



**MINUTES OF THE REGULAR MEETING
OF THE LOMPOC PLANNING COMMISSION
Wednesday, September 12, 2018, at 6:30 p.m.
City Hall, 100 Civic Center Plaza, Council Chambers**

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

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

ORAL COMMUNICATIONS:

OPEN PUBLIC COMMENT

Mr. Puckett, resident, expressed concerns regarding impacts of the Summit View Homes project, on the view sheds from his property, specifically lots seven and eight of the project. **Mr. Puckett** asked what plans had been approved at this time, types of houses, etc.

Commissioner Fink requested that **Mr. Puckett** call **Mr. Halvorson** to talk about plans approved for this site.

CLOSE PUBLIC COMMENT

PUBLIC HEARING ITEMS:

LOM 599 – Time Extension for the Central Coast Business Park Vesting Tentative Map

A request for Planning Commission consideration of a one-year time extension submitted by Chad Penrod representing the McGaelic Group for the Central Coast Business Park Vesting Tentative Map to subdivide an approximately forty (40) acre site into twelve (12) parcels located on West Central Avenue between V Street and Barton Avenue (Assessor Parcel Numbers: 093-450-014,-015 & -016). A Final Environmental Impact Report (SCH# 2014021048) for the Central Coast Business Park Vesting Tentative Map was prepared and an Addendum pursuant to the California Environmental Quality Act (CEQA).

Assistant Planner Hannah Nguyen summarized the written staff report and provided a PowerPoint presentation.

OPEN PUBLIC HEARING

John Linn, resident, requested that the Commission grant the extension.

Tom Davidson, commercial broker representing the owners of the property, requested the Commission grant the extension while other projects for the property are being processed.

Commissioner Gonzales stressed the importance of granting the extension because a significant amount of time and resources have been expended that are not recoverable by the developer and could prevent even further delay in the development if not granted.

CLOSE PUBLIC HEARING

MOTION: It was moved by **Commissioner Fink**, seconded by **Commissioner Gonzales**, that the Commission adopt Resolution No. 887 (18) approving a Time Extension for Central Coast Business Park Vesting Tentative Map (LOM 599), based upon the Findings of Fact in the Resolution, and subject to the attached Draft Conditions of Approval.

VOTE: The motion passed on a voice vote of 4-0-1, with **Commissioner Rodenhi** being absent.

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

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

Commissioner Fink requested if you brought a list of items to discuss, please provide the list to Brian Halvorson so it can be reviewed by staff and prepared for discussion at our next meeting. There will be a time limit of five minutes per person on public comment.

Brian Halvorson, Planning Manager, mentioned that we have a number of follow-up items from the last meeting that required research that we will be covering before we review other sections of the code.

Jeff Malaway, City Attorney, spoke to conflicts of interest and how the Commission will be handling if two or more Commissioners need to recuse themselves such as if a Commissioner owns property within 500 feet of certain zones; if two Commissioners need recusing we will be draw names to see who can stay and participate. There are names written on cards that will be used to see who will be participating by random draw.

Jennifer Daugherty of Lisa Wise Consulting presented a PowerPoint presentation covering consensus items and follow-up items that were made at the previous meeting and items that require further discussion at tonight's meeting. These items include:

Consensus items:

- Not allow tree/crop production in R-1 zone (considered a commercial use)
- No CUP required for general retail greater than 5,000 sq. ft.
- Outdoor dining would be permitted with no permit in commercial zones
- A minor use permit for parking and transit facilities in the H Street overlay (instead of a CUP)

- Accessory uses in the Industrial Zone could make up 20% of the gross floor area (rather than 15% in the current code). Wine tasting rooms would not be subject to this size threshold.
- Landscaping, rather than screening would be required along parking lots and the street on H Street and Old Town.
- A 10-foot setback for buildings should be required in the H Street overlay
- Accessory structures in the Industrial zone should be subject to the height limit of the main building (35 feet, rather than 20 feet in current code).
- Specify that alcohol production would be included in the manufacturing/processing light/medium use description.
- Prohibit formula or chain restaurants in the Industrial zones but to clarify if this should be at the regional level (5 or more) or National (worldwide-10 or more locations), looking for feedback on this item.
- Exempting medical offices from transparency requirements along ground floor in H Street overlay and Old Town zone.
- Mixed use minimum lot width should be decreased from 75 feet to 50 feet.

Jeff Malawy, Assistant City Attorney, received consensus from the Commission to cover each item that needs review (follow-up items) separately. **Mr. Malawy** states that because these items are "an owner of property conflict of interest", the Commissioner that recuses themselves is allowed to stay in the audience and can speak at the podium if they would like as a property owner.

Discussion: River and creek setback in the Open Space Zone, this setback applies to parcel zoned Open Space:

- **Commissioner Gonzales** and **Leach** have conflicts.
- Name drawn to participate: **Commissioner Leach**.
- **Commissioner Gonzales** steps down from the dais.

In the Open Space Zone, there is a river and creek setback described in the General Plan we are using to ensure consistency with the General Plan. Setback from the Santa Ynez River is 100 feet and any other creek is a 50 feet setback.

OPEN PUBLIC HEARING

John Linn, resident, will this affect the development of the bike path with the loss of some of the bank area it could be within 100 feet, if were damaged or destroyed could it be replaced?

CLOSE PUBLIC HEARING

Brian Halvorson, Planning Manager, stated that Principal Planner, Greg Stones will check the map. A bike path may not be considered development.

Commissioner Fink, we need to maintain consistency with the General Plan.

Commissioner Leach requests a list of developments currently within the 50 or 100-foot setbacks.

No action was taken on the item.

Commissioner Gonzales returns to the dais.

Discussion: Cannabis Testing Laboratories permitted in the CB and PCD zones. They have limited hazardous materials and chemicals, require odor abatement plan, comply with building and fire code.

Jeff Malawy, Assistant City Attorney, requests that the Commission limit the discussion to the PCD zone first, then the CB zone. There are no conflicts in the PCD zone.

OPEN/CLOSE PUBLIC HEARING

Commissioner Leach inquires if this use is allowed in the Industrial zone.

Jennifer Daugherty of Lisa Wise Consulting, prohibited in the Industrial zone, permitted in the Business Park.

Commissioner Fink feels that this use is more appropriate in an Industrial area. Other cities, Sacramento, Santa Rosa, and Ukiah all have this use in their Industrial zones, not their Commercial zones.

Commissioner Leach feels that it should be in the Industrial zone, it is not a commercial enterprise with street traffic and a retail element. Concerned with use of the zone not being a pedestrian use.

Brian Halvorson, Planning Manager, presented staff research stating that Commission concerns with testing laboratory would be addressed during the building permit process with building and fire code requirements.

MOTION: It was moved by **Commissioner Fink** to prohibit Cannabis Testing Laboratory in the PCD zone.

No second motion dies.

Discussion: Cannabis Testing Laboratories in the CB zone.

- **Commissioner Leach** steps down due to conflict of interest.

Commissioner Fink states that it will be that is will be the same discussion for this item and the last item had a motion that died so if there are no objections we move on to the next item.

Commissioner Leach returns to the dais.

Discussion: Cannabis Testing Laboratories in the Industrial zone

- **Commissioners Cioni, Leach, and Gonzales** have conflicts.
- Names drawn to participate: **Commissioners Gonzales and Cioni**.
- **Commissioner Leach** steps down from the dais

MOTION: It was moved by **Commissioner Fink**, seconded by **Commissioner Cioni** to recommend to the City Council to amend Title 9 to include Cannabis Testing Laboratory in the Industrial zone.

VOTE: The motion passed on a voice vote of 3-0-1-1, with **Commissioner Leach** abstaining and **Commissioner Rodenhi** being absent.

Commissioner Leach returns to the dais.

Discussion: Formula restaurants. The current definition in the proposed Code is restaurants with standardized designs and colors, and no more than five locations worldwide in the Special Event Overlay. No conflicts of interest.

OPEN PUBLIC HEARING

Steve Arrowood, Montemar Winery, supports ten or fewer worldwide.

CLOSE PUBLIC HEARING

MOTION: It was moved by **Commissioner Fink**, seconded by **Commissioner Cioni** to amend the Special Event Overlay to allow restaurants with no more than ten locations worldwide.

VOTE: The motion passed on a voice vote of 4-0-1, with **Commissioner Rodenhi** being absent.

Discussion: Lot widths in the R3 zone.

- **Commissioners Gonzales and Leach** have conflicts.
- Name drawn to participate: **Commissioner Gonzales**.
- **Commissioner Leach** steps down from the dais.

Jennifer Daugherty of Lisa Wise Consulting, the current width in the proposed code is 60 feet, with possible reduction to 50 feet with conforming exceptions.

OPEN PUBLIC HEARING

John Linn, resident, current lot widths are 50 feet, request that the proposed code be changed to 50 feet.

CLOSE PUBLIC HEARING

Commissioner Gonzales and Cioni agree that the lot width should be 50 feet.

MOTION: It was moved by **Commissioner Fink**, seconded by **Commissioner Cioni** to amend the R2 zone to have a minimum lot width of 50 feet.

VOTE: The motion passed on a voice vote of 3-0-1-1, with **Commissioner Leach** abstaining, and **Commissioner Rodenhi** being absent.

Commissioner Leach returns to the dais

Discussion: Lot widths in the R3 zone.

- **Commissioners Cioni, Gonzales and Leach** have conflicts.
- Names are drawn to participate: **Commissioner Gonzales and Leach**.
- **Commissioner Cioni** steps down from the dais.

Jennifer Daugherty of Lisa Wise Consulting, the current width in the proposed code is 75 feet, with possible reduction to 50 feet with conforming exceptions.

OPEN PUBLIC HEARING

John Linn, resident, current lot widths are 50 feet, request that the proposed code be changed to 50 feet.

CLOSE PUBLIC HEARING

Commissioner Gonzales states that the constraints of the development standards are more important than the width of the lot, a 50-foot lot is in conformance with what exists.

MOTION: It was moved by **Commissioner Fink**, seconded by **Commissioner Leach** to amend the R3 zone to have a minimum lot width of 50 feet.

VOTE: The motion passed on a voice vote of 3-0-1-1, with **Commissioner Cioni** abstaining **Commissioner Rodenhi** being absent.

Commissioner Cioni returns to the dais.

Discussion: PCD zone, the proposed code has a 10,000 square foot minimum lot size, which is smaller than the current code requirement of one to three acres. No recusals necessary.

OPEN/ CLOSE PUBLIC HEARING

Commissioner Gonzales believes the proposed size is adequate, reducing could defeat the purpose of the PCD zone.

Commission consensus to leave as proposed at 10,000 square feet for the PCD zone.

Discussion: Industrial zones, setback from residential zones.

- **Commissioners Cioni, Gonzales and Leach** have conflicts.
- Names are drawn to participate: **Commissioners Gonzales and Leach**.
- **Commissioner Cioni** steps down from the dais.

The Current and proposed code requires a ten-foot setback when adjacent to a residential use, the current and proposed code requires that ten-foot setback to be landscaped.

- Proposal: New development of either Industrial or Residential will have to adhere by the ten-foot landscaping setback, for existing buildings a change of use will not require installing a ten-foot landscaping setback.

OPEN PUBLIC HEARING

John Linn, resident, feels that the proposal is an equitable solution and staff did a great job.

CLOSE PUBLIC HEARING

Commissioner Gonzales agrees with the proposal.

Commission consensus is that new development of either Industrial or Residential will have to adhere by the ten-foot landscaping setback; for existing buildings, a change of use will not require installing a ten-foot landscaping setback on the previously developed property.

Commissioner Cioni returns to the dais.

Discussion: Outdoor storage height limit in Industrial/BP zones. An established area for permanent outdoor storage of items that are no taller than six feet with a three foot set back would bring the Zoning code in line with the Fire code. Items taller than six feet would be subject to the ten-foot setback in the current code. Recusals not necessary.

OPEN PUBLIC HEARING

John Linn, resident, agrees with raising the height to eight feet and aligning with the Fire code.

CLOSE PUBLIC HEARING

Commissioner Fink agrees we should be in line the Fire code; feels we should have some enforcement language.

Commissioner Leach inquires if the Fire code standards are based only on combustibles being stored or are their different standards for noncombustible?

Commissioner Gonzales if conex boxes are being stored they are designed and built to be stacked eight high for ocean travel, I do not understand why someone could not stack two of them to use for storage.

Staff will research the differences between noncombustible and combustible material storage height limits (over 6 feet, i.e. conex boxes stacked for storage) and setbacks for further discussion.

No action was taken on the item.

Discussion: Uses in PCD versus H Street Overlay, more flexibility in H Street Overlay.

Discussion: Properties currently zoned CO being changed to PCD zone and are east of A Street along Ocean Avenue, no recusals necessary.

Jennifer Daugherty, Lisa Wise Consulting, Inc. The Cypress Court project would be a non-conforming use due to it being residential in a PCD zone. The Commission could leave the zoning as PCD and the parcel would be legal nonconforming or change the parcel to the R3, High-Density Residential zone.

OPEN PUBLIC HEARING

Larry Deese, Senior Project Manager for the Housing Authority of Santa Barbara County, request that the property is rezoned to an appropriate residential use, so we do not have issues with financing for these affordable units. This property has a covenant with the City of Lompoc for 55 years to provide affordable housing it should be zoned accordingly.

John Linn, resident, the smaller parcel at the rear next to Cypress and Seventh Street should be zoned R3. The Cypress Court project was presented and built with a commercial or retail element on the front portion of the lot on Ocean Avenue and Seventh Street, if the parcel cannot be in the H Street Overlay, it should have two zones.

Debbie McComb, realtor, supports keeping the parcel as multi-unit residential, we need housing in our community.

CLOSE PUBLIC HEARING

Brian Halvorson, Planning Manager, inquires the Commission if they would be interested in allowing residential along Ocean Avenue with an additional Overlay zone similar to the H Street Overlay that allows housing. There can be two zones on one property. In discussions with **Assistant City Attorney Jeff Malaway** with the surrounding parcels to the south and west being zoned residential, zoning this parcel R3 would not be spot zoning.

Commissioner Fink asks **Larry Deese** if Cypress Court and the adjacent parcel were to be zoned R3 would that make your ability to acquiring funding easier or harder?

Larry Deese, Senior Project Manager for the Housing Authority of Santa Barbara County, the R3 zoning would work for us.

MOTION: It was moved by **Commissioner Leach**, seconded by **Commissioner Fink** to recommend that City Council to rezone APN 085-150-089 along Cypress Avenue and Seventh Street to R1.

VOTE: The motion passed on a roll vote of 3-1-1
☞ **Commissioner Cioni NO**
☞ **Commissioner Leach YES**
☞ **Commissioner Fink YES**
☞ **Commissioner Gonzales YES**
☞ **Commissioner Rodenhi Absent.**

MOTION: It was moved by **Commissioner Leach**, seconded by **Commissioner Gonzales** to recommend that City Council to rezone APN 085-150-090 along Ocean Avenue and Seventh Street to R3.

VOTE: The motion passed on a voice vote of 4-0-1, with **Commissioner Rodenhi** being absent.

MOTION: It was moved by **Commissioner Fink**, seconded by **Commissioner Cioni** to recommend that City Council that parcels currently zoned CO are east of A Street along Ocean Avenue be changed to PCD zone.

VOTE: The motion passed on a voice vote of 4-0-1, with **Commissioner Rodenhi** being absent

Discussion: Properties currently zoned CO being changed to PCD zone and are west of A Street along Ocean Avenue.

- **Commissioners Gonzales and Leach** have conflicts.
- Name drawn to participate **Commissioner Leach**.
- **Commissioner Gonzales** steps down from the dais.

OPEN / CLOSE PUBLIC HEARING

MOTION: It was moved by **Commissioner Fink**, seconded by **Commissioner Cioni** to recommend that City Council that parcels currently zoned CO are west of A Street along Ocean Avenue be changed to PCD zone.

VOTE: The motion passed on a voice vote of 4-0-1, with **Commissioner Rodenhi** being absent

Commissioner Gonzales returns to the dais.

Discussion: September 12, 2018 memo with comments from **John Linn**. **Brian Halvorson**, **Planning Manager** request Commissioners review memo and email comments and items they would like to see discussed further to him.

Discussion: Addition of Micro-Alcohol Production in the MU zone with a CUP.

- **Commissioners Gonzales** and **Leach** have conflicts.
- Names drawn to participate **Commissioner Leach**.
- **Commissioner Gonzales** steps down from the dais.

OPEN PUBLIC HEARING

John Linn, resident, this was in the other zone but not in this one.

CLOSE PUBLIC HEARING

MOTION: It was moved by **Commissioner Fink**, seconded by **Commissioner Cioni** to add Micro-Alcohol Production in the MU zone with a CUP.

VOTE: The motion passed on a voice vote of 3-0-1-1, with **Commissioner Gonzales** abstaining and **Commissioner Rodenhi** being absent
Commissioner Gonzales returns to the dais.

OPEN PUBLIC HEARING

Debbie McComb, realtor, in the MU and OTC zones recommends adding manufacturing and processing light to medium, artisan manufacturing, instructional services. To help the community stand out 17.2.12.2 allowed uses.

Brian Halvorson, **Planning Manager**, request that **Ms. McComb** verify the date (July 2018) of the zoning code she is using, he believes the changes she is requesting have been made.

Ms. McComb verified and she was looking at the April 2018 draft of the code.

CLOSE PUBLIC HEARING

Direction on motioning for **John Linn's** comments.

Commissioner Fink suggests each Commissioner review memo, if there are items from section 1 you would like to discuss further please send to **Brian** by October 3, 2018, the remainder of section 1 would approve in one motion.

Commissioner Fink, we are continuing this item to the October 10, 2018 meeting.

NEW BUSINESS: None

ORAL COMMUNICATIONS: None

WRITTEN COMMUNICATIONS: None

APPROVAL OF MINUTES: None

DIRECTOR/STAFF COMMUNICATIONS: None

COMMISSION REQUESTS: None

ADJOURNMENT:

MOTION: It was moved by **Commissioner Fink**, seconded by **Commissioner Cioni** to adjourn the meeting at 8:43 P.M. and to Continue to the Regular Meeting on October 10, 2018, 6:30 P.M. in City of Lompoc, Council Chambers.

VOTE: The motion passed on a voice vote of 4-0-1, with **Commissioner Rodenhi** being absent.



Brian Halvorson
Secretary



Ron Fink
Chair