. A person who prepares or packages Cottage Food Products shall complete a food processor course instructed by the California Department of Public Health within three months of becoming registered or permitted.
19. A CFO shall properly package and label all Cottage Food Products in compliance with the Federal Food, Drug and Cosmetic Act (21 U.S.C. Section 343 et seq.) and the Department's additional labeling requirements.
20. A CFO shall also comply with 17.4.04.110.D.5, 6, 7, 8, and 9.

17.4.04.120: Live/Work

- A. Purpose.** This Section provides standards for the construction and operation of live/work units and for the reuse of existing commercial and industrial buildings to accommodate live/work opportunities where allowed in the applicable zone.
- B. Applicability.** Live/work units are allowed in compliance with Division 2 (Zones Allowed Uses and Development Standards).
- C. Application Requirements.** In addition to the requirements in Chapter 17.5.04 (Application Processing Procedures), the Review Authority may require an application for a live/work unit to include a Phase 1 Environmental Assessment for the site, including an expanded site investigation to determine whether lead-based paint and asbestos hazards are present in an existing structure proposed for conversion to live/work. The purpose of this requirement is to assess whether there are any hazardous or toxic materials on the site that could pose a health risk to the residents. If the Phase 1 Environmental Assessment shows potential health risks, a Phase 2 Environmental Assessment shall be prepared and submitted to the Department to determine if remediation may be required.

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17.4.04: Specific to Use Standards

2. **Design Standards.** The design of the proposed project shall provide for internal compatibility between residential and non-residential uses on a site. Site planning and building design shall provide for convenient pedestrian access from the public street into the non-residential portion of the project, through courtyards, plaza, or walkways, where appropriate. As the site allows, non-residential and residential uses shall have separate exterior entrances, elevators, and lobbies.
  3. **Refuse and Recycling Areas.** Areas for the collection and storage of refuse and recyclable material shall be located on-site in locations that are convenient for residential and non-residential uses.
    - a. Refuse and recycling areas shall be consolidated to minimize the number of collection sites. Separate refuse and recycling areas may be provided and clearly marked for residential and non-residential uses.
    - b. Refuse and recycling areas shall be located so as to reasonably equalize the distance from the building spaces they service.
    - c. Refuse and recycling areas for residential units shall be designed to allow walk-in access without having to open a main enclosure gate.
  4. **Loading Areas.** Commercial loading areas shall be located away from residential units and comply with the standards in Section 17.3.08.040 (Off-Street Parking Requirements).
- D. Prohibited Uses in Mixed-Use Developments.** The following uses are prohibited in mixed-use developments:
1. Chemical-based photographic studios;
  2. Dry-cleaning laundry facilities; and
  3. Any other commercial use, activity, or process determined by the Review Authority to include unavoidable fumes, noxious odor, dust, smoke, gas, noise, or vibrations that may be detrimental to any other uses and occupants on the same property or neighboring properties.

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17.4.04.150: Multi-Family Residential - Condominium Conversion

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- A. Applicability.** The conversion of existing rental units into condominiums are subject to the requirements of this Section and LMC Title 16 (Subdivisions), specifically Section 16.36.050 (Conversion to Condominiums).

17.4.04: Specific to Use Standards

**B. Tenant Provisions.** In addition to the other standards of this Section and LMC Title 16 (Subdivisions), the applicant shall comply with all the current provisions of Government Code § 66427 et seq, including but not limited to those regulations related to noticing, tenants’ rights, increase in rents, moving expenses, senior citizens, and low-moderate income tenants.

1. **Tenant Notification.** All tenants who occupy the property after an application for a permit conversion has been filed with the City, shall be notified by the applicant prior to occupancy by such tenant.
2. **Staff Report.** A copy of the staff report on the application shall be provided to the applicant and each tenant of the subject property consistent with Government Code § 66452.3

**C. Building Code Compliance.** All conversions to condominiums shall be brought into compliance with current California Building Code standards unless otherwise specified by the Building Official.

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17.4.04.160: Outdoor Dining

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**A. Purpose.** Outdoor dining on public streets or areas can enhance the pedestrian ambiance of the City’s commercial and mixed-use areas. The purpose of this Section is to set forth the conditions and requirements under which an outdoor dining area may be allowed to operate.

**B. Applicability.** Restaurant activity may occur within a sidewalk or open space, or a porch or patio per the standards in this Section and as allowed by the allowed uses tables in Division 2 (Zones Allowed Uses and Development Standards).

**C. Limitations and Requirements.** Outdoor dining shall comply with the standards specified below.

1. Outdoor dining is only permitted on the sidewalk when the sidewalk is wide enough to adequately accommodate both the usual pedestrian traffic in the area and the operation of the proposed outdoor dining area. There shall be a minimum four-foot clearance to allow adequate pedestrian movement.
2. Furniture such as tables, chairs, umbrellas and portable heaters are allowed to be placed within the public sidewalk if the furniture is:
  - a. Moveable;
  - b. Located adjacent to the building;
  - c. Clear of required ADA access; and

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17.4.04: Specific to Use Standards

- d. Maintained in a manner that does not become detrimental to the function and appearance of the sidewalk or outdoor space or that presents potential safety hazards.
- 3. Only food and beverages prepared or stocked for sale at the adjoining indoor restaurant are allowed in the outdoor dining area.
- 4. If alcohol is served, such activity shall be duly licensed by State authorities for consumption within the outdoor dining area. The area where alcohol is to be consumed shall be delineated by decorative stanchions, potted plants and/or any other such approved method.
- 5. The preparation of food and fixed busing facilities are prohibited in outdoor dining areas. All exterior surfaces within the outdoor dining area shall be easily cleanable and shall be kept clean at all times by the restaurant operator.
- 6. Trash and refuse storage shall not be permitted within the outdoor dining area or adjacent sidewalk areas. The restaurant operator shall be responsible for maintaining the outdoor dining area, including removal of all trash as it accumulates and maintaining the ground surface, furniture, and adjacent areas in clean and safe condition.
- 7. Hours of operation shall be limited to or less than those of the indoor restaurant. If located on a public sidewalk, all furniture used in the operation of an outdoor dining area shall be removed from the sidewalk and stored indoors whenever the restaurant is closed.
- 8. A City Encroachment Permit must be approved before outdoor dining may occur on the public sidewalk.
- 9. Outdoor dining areas may not encroach upon any part of an adjacent property's sidewalk frontage.
- 10. The City shall have the right to prohibit the operation of an outdoor dining area on a public sidewalk at any time if anticipated or actual problems arise in the use of the sidewalk area (e.g., festivals, parades, repairs to the public right-of-way, emergencies, etc.). To the extent possible, the permittee will be given prior written notice of any time period during which the City will prohibit operation of the outdoor dining area.
- 11. Outdoor dining areas along a sidewalk shall not be enclosed with any feature taller than four feet except for landscaping which shall not obscure views into the sidewalk dining area.

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17.4.04: Specific to Use Standards

**C. Development Standards.** Residential care homes shall be compliant with the following.

**1. Parking.**

- a. Parking and outdoor facilities shall provide security (e.g., lighting, security personnel, video cameras, etc.) for residents, visitors, employees and the surrounding area.
- b. A covered and secured area for bicycle parking shall be provided for use by staff and clients, commensurate with demonstrated need.

**2. Lighting.** External lighting shall be provided for security purposes. The lighting shall be stationary and directed away from adjacent properties and the public right-of-way consistent with Section 17.3.04.090 (Performance Standards).

**3. Recreational areas.** Common entertainment, recreational, and social activity areas shall be provided in a number, size, and scale consistent with the number of living units provided.

**D. Management Plan.** The applicant or operator shall submit a management plan for the residential care home for review and approval by the Review Authority prior to approval of a business license or Conditional Use Permit, if applicable. The plan shall demonstrate compliance with the standards of this Section and objective management standards that are compliant with Government Code § 65583(a)(4) and comparable with the standards listed in Section 17.4.04.090 (Emergency Shelter), as applicable and appropriate as determined by the Review Authority.

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**E. Transportation Services and Facilities.** If appropriate, the project site shall be designed to adequately accommodate transit services to the satisfaction of the Director.

**17.4.04.200: Temporary Uses**

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**A. Purpose and Applicability.** Temporary uses are not intended to be permanent uses but are transitional in nature, generally allowing for emergency situations, construction activity, or the establishment of short-term sales events. Temporary uses and/or activities may not comply with the particular standards of the zone in which the temporary use will be located, but may otherwise be acceptable because of their temporary nature, when reviewed and appropriately conditioned in compliance with this Chapter and Chapter 17.5.44 (Temporary Use Permits). Standards for specific temporary uses are described below. Some temporary uses require a Temporary Use Permit in compliance with Chapter 17.5.44 (Temporary Use Permits).

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#### 17.4.04: Specific to Use Standards

**B. General Requirements for All Temporary Uses.** The Review Authority may impose requirements for any of the following:

1. Compliance with all applicable Federal, State, or County, and local regulations and ordinances;
2. Compliance with any other permit requirements (i.e., Building and/or Electric Division);
3. Applicant availability during temporary use activity;
4. Agreement that the temporary use will cease on the date printed on the permit, and all related equipment, supplies, product and personnel removed from the site; and
5. Any other condition which will ensure the operation of the proposed temporary use or event in an orderly and efficient manner and in full compliance with the purpose of this Section, including:
  - a. Cumulative time limits;
  - b. Parking;
  - c. Operating hours;
  - d. Screening;
  - e. Storm water infiltration and pollution prevention;
  - f. Waste collection and disposal;
  - g. Pedestrian and vehicular access/circulation; and
  - h. Signs, in compliance with Section 17.3.16.070 (Temporary Signs).

**C. Requirements for Specific Temporary Uses.** The following temporary uses and events are subject to a Temporary Use Permit (see [Chapter 17.5.44 Temporary Use Permits](#)) and shall comply with the following standards.

1. **Commercial filming.** Commercial filming may be authorized on properties within residential, commercial, and industrial zones subject to compliance with the following:
  - a. The proposed filming location shall not substantially interfere with road maintenance work, or a previously authorized excavation permit, or other permits.

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#### 17.4.04: Specific to Use Standards

- b. Proposed filming locations and activity on City property shall not substantially interfere with other previously authorized activities or contracts.
  - c. Proposed filming locations and activity on County property shall not substantially interfere with the conduct of City business adjoining that property or the scheduled maintenance of the City buildings or grounds.
  - d. Proposed filming activity shall not significantly degrade the environment.
  - e. The particular filming activity does not violate Federal, State, or local law, including licensing or permit requirements.
  - f. The applicant for a Film Permit shall procure and maintain, for the duration of the film activity, insurance in the forms, types, and amounts prescribed by the Director and the Fire Marshal.
  - g. Prior to the issuance of Film Permit, the permit applicant shall agree in writing to comply with the Film Permit terms and conditions, as specified by the Director.
  - h. The Director shall require proof of notice to be filed with the permit application. Notice in such cases shall be given to all occupants and owners of real property, located within 300 feet of the site of the proposed filming activity, as determined by the most recent County assessor's tax roll. In the case of road closure or encroachment, notice shall also be given to occupants and owners of real property with no means of access except for the affected road. The Director may waive or modify this requirement if such notice is not necessary to protect the public health, safety, and general welfare.
2. **Events.** Circuses, carnivals, and similar transient amusement enterprises in any commercial or industrial zone subject to no more than 30 days of site occupation and operation in any calendar year.
  3. **Festivals.** Music festivals, outdoor art and craft shows and exhibits, and similar outdoor entertainment activities in any zone except the RA and R-1 zones, subject to a limitation on the number of days of operation as determined by the Director.

#### 4. Sidewalk vendors.

- a. **Applicability.** Sidewalk vending includes selling or distributing food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person, upon a public sidewalk or other public pedestrian path or within a public park. A sidewalk vendor can be roaming or stationary. The following sidewalk vendors are not subject to the standards in this Subsection:



17.4.04: Specific to Use Standards

- (i) A sidewalk vending pushcart owned or operated by any public agency;
  - (ii) Persons delivering goods, wares, merchandise, fruits, vegetables, or foodstuffs upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution;
  - (iii) Vendors participating in farmers markets or other special events as allowed by the City;
  - (iv) An event at a school facility or an assembly use facility, if the vendor is operating in partnership with the organization conducting the event and is located on the site of the event (i.e., not in the public right-of-way); and
  - (v) Vendors that only sell, distribute, display, solicit, or offer sale of items that are inherently communicative and have nominal utility apart from its communication (e.g., newspapers, leaflets, pamphlets, buttons, etc.).
- b. Vendors permit required.** No sidewalk vendor shall operate without a sidewalk vending permit and a business tax certificate.
- c. Applications.** The application for a sidewalk vending permit shall be signed by the applicant and shall include the following information:
- (i) The name and current mailing address of the applicant;
  - (ii) A description of the type of food, beverage, or merchandise to be sold, as well as hours of operation, a description of the cart, and any additional information that will explain the proposed use;
  - (iii) A description and photograph (including colors and any signs) of any stand to be used in the operation of the business;
  - (iv) A certification by the sidewalk vendor that to his or her knowledge and belief, the information contained on the application is true;
  - (v) The California Department of Tax and Fee Administration sales tax number, if any, of the sidewalk vendor;
  - (vi) If the sidewalk vendor is an agent of an individual, company, partnership, or corporation, the name and business address of the principal;
  - (vii) If operating in State right-of-way, the mobile vendor shall provide evidence of the State's authorization;

#### 17.4.04: Specific to Use Standards

- (viii) Proof of insurance policy, issued by an insurance company licensed to do business in the State, protecting the permittee and the City from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with the permit. Such insurance shall name as additional insured the City and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days advance written notice to the City.
- (ix) Valid permit issued by the Santa Barbara County Health Department, if the sidewalk vendor intends to sell food or any other item requiring a County Health Department permit.
- d. Issuance and fees.** Not later than 30 days after the filing of a completed application for a vendor's permit, the applicant shall be notified of the decision on the issuance or denial of the permit.

  - (i) Fees shall be determined by Council resolution and shall be paid prior to issuance of a permit.
  - (ii) Permits to vend shall be reviewed and approved by the Director in conjunction with the City Clerk.
  - (iii) Locations for vending shall be approved by the Director.

    - (a) In addition to any locational restrictions found in Section 17.4.04.190(C)(4)(f), vending locations may be further limited by the Director only if the limitation is directly related to objective health, safety or welfare concerns, including but not limited to: the ability of the site to safely accommodate the use; and pedestrian safety.
    - (b) Vending locations may change only upon written request by an applicant and approval by the Director.
- e. Term and Renewal.** All permits are valid for one year unless revoked or suspended prior to expiration. An application to renew a permit shall be made not later than 60 days before the expiration of the current permit. Permit fees and renewal procedures shall be established in accordance with the Municipal Code.
- f. Operational Standards.** It shall be prohibited for any sidewalk vendor to operate under any of the following conditions:

  - (i) Vend between 2:30 a.m. and 6:00 a.m. unless in conjunction with a special event;
  - (ii) Leave any stand unattended;

#### 17.4.04: Specific to Use Standards

- (iii) Store, park, or leave any stand overnight on any public street, sidewalk, or park;
- (iv) Sell food or beverages for immediate consumption unless there is a litter receptacle available for patrons' use;
- (v) Leave any location without first disposing all trash or refuse remaining from sales conducted. Trash and refuse generated by the vending cart operations shall not be disposed of in public trash receptacles;
- (vi) Discharge solids or liquids to the street or a storm drain;
- (vii) Allow any items relating to the operation of the vending business to be placed anywhere other than in, on, or under the stand;
- (viii) Set up, maintain, or permit the use of any additional table, crate, carton, rack, or any other device to increase the selling or display capacity of his/her stand where such terms have not been described by his or her application;
- (ix) Solicit or conduct business with persons in motor vehicles;
- (x) Sell anything other than that which he or she is permitted to vend;
- (xi) Sound or permit the sounding of any device that produces a loud and raucous noise or any noise in violation of the City's noise ordinance (LMC Chapter 8.08), or use or operate any loud speaker, public address system, radio, sound amplifier, or similar device to attract the attention of the public;
- (xii) Vend without the insurance coverage previously specified;
- (xiii) Operate within 50 feet of a fire hydrant or 25 feet of a transit stop;
- (xiv) Operate within 25 feet of the outer edge of a driveway or vehicular entrance to public or private property in residential zones;
- (xv) Vend from the exposed street or alley and/or traffic side of the vending cart;
- (xvi) Operate in a manner that does not maintain four feet of clear space on a public sidewalk;
- (xvii) Operate a stationary vending cart in exclusively residential zones;
- (xviii) Operate a sidewalk vending cart within 500 feet of a certified farmers market or swap meet during the operating hours of that certified farmers market or swap meet;

#### 17.4.04: Specific to Use Standards

(xix) Operate a sidewalk vending cart within 500 feet of any public sidewalk, street, right-of-way, or other public property approved for commercial filming or a temporary event or festival pursuant to Sections 17.4.04.190(C)(1), (2), or (3), except that this prohibition shall not apply within 500 feet of the following events:

(a) Lompoc Children's Christmas Season Parade, and

(b) Lompoc Flower Festival Parade;

(xx) Operate in violation of any other generally applicable law;

(xxi) Display off-site signs. No signs are allowed, except those approved in the application which identify the name of the product or the name of the vendor and the posting of prices on the cart. Signs with intermittent, flashing, moving, or blinking light, or varying intensity of light or color, are not permitted;

(xxii) Operate in any manner that is not in compliance with all requirements of all applicable regulatory agencies.

**g. Additional Operational Standards in Public Parks.** In addition to the operational standards above in Subsection (f), the following shall also be prohibited for any sidewalk vendor operating in a public park:

(i) Operate outside the hours of operation of the park;

(ii) Operate more than six feet from any walking or bicycling pathway in the park;

(iii) Operate within 50 feet of any other sidewalk vendor in the park;

(iv) Operate on, or within 25 feet of, any sports field or playground equipment area;

(v) Utilize any bench, table, barbeque pit, covered gathering area, or other publicly-owned structure or amenity in the park in any way as part of the sidewalk vending operation;

(vi) Operate within 25 feet of any bench, table, barbeque pit, covered gathering area, or other publicly-owned structure or amenity in the park;

(vii) Operate a stationary sidewalk vending cart at any time a concessionaire is operating in the park, which concessionaire has signed an agreement with the City for concessions that exclusively permits the sale of food or merchandise by the concessionaire.

17.4.04: Specific to Use Standards

- h. **Vending cart requirements.** No vending cart shall exceed four feet in width, eight feet in height, or eight feet in length.
- i. **Safety requirements.** All sidewalk vendors that prepare or sell food shall comply with the following requirements:

  - (i) All equipment installed in any part of the cart shall be secured in order to prevent movement during transit and to prevent detachment in the event of a collision or overturn.
  - (ii) All utensils shall be securely stored in order to prevent their being thrown from the cart or vehicle in the event of a sudden stop, collision or overturn. A safety knife holder shall be provided to avoid loose storage of knives.
  - (iii) Compressors, auxiliary engines, generators, batteries, battery chargers, gas-fueled water heaters, and similar equipment shall be installed so as to be hidden from view to the extent possible and be easily accessible.
  - (iv) All heating and cooking equipment shall be inspected annually by a qualified independent service for fuel leaks and condition of piping, brackets, and burners. Evidence of the completion and results of such inspections shall be provided to the City with every application to renew a mobile vending permit
- j. **Display of permit.** All permits shall be displayed in a visible and conspicuous location at all times during the operation of the vending business.
- k. **Violation of sidewalk vending requirements.** A violation of these sidewalk vending requirements, other than failure to possess a valid sidewalk vending permit, is punishable by the following:

  - (i) An administrative fine of one hundred dollars (\$100) for a first violation.
  - (ii) An administrative fine of two hundred dollars (\$200) for a second violation within one year of the first violation.
  - (iii) An administrative fine of five hundred dollars (\$500) for each additional violation within one year of the first violation.
  - (iv) Rescission of a sidewalk vending permit for the term of that permit upon the fourth violation or subsequent violations.
- l. **Vending without a permit.** Vending without a sidewalk vending permit issued by the City of Lompoc is punishable by the following:

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- (i) ~~An administrative fine of two hundred fifty dollars (\$250) for a first violation.~~
- (ii) ~~An administrative fine of five hundred dollars (\$500) for a second violation within one year of the first violation.~~
- (iii) ~~An administrative fine of one thousand dollars (\$1,000) for each additional violation within one year of the first violation.~~
- (iv) ~~Upon proof of a valid permit issued by the City of Lompoc, any administrative fines imposed under this subsection for vending without possessing a copy of the permit shall be reduced to the administrative fines set forth in 17.4.04.190(4)(k).~~

~~m. All fines imposed pursuant to subsections (k) or (l) above shall be subject to an ability-to-pay determination as described in California Government Code § 51039(f). Concurrently with issuing a citation for such fines to a person, the City shall provide the person with notice of his or her right to request an ability-to-pay determination and shall make available instructions or other materials for requesting an ability-to-pay determination.~~

5. **Mobile vendors.**

a. **Purpose.** ~~This Subsection regulates mobile vending other than in public sidewalks or parks. Mobile vending~~ can promote the public interest by contributing to an active and attractive pedestrian environment. However, reasonable regulation of mobile vending is necessary to protect the public health, safety, and welfare. The purpose of this Subsection is to set forth the conditions and requirements under which mobile vendors may be permitted to operate to protect the public health, safety, and welfare of the residents of and visitors to Lompoc.

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b. **Applicability.** ~~Mobile vending~~ activity may occur within a ~~public or private~~ open space ~~not including a public sidewalk or park~~ (e.g., parking lot, plaza, etc.), ~~or from a vehicle legally parked on the street~~, in all commercial, mixed use, ~~business park~~, and industrial zones in compliance with the standards in this Subsection. ~~Mobile vending activity may also occur from a vehicle legally parked on the street in all residential zones, in compliance with the standards of this Subsection.~~ The requirements in this Code shall control over the provisions in LMC Section ~~5.08.150~~. The following mobile vendors are not subject to the standards in this Subsection:

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- (i) A mobile vending vehicle ~~or pushcart~~ owned or operated by any public agency;

17.4.04: Specific to Use Standards

- (ii) Persons delivering goods, wares, merchandise, fruits, vegetables, or foodstuffs upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution;
  - (iii) Vendors participating in farmers markets or other special events as allowed by the City;
  - (iv) An event at a school facility or an assembly use facility, if the vendor is operating in partnership with the organization conducting the event and is located on the site of the event (i.e., not in the public right-of-way); and
  - (v) Vendors that only sell, display, solicit, or offer sale of items that are inherently communicative and have nominal utility apart from its communication (e.g., newspapers, leaflets, pamphlets, buttons, etc.).
- c. **Vendors permit required. No mobile vendor shall operate without a mobile vendor's permit and business tax certificate.**
- d. **Applications.** The application for a mobile vendor's permit shall be signed by the applicant and shall include the following:
- (i) The name, home, and physical business address of the applicant, and the name and address of the owner, if other than the applicant, of the vending stand to be used in the operation of the vending business.
  - (ii) A description of the type of food, beverage, or merchandise to be sold, as well as hours of operation and any additional information that will explain proposed use.
  - (iii) A description and photograph (including signage and colors) of any stand to be used in the operation of the business; or
  - (iv) Written evidence that the applicant is an owner, lessee, or holder of a similar interest in the mobile vendor vehicle;
  - (v) The name and address of all legal and registered owner(s) of the mobile vendor vehicle, and each person with a financial interest in the business that operates the mobile vendor vehicle; and
  - (vi) The state vehicle license plate number and the vehicle identification number of the mobile vendor vehicle.
- (vii) If operating on private property or on a City-owned parking lot, plaza, or other City-owned area (other than a public sidewalk or park), the mobile vendor shall provide evidence of the property owner's written authorization.

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**Deleted:** Selling or offering for sale any food, beverage, or merchandise on any property shall comply with Code licensing requirements. ...

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17.4.04: Specific to Use Standards

- (viii) ~~If operating in State right-of-way, the mobile vendor shall provide evidence of the State's authorization.~~
- (ix) For each person with a 10% or greater financial interest in the business that operates the mobile vendor vehicle, a list, signed under penalty of perjury, of each conviction of such person and whether such conviction was by verdict, plea of guilty, or plea of no contest. The list shall, for each conviction, set forth the date of arrest, the offense charged, and the offense of which the person was convicted. A person who acquires a 10% or greater financial interest in the business that operates the mobile vendor vehicle during the term of the permit issued pursuant to this Code shall immediately so notify the Director and comply with this Subsection.
- (x) Proof of insurance policy, issued by an insurance company licensed to do business in the State, protecting the permittee and the City from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with the permit. Such insurance shall name as additional insured the City and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days advance written notice to the City.
- (xi) Valid permit issued by the Santa Barbara County Health Department, ~~if the mobile vendor intends to sell food or any other item requiring a County Health Department permit.~~
- (xii) Evidence of compliance with Health & Safety Code § 114315(a). Such evidence may include, but is not limited to, written permission from a private business owner for use of the business's toilet and hand washing facility, a printed or electronic map showing the location of a compliant public toilet and hand washing facility, or similar documented evidence of compliance.
- e. **Issuance and fees.** Not later than 30 days after the filing of a completed application for a vendor's permit, the applicant shall be notified of the decision on the issuance or denial of the permit.
  - (i) Fees shall be determined by Council resolution and shall be paid prior to issuance of a permit.
  - (ii) Permits to vend shall be reviewed and approved by the Director in conjunction with the City Clerk.
  - (iii) Locations for vending, within the given commercial, ~~mixed use, business park, industrial, and/or residential~~ zone, shall be approved by the Director.

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- (a) Vending locations shall be designated based on the ability of the site to safely accommodate the use;
- (b) Vending locations may change only upon written request by an applicant and approval by the Director.
- (c) All locations of vending stands shall be considered in relation to right-of-way configurations and pedestrian safety;
- f. **Term and renewal.** All permits are valid for one year unless revoked or suspended prior to expiration. An application to renew a permit shall be made not later than 60 days before the expiration of the current permit. Permit fees and renewal procedures shall be established in accordance with the Municipal Code.
- g. **Operational standards.** It shall be prohibited for any mobile vendor to operate under any of the following conditions:
  - (i) Vend between 2:~~30~~ a.m. and 6:00 a.m. unless in conjunction with a special event;
  - (ii) Leave any stand or motor vehicle unattended;
  - (iii) Store, park, or leave any stand overnight on any public street or sidewalk, or park any motor vehicle other than in a lawful parking place;
  - (iv) Sell food or beverages for immediate consumption unless there is a litter receptacle available for patrons' use;
  - (v) Leave any location without first disposing all trash or refuse remaining from sales conducted. Trash and refuse generated by the vending cart operations shall not be disposed of in public trash receptacles;
  - (vi) Discharge solids or liquids to the street or a storm drain;
  - (vii) Allow any items relating to the operation of the vending business to be placed anywhere other than in, on, or under the stand or vehicle;
  - (viii) Set up, maintain, or permit the use of any additional table, crate, carton, rack, or any other device to increase the selling or display capacity of his/her stand where such terms have not been described by his or her application;
  - (ix) Solicit or conduct business with persons in motor vehicles;
  - (x) Sell anything other than that which he or she is permitted to vend;

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- (xi) Sound or permit the sounding of any device that produces a loud and raucous noise, or any noise in violation of the City's noise ordinance (LMC Chapter 8.08), or use or operate any loud speaker, public address system, radio, sound amplifier, or similar device to attract the attention of the public;
  - (xii) Vend without the insurance coverage previously specified;
  - (xiii) Operate within 50 feet of a fire hydrant or 25 feet of a transit stop;
  - (xiv) Operate within 25 feet of the outer edge of a driveway or vehicular entrance to public or private property in residential zones;
  - (xv) Operate within 25 feet of the outer edge of a driveway or vehicular entrance to public or private property in commercial, mixed use, business park, or industrial zones;
  - (xvi) Vend from the exposed street or alley and/or traffic side of the vending cart or vehicle;
  - (xvii) Vend while parked illegally;
  - (xviii) Vend from any street parking space other than a space parallel to the curb;
  - (xix) Operate in a manner that does not maintain four feet of clear space on a public sidewalk;
  - (xx) Operate in any manner or location that blocks any citizen or service entry or exit from any business or residence;
  - (xxi) Operate from any motor vehicle not licensed by the Department of Motor Vehicles;
  - (xxii) Display off-site signs. No signs are allowed, except those approved in the application which identify the name of the product or the name of the vendor and the posting of prices on the cart. Signs with intermittent, flashing, moving, or blinking light, or varying intensity of light or color, are not permitted;
  - (xxiii) Operate in any manner that is not in compliance with all requirements of all applicable regulatory agencies;
- h. **Safety requirements.** All mobile vendors that prepare or sell food shall comply with the following requirements:
- (i) All equipment installed in any part of the mobile vending vehicle or cart shall be secured in order to prevent movement during transit and to prevent detachment in the event of a collision or overturn.

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17.4.04: Specific to Use Standards

(ii) All utensils shall be securely stored in order to prevent their being thrown from the cart or vehicle in the event of a sudden stop, collision or overturn. A safety knife holder shall be provided to avoid loose storage of knives.

(iii) Compressors, auxiliary engines, generators, batteries, battery chargers, gas-fueled water heaters, and similar equipment shall be installed so as to be hidden from view to the extent possible and be easily accessible.

(iv) All heating and cooking equipment shall be inspected annually by a qualified independent service for fuel leaks and condition of piping, brackets, and burners. Evidence of the completion and results of such inspections shall be provided to the City with every application to renew a mobile vending permit.

i. **Display of permit.** All permits shall be displayed in a visible and conspicuous location at all times during the operation of the vending business.

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j. **Denial, suspension, and revocation.** Any permit may be denied, suspended, or revoked in accordance with Chapter 17.5.60 (Permit Modification and Revocation) for any of the following causes:

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(i) Fraud or misrepresentation contained in the application for the permit.

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(ii) Fraud or misrepresentation made in the course of carrying on the business of vending.

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(iii) Conduct of the permitted business in such manner as to create a public nuisance, or constitute a danger to the public health, safety, or welfare.

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(iv) Conduct in violation of the provisions of this Section 17.4.04.190(C)(5), or in violation of the mobile vendor permit.

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6. **Parklet.** Parklets are intended to provide space for sidewalk/street furniture and aesthetic elements that allow the public to sit and enjoy space along the sidewalk and street. Parklets are allowed within the OTC Zone, subject to an Encroachment Permit approved by the Public Works Director.

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7. **Temporary outdoor display and storage.** Temporary outdoor displays and storage are allowed in compliance with Section 17.4.04.070 (Outdoor Display), in addition to the following standards:

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a. The total outdoor display area for any business shall not exceed 750 square feet; and

b. No outdoor display may exceed a display period of 72 consecutive hours.

17.4.04: Specific to Use Standards

8. **Seasonal sales lots.** Seasonal sales activities for holidays (e.g., Thanksgiving, Christmas, <sup>4<sup>th</sup> of July</sup>, etc.), including temporary residence/security trailers, are only allowed on non-residential properties.
  9. **Storage Containers.**
    - a. Storage containers, including cargo containers or semitrailers, used for storage purposes, except that storage containers placed by the City within a City Park are exempt from obtaining a Temporary Use Permit if the storage container is screened with a required screening type (Table 17.3.12.040.B) that is a minimum of six feet in height or landscaping that will reach a minimum height of six feet at maturity.
    - b. A storage container located on an active construction site must be removed immediately following the issuance of a certificate of occupancy or final inspection.
  10. **Tract homes or lot sales offices.**
  11. **Temporary parking lots.** Parking for temporary uses shall be compliant with the applicable standards in Section 17.3.08.060 (Parking Design and Construction).
- D. Similar temporary uses.** Similar temporary uses, which are compatible with the zone and surrounding land uses, may require a Temporary Use Permit and be subject to the standards in this Section, as determined by the Director.

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**17.4.04.210: Wireless Telecommunications Facilities**

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- A. Purpose and Intent.** The purpose of this Section is to provide standards for the placement and design of wireless telecommunications facilities so as to preserve the unique visual character of the community, promote the aesthetic appearance of the community, and ensure public safety and welfare. The intent of this Section is to:
1. Encourage the location of wireless telecommunications facilities in non-residential areas, rather than residential or sensitive areas, and minimize the number of such facilities throughout the community while maintaining personal cellular and wireless coverage services without significant gaps in coverage throughout Lompoc;
  2. Encourage the use of existing poles and infrastructure for the mounting of wireless telecommunications facilities rather than construction of additional new poles and infrastructure;
  3. Encourage applicants for wireless telecommunications facilities to locate and design such facilities in a manner that is least intrusive to the community while

## 17.5.04: Application Processing Procedures

- 17.5.04.010: Purpose
- 17.5.04.020: Authority for Land Use and Zoning Decisions
- 17.5.04.030: Application Preparation and Filing
- 17.5.04.040: Application Fees
- 17.5.04.050: Indemnification
- 17.5.04.060: Initial Review of Application
- 17.5.04.070: Environmental Review
- 17.5.04.080: Application Processing
- 17.5.04.090: Conditions of Approval

### 17.5.04.010: Purpose

This Chapter establishes procedures for the preparation, filing, and processing of applications for land use permits and other entitlements required by this Code.

### 17.5.04.020: Authority for Land Use and Zoning Decisions

Table 17.5.04.020.A (Review Authority) identifies the Review Authority responsible for reviewing and making decisions on each type of application required by this Code.

Type of Action	Code Chapter/Section	Director <sup>2</sup>	Commission	Council
<b>Amendments</b>				
Zoning Code Amendment	17.6.04	Recommend	Recommend	Decision
Zoning Map Amendment	17.6.04	Recommend	Recommend <sup>3</sup>	Decision
General Plan Amendment	17.6.04	Recommend	Recommend	Decision
<b>Planning Permits and Approvals</b>				
Administrative Use Permit	17.5.08	Decision	Appeal	Appeal
Architectural Design and Site Development Review, Minor	17.5.12	Decision	Appeal	Appeal
Architectural Design and Site Development Review, Major	17.5.12	Recommend	Decision	Appeal
Certificate of Appropriateness	17.5.16	Decision/Recommend <sup>4</sup>	Appeal/Decision <sup>4</sup>	Appeal
Conditional Use Permit	17.5.20	Recommend	Decision	Appeal
Development Agreement	17.5.24	Recommend	Recommend	Decision
Minor Modification	17.5.28	Decision	Appeal	Appeal
Minor Use Permit	17.5.20	Decision	Appeal	Appeal
Planned Development, Preliminary Development Plan	17.5.32	Recommend	Decision	Appeal
Reasonable Accommodation	17.5.36	Decision	Appeal	Appeal

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17.5.04: Application Processing Procedures

**Table 17.5.04.020.A: Review Authority<sup>1</sup>**

Type of Action	Code Chapter/Section	Director <sup>2</sup>	Commission	Council
Special Use Permit	17.5.52	Decision	-	Appeal <sup>5</sup>
Sign Permit	17.5.40	Decision <sup>6</sup>	Appeal	Appeal
Sign Program	17.5.40	<del>Decision</del>	<del>Appeal</del>	Appeal
Temporary Use Permit	17.5.44	Decision	Appeal	Appeal
Variance	17.5.48	Recommend	Decision	Appeal
<b>Other Actions</b>				
Designation of Landmark	17.6.16	Recommend	Decision	Appeal

- = Permit not appealable

<sup>1</sup> When multiple permits are required for the same project, the applications shall be reviewed, and approved or denied by the highest Review Authority, see Section 17.5.04.030(E)(2).

<sup>2</sup> When the Director finds that a decision is beyond his or her purview of authority, when unique or special circumstances exist, or for any other reason in the Director’s discretion, the application may be forwarded to the Commission for its determination. Also, depending on the required environmental review (Section 17.5.04.070), higher level Review Authority may be required. As defined in Chapter 17.7.04 (Definitions of Terms), Director includes the Director’s designee.

<sup>3</sup> If Commission recommendations a denial, the application will not proceed to Council unless an appeal is filed (see Chapter 17.6.12 (Appeals)).

<sup>4</sup> Certificates of Appropriateness are separated into Director and Commission review (see Section 17.5.16.040 (Review, Notice, and Hearing)).

<sup>5</sup> See Chapter 17.5.52 for when a Special Use Permit decision may be appealed.

<sup>6</sup> Commercial or industrial signs facing residentially-zoned property require Commission approval.

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**17.5.04.030: Application Preparation and Filing**

**A. Pre-Application Submittal (Optional).** A prospective applicant is encouraged to submit an optional pre-application. A pre-application includes the submittal of preliminary project description, such as preliminary plans and designs, which will be reviewed by the Department, and in some cases, the Commission or other review bodies.

1. The Department will inform the applicant of applicable City requirements, provide a preliminary list of issues that will likely be of concern during formal application review, identify technical studies that may be required, and may suggest possible alternatives or modifications to the project based on input from various Departments and development standards, policies, or guidelines.
2. Neither the pre-application review nor the provision of information and/or pertinent policies shall be construed as either a recommendation for approval or denial of the application or project by any City staff.
3. Failure by City staff to identify all required studies or all applicable requirements shall not constitute a waiver of those studies or requirements.

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## 17.5.32: Planned Development, Preliminary Development Plan

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- 17.5.32.010: Purpose
- 17.5.32.020: Applicability
- 17.5.32.030: Application Requirements
- 17.5.32.040: Notice and Hearing
- 17.5.32.050: Findings and Decision
- 17.5.32.060: Post Decision Procedures

### 17.5.32.010: Purpose

This Chapter establishes the procedures for the review and approval or denial of planned developments through Preliminary Development Plans, as defined in Chapter 17.7.04 (Definitions of Terms).

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### 17.5.32.020: Applicability

A Preliminary Development Plan may be filed for sites located within the Planned Commercial Development Zone or filed concurrently with an application for a Zoning Map Amendment that maps the Planned Development Overlay Zone (see Chapter 17.6.04 (Amendments to Zoning Code, Zoning Map, and General Plan)).

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### 17.5.32.030: Application Requirements

An application for a Preliminary Development Plan shall be prepared, filed, and processed in compliance with Chapter 17.5.04 (Application Processing Procedures) and this Chapter.

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### 17.5.32.040: Notice and Hearing

- A. Notice.** Noticing for a Preliminary Development Plan shall be provided in compliance with Chapter 17.6.08 (Public Hearings and Noticing).
- B. Public Hearings.** The Commission shall conduct a public hearing on an application for a Preliminary Development Plan. Public hearings shall be conducted in compliance with Chapter 17.6.08 (Public Hearings and Noticing).

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### 17.5.32.050: Findings and Decision

17.5.32: Planned Development, Preliminary Development Plan

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The Review Authority shall approve, with or without conditions, a Preliminary Development Plan only after the following findings are made:

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- A.** The Preliminary Development Plan is consistent with the General Plan;
- B.** Development standards contained in the Preliminary Development Plan are consistent with the Code, or are consistent with the purpose and intent of the Code and any deviation or exception from the Code standards and requirements is warranted by the design and/or amenities incorporated;
- C.** Residential density shall not exceed that identified in the Land Use Element of the General Plan;
- D.** The phasing plan provides a functional and efficient relationship through the development of the Preliminary Development Plan;
- E.** The proposed development will not be materially detrimental to the health, safety, and welfare of the public or to property and residents in the vicinity;
- F.** The proposed design, location, size, and operating characteristics will be compatible with the existing and future land uses, buildings, or structures in the vicinity;
- G.** The proposed development will have an architectural style that is compatible with the character of the surrounding area, both to avoid repetition of identical design where not desired, and to ensure compatibility in design where desired; and
- H.** The color, material, and composition of the exterior elevations of the proposed development will be compatible with neighboring visible structures.

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**17.5.32.060: Post Decision Procedures**

Unless otherwise specified in this Chapter, the procedures and requirements in Chapter 17.5.56 (Permit Implementation, Time Limits, and Extensions), Chapter 17.6.12 (Appeals), and Chapter 17.5.60 (Permit Modifications and Revocations), shall apply following a decision on a Preliminary Development Plan.

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## 17.5.40: Sign Permit and Sign Program

- 17.5.40.010: Purpose
- 17.5.40.020: Applicability
- 17.5.40.030: Application Requirements
- 17.5.40.040: Notice and Hearing
- 17.5.40.050: Findings and Decision
- 17.5.40.060: Implementation, Time Limits, and Extension
- 17.5.40.070: Post Decision Procedures

### 17.5.40.010: Purpose

This Chapter establishes procedures for the review and approval or denial of a Sign Permit and Sign Program.

### 17.5.40.020: Applicability

**A. Sign Permit.** A permit is required to erect, move, alter, replace, suspend, display, or attach a sign, whether permanent or temporary, including any structural or electrical changes, unless otherwise specified in this Chapter. Each sign and change of copy requires a separate Sign Permit except that changes to or between non-commercial messages do not require a Sign Permit consistent with Section 17.3.16.020 (Applicability). A Change of copy means changing of the face or letters of a sign. The following sign activities are allowed without a Sign Permit however; any required building permit shall be obtained prior to the modification of a sign:

1. The normal maintenance of a sign, including cleaning, repainting, or repairing, except when prohibited from a nonconforming sign. See Section 17.3.16.050 (General Requirements for All Signs);
2. Changes to the face or copy of a sign with changeable copy; and
3. Signs that have completed a courtesy review by the Department and are installed in compliance with an approved Sign Program.

**B. Sign Program.**

1. A Sign Program is required for any parcel, or multi-parcel center, with four or more businesses or tenant spaces, regardless of whether the tenant spaces are occupied. Once a Sign Program is approved, Sign Permits for individual business signs must comply with the Sign Program. A Sign Program may be requested by an applicant for a parcel, or multi-parcel center, with fewer than four businesses or tenant spaces, or for a residential parcel(s), but is not required.

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## 17.5.40: Sign Permit and Sign Program

2. As part of a Sign Program approval, exceptions may be granted to the standards of this Chapter if the findings established in Section 17.5.40.050 (Findings and Decision) are made.
3. A Sign Program for a multi-parcel center may allow off-premise signage provided the signs advertise only the businesses within that center and the signs are located on parcels that are part of the multi-parcel center.

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### 17.5.40.030: Application Requirements

- A. **Application Requirements.** An application for a Sign Permit or Sign Program shall be filed in compliance with Chapter 17.5.04 (Application Processing Procedures).
- B. **Other Permits Required.** In addition to the requirements of this Chapter, all signs should be in conformance with applicable requirements of the California Building Code. Where required, the applicant shall also obtain a building permit and/or electrical permit from the City.

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### 17.5.40.040: Notice and Hearing

No noticing or public hearing are required for the decision on a Sign Permit or Sign Program consistent with Chapter 17.5.08 (Public Hearings and Noticing).

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### 17.5.40.050: Findings and Decision

After a Sign Permit or Sign Program application is deemed complete, the Review Authority shall approve, conditionally approve, or deny the application.

- A. The Review Authority will approve a Sign Permit or Sign Program application, with or without conditions, only after the following findings are made:
  1. The sign or Sign Program complies with the standards of Chapter 17.3.16 (Sign Standards), and any applicable specific plan or Preliminary Development Plan requirements, with the exception of Subsection B.1;
  2. The sign or Sign Program is in substantial compliance with any applicable design guidelines;
  3. The sign or signs to be constructed consistent with the Sign Program will not impair pedestrian and vehicular safety; and
  4. The design or proposed construction of the sign or signs constructed consistent with the Sign Program will not threaten the public health, safety, or welfare.

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#### 17.5.40: Sign Permit and Sign Program

- B.** The Review Authority will approve a Sign Program application, with or without conditions, only after the following additional findings are made:
1. If the Sign Program does not comply with the standards of Chapter 17.3.16 (Sign Standards), the following findings shall be made:
    - a. The Sign Program complies with the purpose and intent of Chapter 17.3.16 (Sign Standards);
    - b. There are special circumstances applicable to the property including size, shape, topography, location, surroundings, building placement, or architectural style that warrant modified standards to afford the property privileges enjoyed by other properties in the vicinity and in the same zone;
    - c. The modified standards do not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zone;
    - d. The Sign Program does not allow any sign that is prohibited (Section 17.3.16.040 (Prohibited Signs and General Restrictions for All Signs)); and
  2. The Sign Program standards will result in signs that are visually related or complementary to each other and to the buildings and/or developments they identify through the integration of predominant architectural materials, elements, or details of such buildings or developments.

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#### 17.5.40.060: Implementation, Time Limits, and Extensions

- A.** Sign permit implementation, time limits, and extensions shall be in compliance with Chapter 17.5.56 (Permit Implementation, Time Limits, and Extensions).
- B.** A Sign Permit expires when the activity, product, business, service, or other use which is being advertised or identified has ceased for a period of not less than 90 days or has moved from the location where the sign was allowed.
- C.** A Sign Permit expires when a sign is removed from the approved location for more than 90 days or a new permit is approved for a replacement sign.
- D.** A Sign Program has no expiration date.

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#### 17.5.40.070: Post Decision Procedures

Unless otherwise specified in this Chapter, the procedures and requirements in Chapter 17.5.56 (Permit Implementation, Time Limits, Extensions), Chapter 17.6.08 (Appeals), and Chapter 17.5.60 (Permit Modification and Revocation), shall apply following a decision on a Sign Permit or Sign Program.

7. The Special Use Permit shall not be transferable to another individual.

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**17.5.52.060: Post Decision Procedures**

- A.** Unless otherwise specified in this Chapter, the procedures and requirements in Chapter 17.5.56 (Permit Implementation, Time Limits, Extensions), Chapter 17.6.12 (Appeals), and Chapter 17.5.60 (Permit Modification and Revocation), shall apply following a decision on a Special Use Permit (i.e., this Chapter shall control in the event of a conflict).
- B.** Upon reasonable notice to the permittee, the Utility Director, Fire Chief, Fire Marshal, Building Official, Planning Manager, Senior Code Enforcement Officer, or any of their designees may inspect the premises at any time for which the Special Use Permit was issued to ensure all conditions of the Special Use Permit are being met. If the person conducting the inspection determines that one or more of the conditions are not being met, then the Planning Manager may revoke the Special Use Permit as follows:
  1. Upon providing the permittee written notice of any failure(s) to comply with all the conditions and the permittee does not completely correct the failure(s) within three business days after receipt of that notice; or
  2. The Planning Manager provided notice of failure(s) to comply with any condition of the Special Use Permit within the immediately preceding 12 months.

Upon receipt of notice of the revocation, the permittee shall immediately cease operations of the food service. The decision to revoke a Special Use Permit under this Subsection may be appealed to Council, but only for the Council to determine whether the conditions of the Special Use Permit and the applicable sections of this Code were complied with. While the appeal is pending, no food service operation shall be conducted on the subject property or by the permittee.

- C.** If the Council adopts any amendments to this Code that apply to food service, then every Special Use Permit issued pursuant to this Code shall become immediately null and void, unless the permittee complies with those amendments within three business days after receipt of written notice from the Planning Manager that describes the amendments. The determination by the Planning Manager that a Special Use Permit is null and void under this Subsection is final and not appealable.

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## 17.5.56: Permit Implementation, Time Limits, Extensions

- 17.5.56.010: Purpose
- 17.5.56.020: Effective Dates of Permits
- 17.5.56.030: Permits to Run with the Land
- 17.5.56.040: Conformance to Approved Plans
- 17.5.56.050: Performance Guarantees
- 17.5.56.060: Expiration
- 17.5.56.070: Time Extensions
- 17.5.56.080: Changes to an Approved Permit
- 17.5.56.090: Resubmittal

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### 17.5.56.010: Purpose

This Chapter provides requirements for the implementation of the permits or approvals required by this Code, including time limits and procedures for approving extensions of time.

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### 17.5.56.020: Effective Dates of Permits

#### A. Permits and Approvals.

1. An Administrative Use Permit, Architectural Design and Site Development Review, Certificate of Appropriateness, Conditional Use Permit, Minor Use Permit, Minor Modification, ~~Preliminary~~ Development Plan, Reasonable Accommodation, Sign Permit, Sign Program, or Variance shall become effective after 5:00 p.m. on the 10<sup>th</sup> day following the actual date the decision is rendered, when no appeal to the decision has been filed in compliance with Chapter 17.6.12 (Appeals).
2. A Temporary Use Permit shall become effective immediately following the actual date the decision is rendered.
3. A final decision by the Council shall become effective on the date the decision is rendered.

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#### B. Amendments, ~~Specific Plans~~, and Development Agreements.

1. Council actions to adopt an ordinance to approve or amend a Development Agreement, specific plan, this Code, ~~or~~ the Zoning Map shall become effective on the 30<sup>th</sup> day following the date the ordinance is actually adopted by Council.

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17.6.04: Zoning Code, Zoning Map, and General Plan Amendments

- C. Public Hearings Required.** The Commission and Council shall each hold one or more public hearings regarding the Amendment in compliance with Chapter 17.6.08 (Public Hearings and Noticing).
- D. Additional Procedures for Rezoning to Planned Development Overlay Zone.** A Preliminary Development Plan shall be filed with an Amendment application for rezoning to the Planned Development Overlay Zone. The Preliminary Development Plan shall be filed and processed currently with the Amendment in compliance with Chapter 17.5.32 (Planned Development, Preliminary Development Plan).

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17.6.04.040: Hearing and Recommendation – Planning Commission

**A. Commission Resolution.**

1. Following the closing of the hearing held in compliance with Chapter 17.6.08 (Public Hearings and Noticing), the Commission shall adopt a resolution, carried by a majority of the Commission’s total membership, setting forth its findings and recommendations on the proposed Amendment based on the findings contained in Section 17.6.04.060 (Required Findings).
2. The resolution shall be transmitted to the Council consistent with Subsection 17.6.08.020.E, unless otherwise provided by law.

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- B. Modifications.** In making the recommendation to the Council, the Commission may recommend modifications which are consistent with the notice of public hearing. Recommendations for other modifications, such as rezoning a greater area or to apply a different zone must be based upon new hearings in compliance with Chapter 17.6.08 (Public Hearings and Noticing).

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17.6.04.050: Hearing and Decision – City Council

**A. Council Hearing.**

1. Upon receipt of the recommendation of the Commission, the Council shall conduct a public hearing regarding the Amendment in compliance with Chapter 17.6.08 (Public Hearings and Noticing). The date set for hearing shall be as early as possible after receipt of the Commission resolution described in Section 17.6.04.040 and shall be not more than 60 days after the filing of the Commission’s resolution with the City Clerk.
2. The Council is not required to take further action regarding Zoning Map Amendment if the Commission recommends against rezoning, unless an appeal in compliance with Chapter 17.6.12 (Appeals).

**B. Council Decision and Reference Back to Commission for Report.**

1. The Council may approve, modify, or deny the Amendment based on the findings contained in Section 17.6.04.060 (Required Findings).
2. If Council proposed to adopt substantial modification to the Amendment not previously considered by the Commission during its hearing, the proposed modification shall first be referred back to the Commission for its report and recommendation in compliance with Government Code § 65356 and 65857.

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**17.6.04.060: Required Findings**

An Amendment may be approved only after all of the following findings are made, as applicable to the type of Amendment.

**A. Mandatory Findings for All Amendments.**

1. The proposed amendment is internally consistent with all other provisions of the General Plan;
2. The proposed amendment is internally consistent with any applicable specific plan;
3. The proposed amendment serves the public necessity, convenience and general welfare; and
4. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).

**B. Additional Finding for Zoning Code Amendments.** The proposed amendment is internally consistent with other applicable provisions of the Code.

**C. Additional Findings for Zoning Map Amendments.**

1. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, etc.);
2. If located within or adjacent to residential areas, the requested zone change is compatible with the character of the residential neighborhood; and
3. If the proposed amendment is to apply the Planned Development (PD) Overlay Zone, ~~a Preliminary Development Plan will be approved concurrently with the PD Overlay.~~

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**17.6.04.070: Effective Dates**

- A.** A Zoning Code or Zoning Map Amendment (adopted by ordinance) shall become effective on the 30<sup>th</sup> day following the date the ordinance is actually adopted by the Council.
- B.** Council action to adopt or amend a General Plan (adopted by resolution) shall become effective on the actual date the decision is rendered by the Council.

**Deleted:** <#>The standards contained in the Preliminary Development Plan are consistent with the Code, or ¶  
<#>The standards contained in the Preliminary Development Plan comply with the purpose and intent of the Code and the PD Overlay Zone, and any exception from the standards and requirements of the Code is warranted by the design and/or amenities incorporated; however, residential density limitations shall not exceed those identified in the Land Use Element of the General Plan; and ¶  
<#>The phasing plan provides a functional and efficient relationship through the development of the Preliminary Development Plan. ¶



## 17.6.08: Public Hearings and Noticing

17.6.08.010: Noticing

17.6.08.020: Public Hearings

17.6.08.030: Decision

### 17.6.08.010: Noticing

- A. Purpose.** This Section specifies permit noticing procedures not otherwise specified in this Code.
- B. Applicability.** These procedures apply to permits required by the Code, as identified in Table 17.6.08.010.A (Noticing). Additional noticing requirements may be specified in Division 5 (Land Use and Development Permit Procedures), and specific requirements for public hearing notices are identified in Subsection 17.6.08.020.C (Notice of Hearing).
- C. Relationship to Notices of Public Hearings.** A notice required by this Section may also serve as a notice of public hearing if the notice complies with the requirements of Subsection 17.6.08.020.C (Notice of Hearing).

Table 17.6.08.010.A: Noticing		
Permit/Type of Action	Code Chapter/ Section	Notice Required? <sup>1,2</sup>
<b>Amendments</b>		
Zoning Code Amendment	17.6.04	Yes
Zoning Map Amendment	17.6.04	Yes
General Plan Amendment	17.6.04	Yes
<b>Planning Permits and Approvals</b>		
Administrative Use Permit	17.5.08	No
Architectural Design and Site Development Review, Minor	17.5.12	No
Architectural Design and Site Development Review, Major	17.5.12	Yes
Certificate of Appropriateness	17.5.16	Yes <sup>3</sup>
Conditional Use Permit	17.5.20	Yes
Development Agreement	17.5.24	Yes
Minor Modification	17.5.28	No
Minor Use Permit	17.5.20	Yes <sup>4</sup>
Planned Development, <del>Preliminary</del> Development Plan	17.5.32	Yes
Reasonable Accommodation	17.5.36	No
Special Use Permit	17.5.52	No
Sign Permit	17.5.40	No
Sign Program	17.5.40	<del>No</del>
Temporary Use Permit	17.5.44	No
Variance	17.5.48	Yes

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**17.6.20.020: Proof of Legal Nonconformity**

- A. Property Owner's Responsibility.** A property owner shall provide sufficient evidence to the satisfaction of the Director that the subject property is a legal nonconformity as specified in the Chapter. If the City has no building permit on file for a structure or addition, and if the property owner can provide evidence that the structure or addition was built prior to 1945 or the Director determines the structure was built prior to 1945, then the Director will determine, to the best of his or her ability and based on all available evidence, whether the structure was legal at the time of its construction and is therefore a legal nonconforming structure. In making that determination, the Director shall review the Zoning Code in effect at the time of construction, if any, and shall consider input from the Building Official's review of the Building Code in effect at the time of construction, if any.
- B. Appeal of Determination.** Any person, firm, or corporation aggrieved by a decision of the Director's determination of nonconformity in interpreting, applying, or enforcing this Chapter, may file an appeal in compliance with Chapter 17.6.12 (Appeals).

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**17.6.20.030: Continuation and Maintenance**

- A.** Any nonconforming use or structure may be continued, used, and maintained in compliance with this Chapter.
- B.** Any nonconforming parcel may be used, developed, and maintained in compliance with this Chapter.
- C.** A nonconforming use, structure, and/or parcel may be transferred or sold, provided that no such use or structure shall be enlarged or altered except as otherwise provided in this Chapter.

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**17.6.20.040: Nonconforming Uses**

A nonconforming use may be continued, expanded, or replaced subject to the following standards.

- A.** The use shall not be enlarged or expanded in size or capacity, or extended to occupy a greater area of land or building floor area than it legally occupied before it became nonconforming; however, the Director may approve an expansion of up to 25% of the gross floor area if the expansion brings the nonconforming use into more conformity with this Code.
- B.** The use shall not be intensified so that the hours of operation are extended, the occupancy capacity is increased, the volume of traffic or noise generated by the use is increased, or a greater amount of parking is required.

#### 17.6.20: Nonconforming Uses, Structures, and Parcels

4. ~~The parcel~~ resulted from a lot line adjustment recorded before the effective date of the zoning amendment that made the parcel nonconforming; or
  5. The parcel was created in compliance with the provisions of the Code at the time of the parcel's creation but was made nonconforming when a portion was acquired by a governmental entity so that the parcel size was decreased not more than 20% and the setback facing a public right-of-way was decreased not more than 50%.
- C. Subdivision or Lot Line Adjustment.** No subdivision or lot line adjustment shall be approved that would increase the nonconformity of an existing parcel.

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#### 17.6.20.070: Nonconforming Landscaping

No existing use of land or existing structure, where landscaping or screening for said use or structure was conforming at the time of establishment or modification, shall be deemed to be nonconforming solely because of the lack of landscaping and screening prescribed in Chapter 17.3.12 (Landscaping and Screening Standards), but rather shall retain conforming status for as long as the use or structure remains unmodified. Implications for modifications are addressed through Subsections A and B, below.

- A. Expansion of Structure.** For additions or enlargements of existing structures or buildings that would increase the amount or type of landscaping or screening required, the additional landscaping or screening shall be required only for such addition or enlargement, and not for the preexisting structure or building.
- B. Change in Use.** For any change of use or manner of operation that would increase the amount or type of landscaping or screening required, such additional landscaping and/or screening shall be provided.

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#### 17.6.20.080: Nonconforming Parking

- A. Parking.** No existing use of land or existing structure, where parking for said use or structure was conforming at the time of establishment or modification, shall be deemed to be nonconforming solely because of the lack of parking facilities prescribed in Chapter 17.3.08 (Parking Standards), but rather shall retain conforming status for as long as the use or structure remains unmodified. Implications for modifications are addressed through 1 and 2, below.
  1. **Expansion of structure.** For additions or enlargements of existing structures or buildings that would increase the number of parking spaces required, the additional parking shall be required only for the addition or enlargement or new dwelling units, and not for the preexisting structure or building or preexisting dwelling units. However, the Review Authority may grant a waiver of the parking requirement for the addition, enlargement, or new dwelling units if it is determined that sufficient parking is not available on or near the

17.6.20: Nonconforming Uses, Structures, and Parcels

- b. **Greater than 50%.** If the cost of repairing or replacing the damaged portion of the nonconforming structure or physical improvements is greater than 50% of the replacement value immediately prior to the involuntary damage, neither the structure nor the physical improvement shall be reconstructed, repaired, or restored, except in conformity with the requirements of this Code.
  - c. **Residential uses.** Nonconforming residential uses in any zone may be reinstated when the structure in which they were located has been destroyed, provided that a Building Permit is issued no later than two years after the date of destruction, construction is diligently pursued to completion, and the new structure meets the development standards for the zone in which it is located, unless exempt from current Code standards consistent with this Subsection. The City may only prohibit the reconstruction of a multi-family structure if the findings required by Government Code § 65852.25 are made.
2. Nonconforming status will terminate if a nonconforming structure, conforming structure occupied by a nonconforming use, or nonconforming physical improvements are voluntarily damaged or destroyed or required by law to be razed.

**Deleted: <#>Termination by Noncompliance with Performance Standards.** The right to operate and maintain nonconforming uses in industrial zones will terminate if the use is not brought into compliance with the applicable performance standards contained in Section 17.3.04.090 (Performance Standards) within three years of the effective date of this Code.¶

#### 17.6.28: Property Nuisances

5. Attractive nuisances dangerous to children, including abandoned or broken equipment, unprotected and/or hazardous pools, ponds and excavations, and neglected machinery.
6. Banners which are torn, tattered, faded, and/or dirty.
7. Abandoned signs.
8. Trash receptacles stored in front or side setbacks that are visible from a public street, ~~except when placed for the purposes of collection in compliance with LMC Title 8, Section 8.04.170 (Containers – Requirements).~~
9. Waste on the premises which, by reason of its location, is unsightly and interferes with the reasonable enjoyment of property by neighbors, detrimentally affects property values in the surrounding neighborhood or community or which would materially hamper or interfere with the suppression of fire upon the premises or adjacent premises and which is visible from a public property or from neighboring property for a period of time in excess of 10 days.
10. Abandoned, wrecked, dismantled, or inoperative trailers, campers, boats, and other motor vehicles or parts, which are accumulated or stored as follows:
  - a. Trailers, campers, boats, or other motor vehicles, (other than automobiles and motorcycles), or parts, which are accumulated or stored on a surface that is not entirely paved, unless screened in compliance with Section 17.3.12.040 (Screening).
  - b. Abandoned, wrecked, dismantled, or inoperative automobiles, trailers, campers, camper shells, boats, and other motor vehicles, or parts, which are accumulated or stored unless screened in compliance with Section 17.3.12.040 (Screening) and 17.3.08.030.G.
  - c. An automobile, trailer, camper, or other motor vehicle is determined to be inoperative if:
    - (i) The vehicle is elevated on blocks, jacks, or other means;
    - (ii) There is an accumulation of weed growth under the vehicle; or
    - (iii) There is an accumulation of trash or debris under the vehicle.
  - d. The licensing status of a motor vehicle, trailer, boat, or camper does not determine whether it is abandoned, wrecked, dismantled, or inoperative but the absence of a license is evidence that it is abandoned, wrecked, dismantled or inoperative.
11. The accumulation of dirt, waste, or debris, in vestibules, doorways, or adjoining sidewalks or walkways.

**Deleted:** and rear setback

#### 17.7.04: Definitions of Terms

**Building-mounted.** An antenna attached to a base station. This definition is specific to wireless telecommunications facilities (Section 17.4.04.200) and reflects Federal law.

**Building Permit.** Written authorization from the Fire Marshal/Building Official of the City of Lompoc for the erection of any structure.

**Building site.** An area within a lot suitable for the placement of a building or structure located outside of required setback areas that meets minimum building site dimension, maximum slope area, and all applicable access requirements.

**Bus station.** See Transit station.

#### C. Terms.

**Cabinet.** See Equipment cabinet.

**California Environmental Quality Act (CEQA).** State law (California Public Resources Code § 21000 et seq.) requiring public agencies to document and consider the environmental effects of a proposed action, prior to allowing the action to occur.

**California Historical Resources Regional Information Center.** The Central Coast Information Center, Department of Anthropology, University of California, Santa Barbara, Santa Barbara, CA 93106. The Central Coast Information Center is one of 12 independent regional information centers in California that comprise the California Historical Resources Information Centers (CHRIS). Each center maintains the statewide Historical Resources Inventory (HRI) database and related records for its area of responsibility.

**Caliper.** The measurement of the diameter of a tree's trunk.

**Carpport.** An attached or detached accessory permanent roofed structure with not more than two enclosed sides, used for automobile shelter.

**Change of use.** The replacement of an existing use on a lot or parcel, or any portion thereof, by a new use, or a change in the nature of an existing use, but does not include a change of ownership, tenancy, or management associated with a use for which the previous nature of the use will remain substantially unchanged unless otherwise described in this Code.

**Channel margin.** Top of river or creek bank measured as the uppermost ground elevation paralleling a river or creek where the gradient changes from a more defined vertical component to more horizontal.

**Chumash Tribe.** The Santa Ynez Band of Chumash Indians, headquartered in Santa Ynez, CA. Notices should be directed to the Chairman or Chairwoman of the Tribal Elders Council Governing Board of the Santa Ynez Band of Chumash Indians. The Elders request that the Tribal Elders Office be notified of any issues concerning

#### 17.7.04: Definitions of Terms

**Diameter at breast height (DBH).** The diameter of a tree trunk at four and one-half feet above adjacent ground. The diameter may be calculated by use of the following formula: DBH = tree circumference at breast height divided by 3.142.

**Direct sales.** A transaction between a Cottage Food Operator and a consumer where the consumer purchases the Cottage Food Product directly from the Cottage Food Operator. Examples include, but are not limited to, holiday bazaars, temporary events, bake sales, food swaps, certified farmers markets, and community-supported agricultural subscriptions.

**Director.** The Economic and Community Development Director of the City of Lompoc or his/her designee.

**Discretionary permit.** A City land use review and entitlement process where the Review Authority exercises discretion in deciding to approve or disapprove the permit, and includes but is not limited to use permits, variances, and subdivision maps.

**Driveway.** An improved vehicular access way that provides access to the parcel or lot on which it is located. Driveway shall also include an easement crossing no more than one other parcel for the purpose of providing access to no more than one abutting parcel.

**Dwelling unit.** A building or portion thereof (e.g., room or group of internally connected rooms) that has sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis. Also, a residence. Does not include tents, recreation vehicles, or travel trailers.

#### E. Terms.

**Eave.** The overhang that projects from a building at the lower edge of the roof (i.e., the overhanging lower edge of a roof).

**Economic and Community Development Director.** See Director.

**Eligible facility request.** Any request for modification of an existing wireless tower or base station that involves collocation of new transmission equipment, removal of transmission equipment, or replacement of transmission equipment. This definition is specific to wireless telecommunications facilities (Section 17.4.04.200) and reflects Federal law.

**Equipment cabinet or cabinet.** A cabinet, structure, or building used to support equipment associated with a wireless, hard wire, or cable communication facility. This definition is specific to wireless telecommunications facilities (Section 17.4.04.200).

#### F. Terms.

Deleted: '

#### 17.7.04: Definitions of Terms

**Family.** One or more persons living together as a single housekeeping unit within a dwelling unit.

**Feasible.** Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

**Federal Aviation Administration (FAA).** A Federal government agency responsible for the safe operation of the aviation system.

**Federal Communications Commission (FCC).** A Federal governmental agency responsible for the regulation of interstate and international communication by radio, television, wire, satellite, and cable.

**Fence.** A constructed, un-roofed barrier of wood, metal, masonry, or other material as allowed by this Code, that is intended to enclose, separate, define, secure, protect, and/or screen one or more areas of a site. Includes masonry walls. Plants maintained with at least 50% of the vertical surface open shall not be considered a fence.

**Fill slope.** An artificial incline of earth created by earth filling.

**Fire Chief.** The Fire Chief of the City of Lompoc or his/her designee.

**First floor.** The primary floor of a building to which pedestrian access is provided from the fronting street, either at the sidewalk level, or not more than six feet above or below the sidewalk.

**Fixed wireless.** A local wireless operation providing services such as local and long distance telephone and high-speed internet to residential and business customers by means of a small equipment installation (the remote unit) on the exterior of each home or business that elects to use this service.

**Floor area.** The total enclosed gross leasable space of a building.

**Floor area ratio (FAR).** The ratio of floor area of a building or buildings on a lot divided by the total lot area. Floor area located below finished grade, the ceiling of which does not extend more than five feet above finished grade, is excluded when calculating FAR.

**Foot-candle.** A unit of measurement for the total amount of light cast on a surface (illuminance). One foot-candle is equivalent to the illuminance produced by a source of one candle at a distance of one foot.

**Fuel Break.** A strip or block of land on which the vegetation, debris and detritus have been reduced and/or modified to control or diminish the risk of the spread of fire crossing the strip or block of land, may include driveways, gravel walkways, and/or lawns.



**Household pets.** ~~Domestic animals and birds ordinarily permitted inside a dwelling and kept only for the company or pleasure provided to the occupants.~~

**Deleted:** Animals, birds, or fowl normally kept as household pets and kept only for the company or pleasure provided to the occupants in compliance with LMC Title 6 (Animals). Household pets do not include horses, cows, goats, sheep, or other equine, bovine, ovine, or ruminant animals, pigs, predatory wild animals, chickens, ducks, geese, turkeys, game birds, and fowl which normally constitute an agricultural use...

**Housing cost.** The sum of actual or projected monthly payments for all of the following requirements associated with for sale target units: principal and interest on a mortgage loan, including any loan insurance fees, property taxes and assessments; fire and casualty insurance; property maintenance and repairs; homeowner association fees; and a reasonable allowance for utilities.

**Housing fund.** The City of Lompoc affordable housing trust fund established in compliance with Chapter 17.3.24 (Inclusionary Housing and In-Lieu Fee).

**Housing in-lieu fee.** The per-unit fee established in compliance with Chapter 17.3.24 (Inclusionary Housing and In-Lieu Fee). The total housing in-lieu fee shall be calculated by multiplying the required number of affordable housing units by per-unit housing fee.

**I. Terms.**

**Idle.** Surface mining operations curtailed for a period of one year or more, by more than 90% of the operation's previous maximum annual mineral production, with intent to resume those surface mining operations at a future date.

**Impervious surface.** A surface compacted or covered with a layer of material so it is highly resistant to infiltration of water.

**Incompatible land uses.** Land uses inherently incompatible with allowed uses as determined by the Director or Review Authority consistent with this Code.

**Indirect sales.** An interaction between a Cottage Food Operator, a third-party retailer, and a consumer, where the consumer purchases Cottage Food Products made by the Cottage Food Operation from a third-party retailer that holds a valid permit.

**Inoperable.** Dismantled, not used for transportation, unsalvageable, stripped, or scrapped. A vehicle on private property that cannot be repaired within 15 days to an operable and drivable condition.

**Integrity, historical resource or cultural resource.** The authenticity of a property's historic identity or cultural resource's identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period.

**Intensification of use.** A change in the use of structure or site that increases density or generates more traffic or other level of activity on the site.

**Isolate.** An individual archeological artifact or group of artifacts.

**J. Terms.** No terms beginning with the letter J are defined at this time.

**K. Terms.** No terms beginning with the letter **K** are defined at this time.

**L. Terms.**

**Lamp.** The generic term for an artificial light source installed in the socket portion of the fixture, to be distinguished from the whole assembly. Commonly referred to as a "bulb."

**Land and site development costs.** Construction cost multiplied by the land/site residual contribution.

**Land/site residual contribution.** The monetary allowance for all the nonstructural improvements and the land associated with the total construction cost. The land/site residual contribution may include, but not be limited to such improvements as grading, landscaping, driveways, patios, and fencing. The land/site residual contribution is calculated from a ratio established to reflect the demonstrated relationship that exists between construction cost and the land and site improvement contribution. The land/site residual contribution is expressed as a percentage. the ratio and percentage shall be established by resolution and may be revised periodically to address changes in market conditions.

**Landmark.** A property, site, building, structure, sign, or other item designated by the Commission consistent with Chapter 17.6.16 (Designation of Landmarks).

**Landscaping.** The planting and maintenance of suitable vegetation in conformation with the requirements of this Code.

**Landscaped Open Areas.** An area that is maintained clear of any building or structure and includes landscaping (e.g., living plant material).

**Ldn.** Day-Night average sound level, which is a basic measure for quantifying noise exposure. ~~Ldn weights the hourly equivalent noise level (Leq) over a 24-hour period~~ with a 10 decibel penalty applied to nighttime (10:00 p.m. to 7:00 a.m.) sound levels.

**Deleted:** , namely: the A-weighted sound level averaged over a 2- hour time period,

**Less intense use.** A use which serves fewer people or one which tends to be less obnoxious.

**Light fixture.** A complete lighting unit including the lamp and parts designed to distribute the light, position and protect the lamp, and connect the lamp to a power source.

**LMC.** See Municipal Code.

**Lot.** A recorded lot or parcel of real property under single ownership, lawfully created as required by applicable Subdivision Map Act and City Ordinance requirements, including this Code, and has frontage providing legal access on at least one street (see Figure 17.7.04.020.1). Types of lots include the following:

17.7.04: Definitions of Terms

15 meters (approximately 50 feet) apart. Field surveys of sites of low sensitivity are conducted so that selected areas where resources are expected to occur are examined.

**Phase 2 study.** The assessment, by a qualified archaeologist, of an identified archeological site to determine its extent, integrity, and significance.

**Phase 3 study.** Data recovery by a qualified archeologist, generally used when a significant site cannot be reasonably avoided or preserved by the proposed development.

**Planning Commission.** See Commission.

**Planning Permit.** A legal document (permit) issued by a Review Authority that allows a certain use or development to proceed on a specified site. Examples include Administrative Use Permits, Minor Use Permits, and Conditional Use Permits.

**Pole.** A single shaft of wood, steel, concrete or other material capable of supporting the equipment mounted in a safe and adequate manner and as required by this Code.

**Preliminary Development Plan.** Site plan and accompanying plans (e.g., elevations, floor plans, landscape plans, etc.) and materials used for development review that identify proposed improvements or new development on a site and may specify development standards for properties located in the Planned Commercial Development Zone or Planned Development Overlay Zone.

**Premises.** A parcel or parcels of land, and the buildings, structures, fixtures, and facilities on, above, or under that parcel or parcels.

**Preservation.** Means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of a historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features, rather than extensive replacement and new construction. New exterior additions to historic structures are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

**Prezoning.** The action of the Commission and the Council in designating the uses of adjacent, contiguous, or any land within the unincorporated portion of the Lompoc Planning Area which, in the opinion of the Commission and the Council, conforms to the General Plan for said Planning Area and which, at some later date, may be incorporated into or annexed to the city of Lompoc. Although such "prezoning" has no legal effect within the unincorporated territory of Santa

**Deleted: Precise Development Plan.** Site plan and accompanying plans and materials that identify proposed development to implement a Preliminary Development Plan. A final map, consistent with Title 16 (Subdivisions), may constitute a Precise Development Plan if it complies with all the requirements of a Precise Development Plan. ¶

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**Deleted:** A tentative map, consistent with Title 16 (Subdivisions), may constitute a Preliminary Development Plan if it complies with all the requirements of a Preliminary Development Plan....

## Chapter 17.7.08 Definitions of Land Use Types

17.7.08.010: Purpose

17.7.08.020: Land Use Types

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### 17.7.08.010: Purpose

This Chapter provides definitions of land use types used in this Title that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Chapter conflict with definitions in other provisions of the Code, these definitions shall control for the purposes of this Title. If a word is not defined in this Chapter, or in other provisions of the Code, the Director shall determine the correct definition.

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### 17.7.08.020: Land Use Types

#### A. Agricultural Uses and Animal Keeping Use Types.

**Agricultural Storage.** The use of a site for the storage of materials, equipment, and products used in the operation of an agricultural industry or business. Examples of these grain elevators and equipment storage facilities.

**Agricultural Support, Sales and Service.** The use of a site for supporting agricultural purposes including, but not limited to on-site sale of feed, grain, fertilizers, pesticides and similar goods; and the provision of agricultural services with incidental storage of goods off-site; or hay, feed, and grain stores and tree service firms.

**Animal Keeping and Production.** The raising and keeping of farm animals. This use includes cattle ranges, poultry farms, and the commercial raising of animals.

**Animal Raising and Keeping.** The non-commercial tending of small animals that are not household pets (such as chickens, birds, ducks, and rabbits, but not including turkeys or peacocks).

**Community Garden.** Land used by multiple users for the cultivation of fruits, vegetables, plants, flowers, or herbs.

**Field and Tree Crop Production.** A site for growing or harvesting crops, ornamental crops, and other agricultural products to be sold for profit or to provide agricultural educational activities. This use includes commercial greenhouses, commercial agricultural fields, orchards, vineyards, and commercial nurseries. This use does not include the production or keeping of livestock (see Animal Keeping and Production).

#### B. Industrial, Manufacturing, Processing, and Wholesaling.

#### 17.7.08: Definitions of Land Use Types

electronics equipment manufacturing, and machine shops for repair and modification. Examples of medium uses include machine shops, sheet metal shops, carpet and rug cleaning plants, water softening plants, tire retreading facilities, welding shops, and large recycling collection facilities. Includes alcohol production and packaging uses not considered to be Micro-Alcohol Production or Winery.

**Micro-Alcohol Production.** A small-scale facility for the production and packaging of alcoholic beverages for distribution, retail, or wholesale, on or off premise, and which meets all applicable California Department of Alcoholic Beverage Control regulations. Uses include but are not limited to micro-breweries, micro-distilleries, and small-scale wineries. Eating areas and taprooms or tasting rooms are allowed as an accessory use.

**Mining/Resource Extraction.** The use of a site for on-site extraction of surface or sub-surface mineral products or natural resources. This use includes borrow pits, mining operations, oil drilling or fracking, and uses incidental to mining operations including structures necessary to the on-site production of mineral products or natural resources.

**Mini-Storage Warehousing or Facility.** A facility used for renting or leasing storage spaces in which the occupants themselves customarily store and remove their own personal property on a self-service basis. This use includes mini-warehouses and storage facilities, and excludes workshops, hobby shops, manufacturing, and commercial activities.

**Research and Development.** A facility for industrial or scientific research, including but not limited to electronics research laboratories, space research or development firms, and pharmaceutical research labs. Additionally, the use can include designing, developing, and testing of electrical, electronic, magnetic, optical, and computer and telecommunications components in advance of product manufacturing and the assembling or related products from parts produced off-site, where the manufacturing activity, if any, is secondary to the research and development activities. Includes but is not limited to pharmaceutical, chemical, and biotechnology research and development.

**Warehousing, Storage, and Distribution.** An establishment engaged in selling merchandise to retailers; to contractors, industrial, commercial, institutional, farm, or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Examples of these establishments include but are not limited to: Agents, merchandise or commodity brokers, and commission merchants; assemblers, buyers, and associations engaged in the cooperative marketing of farm products; merchant wholesalers; stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment. Also includes storage, processing, packaging and shipping facilities for mail order and electronic commerce retail establishments. Does not include Construction/Storage Supply Yard.

## 17.7.08: Definitions of Land Use Types

**Winery.** A bonded establishment primarily used for the purpose of processing grapes or other fruit products, where processing includes, but is not limited to, crushing, fermenting, blending, aging, storing, bottling, and wholesale/retail sales. Accessory wine tasting rooms, which meet all applicable California Department of Alcoholic Beverage Control regulations are included in this definition.

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### C. Recreational, Education, and Assembly Use Types.

**Business/Trade School.** The use of a site for education or training in business, commerce, language, or other similar activity or occupational pursuit that is not otherwise described as a home occupation, college/university, school, or instructional studio.

**Cemeteries, Crematories, or Mausoleums.** Land and or structure that is dedicated for cemetery purposes or for the burial of the dead, including columbariums, crematoriums, and mausoleums. Excludes funeral homes and mortuaries (see Funeral Homes and Mortuaries).

**Civic/Government.** Governmental facilities not otherwise included in other land use types, such as court facilities and post offices, together with storage and maintenance of vehicles. This use excludes libraries, museums, and public art galleries.

**College/University.** The use of a site for either a public or private college or university, excluding Business/Trade schools.

**Community Assembly.** An indoor or outdoor facility for public or private assembly, such as community centers, banquet centers, religious assembly facilities, union halls, meeting halls for clubs and other membership organizations. This use includes functionally related facilities for the use of members and attendees, such as kitchens, multi-purpose rooms, and storage. Excludes conference and meeting rooms accessory and incidental to another primary use, and which are typically used only by on-site employees and clients, and occupy less floor area on the site than other offices they support. Excludes recreation and entertainment type uses, which are separately defined and separately regulated.

**Neighborhood.** Community assembly use that has capacity for no more than 200 seats.

**Regional.** Community assembly use that has capacity for more than 200 seats.

**Entertainment, Indoor.** An indoor establishment providing amusement and group entertainment such as auditoriums and theaters.

17.7.08: Definitions of Land Use Types

**Live/Work.** An integrated housing unit and working space, occupied and utilized by a single household structure, either single-family or multi-family, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and where the residential use is secondary and accessory to the primary use as a place of work.

**Mobile Home Park.** The use of a site for occupancy of mobile homes on a weekly or longer basis. This use includes mobile home parks and mobile home subdivisions.

**Multi-Family Residential.** The use of a site for two or more dwelling units, within one or more buildings, and includes but is not limited to, townhouses, bungalow court apartments, multi-unit apartment complexes, triplexes, four-plexes, and group homes or dwellings not included under Residential Care Homes. Units may be attached or detached.

**Multi-Family Residential: Duplex.** A single building designed or used for occupancy by two families, living independently of each other.

**Multi-Family Residential: Triplex & Four-Plex.** A single building designed or used for occupancy by three or four families, living independently of each other.

**Residential Care Homes.** Provides permanent living accommodations with or without separate kitchen or bathroom facilities for each room or unit and where 24-hour medical care and/or supervision may be provided. Occupants are allowed without regard to familial status, disability, or other population segment stipulated in fair housing statutes. Includes, but is not limited to, orphanages, rehabilitation centers, self-help group homes, agricultural employee housing, congregate care facilities, rest homes, and nursing homes. "<7" serve six or fewer persons and "≥7" serve seven or more persons.

**Single-Family Residential.** A building designed or used for occupancy by one family. This classification includes individual manufactured housing units installed on a foundation system pursuant to § 18551 of the Health and Safety Code, but does not include mobile homes, trailers, or recreational vehicles.

**Single Room Occupancy.** A residential facility containing housing units that may have kitchen and/or bathroom facilities and are guest rooms or efficiency units as defined by State Health and Safety Codes. Each housing unit is occupied by no more than two persons and is offered on a monthly rental basis or longer.

**Supportive Housing.** Housing with no limit on length of stay, that is occupied by the target population (as defined in Health and Safety Code § 50675.14), and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Occupants of supportive housing are allowed without regard to familial status, disability, or

**Deleted: Transitional/**

**Deleted:** "Transitional housing" means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. "Supportive housing" means h...

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## 17.7.08: Definitions of Land Use Types

other population segment stipulated in fair housing statutes. "<7" serve six or fewer persons and "≥7" serve seven or more persons.

**Transitional Housing.** Buildings configured as rental housing developments but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Occupants of transitional housing are allowed without regard to familial status, disability, or other population segment stipulated in fair housing statutes. "<7" serve six or fewer persons and ">7" serve seven or more persons.

### E. Retail Trade Use Types.

**Alcohol Sales.** The retail sale of alcoholic beverages where alcohol sales is the primary source of revenue and meets all applicable California Department of Alcoholic Beverage Control regulations.

**Liquor Store.** A retail establishment that sells packaged alcoholic beverages and does not include any on-site consumption.

**Specialty Alcohol Shop.** A retail establishment that specializes solely and exclusively in the sale of a certain type of alcohol (e.g., wine) and related products. An accessory tasting room is allowed with a specialty alcohol shop.

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**Bar/Nightclub.** An establishment where alcoholic beverages are offered for on-site consumption as its principal function in accordance with applicable California Department of Alcoholic Beverage Control regulations, where food service, if any, is incidental and subordinate to the sale of alcohol. Persons under the age of 21 are not admitted. Uses include but are not limited to a tavern, bar, cocktail lounge, or nightclub. Excludes a restaurant, café, or coffee shop which may include alcohol sales for on-site consumption as incidental to the primary use. Also excludes Micro-Alcohol Production and Winery.

**Dispensary.** Shall have the definition found in LMC Section 9.36.020.

**Drive-Throughs, Non-Restaurants.** The component of a retail or service business establishment that caters to customers while in their vehicles. Examples may include banks and pharmacies. Excludes car washes.

**Food Service.** Non-beverage fare that is for on-site consumption by the purchaser and is limited to the on-site sale of pre-packaged and pre-prepared foods, delivery of foods, or foods brought to a location for an event by a licensed caterer.

**General Retail.** Stores and shops selling many lines of merchandise. Uses may include, but are not limited to, sales of apparel and accessories, antiques, appliances, art and fabric supplies, books, electronics, food for off-site preparation



## 17.7.12: Definitions of Sign Terms and Types

**F. Sign Terms.** No sign terms beginning with the letter **F** are defined at this time.

**G. Sign Terms.** No sign terms beginning with the letter **G** are defined at this time.

**H. Sign Terms.**

**Height.** The measurement between a sign's highest element and the finished surface below the sign as described in 17.3.16.050.B.6 (Height).

**I. Sign Terms.**

**Illuminated.** Signs or individual letters in which an artificial source of light is used to make the message readable and includes both internally and externally lit signs.

**J. Sign Terms.** No sign terms beginning with the letter **J** are defined at this time.

**K. Sign Terms.** No sign terms beginning with the letter **K** are defined at this time.

**L. Sign Terms.**

**Landmark Sign Registry.** A list of all designated Landmark Signs that is maintained by the City Clerk.

**M. Sign Terms.**

**Multi-parcel center.** A non-residential development that contains multiple tenant spaces and is located on more than one adjoining parcels.

**Mural.** An original work of visual art which is composed, created or produced firsthand, and that is painted directly upon or affixed directly to an exterior wall of a structure with the permission of the property owner. Murals do not include any commercial messages. Murals may not have any electrical or mechanical components. A mural is distinguishable from graffiti (see Chapter 9.16) based on the property owner's permission to paint or affix the mural onto the property.

**N. Sign Terms.**

**Neon lighting.** Any sign illuminated by or utilizing in any way tubes filled with neon and/or related inert gasses, or products that produce the same or similar effect as neon, such as flexible light-emitting diode (LED) neon-like tubing.

**O. Sign Terms.** No sign terms beginning with the letter **O** are defined at this time.

**P. Sign Terms.**

**Pennant.** A triangular or irregular piece of fabric or other material, whether or not containing a message of any kind, commonly attached by strings or strands, or supported on small poles, intended to flap in the wind.

## 17.7.12: Definitions of Sign Terms and Types

**Off-premises sign.** A sign identifying a business activity, property, services, or product at some location other than where the sign is located. All non-commercial signs are considered on-premise signs.

### P. Sign Types.

**People sign.** A person, live or simulated, who is attired or decorated with insignia, images, costumes, masks, or other symbols that display commercial messages with the purpose of drawing attention to or advertising for an on-premise activity. Such person may or may not be holding a sign. Also known as human mascots, sign spinner, or walking signs.

**Permanent sign.** A sign constructed of durable materials and intended to exist for the duration of the time that the use or occupant is located on the premises.

**Pole sign.** An elevated freestanding sign, typically supported by two or more poles or columns that do not meet the base width requirements for a monument sign.

**Portable sign.** A sign that rests on the ground and is not designed to be permanently attached to a building or permanently anchored to the ground, including but not limited to A-frame and H-frame signs. Portable signs do not include pole or wooden post signs (see Yard sign).

**Projecting sign.** A sign projecting from or supported by a wall or building with the display surface of the sign perpendicular to the wall or building.

**Q. Sign Types.** No sign types beginning with the letter **R** are defined at this time.

### R. Sign Types.

**Roof sign.** A sign constructed or over a roof placed so that any portion of the sign extends above the edge of the roof.

### S. Sign Types.

**Suspended sign.** A sign that is suspended from the underside of an eave, canopy, awning, arcade, or other covered walkway.

### T. Sign Types.

**Temporary sign.** A sign constructed of paper, cloth, or similar expendable material, which is intended for a definite and limited period of display and which is intended for a definite and limited period of display and which is not permanently affixed to a structure, sign area, or window.

**U. Sign Types.** No sign types beginning with the letter **V** are defined at this time.