

**Minutes of the Planning Commission /
Economic Development Sub-Committee Workshop
April 25, 2012**

ROLL CALL:

Planning Commission:

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| Allan Clark | Ron Fink |
| Nicholas Gonzales | Mary Leach |

Economic Development Sub-Committee:

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| Debbie McComb | Stephen Pepe |
| Terry Hammons | Don Pommerville |
| Dawn Thomas | Robert Manning |
| Alice Milligan | Ken Ostini - absent |

STAFF:

Planning Manager Lucille Breese
Principal Planner Keith Neubert
City Attorney Joseph Pannone

AGENDA ITEM NO. 1

Presentation and Discussion Regarding Potential Conflicts of Interest and Proposed Zoning Code Amendments.

City Attorney Joseph Pannone addressed the members of the joint workshop regarding potential conflict of interest under the Political Reform Act of 1974 and Fair Political Practice guidelines (the Act). He noted whether a public official participates or is precluded from participating in a governmental decision is a personal decision by that public official. However, the City Attorney identifies risks, so an informed decision can be made. The Planning Commission Members are considered public officials; and, therefore, required to recuse themselves for making or trying to influence governmental decisions in which they may have a conflict of interest. Members of the Economic Development Committee (EDC), which is an advisory body generally makes recommendations to the City Council and, therefore, likely would not be considered public official under the Act. If over time, even if the EDC remains a recommending body, the City Council approves the EDC's recommendations without substantial changes, then the EDC Members would also be considered public offices, pursuant to the Act.

There was a general discussion with the EDC regarding if disclosure of a possible conflict was adequate, which it isn't. Also, in response to a Member's question, they were advised if a spouse owns property that could generally constitute a financial interest of the Member since California is a community property state. In response to another question, the Members were advised there is no difference from a legal perspective if the EDC was making suggestions rather than recommendations.

There were no specific questions from the members of the Planning Commission. Commissioner Gonzales noted he has a direct economic interest since he owns property and generates rents; therefore, he will recuse himself from discussion of the Old Town Commercial (OTC); however, he has a photo presentation of other Old Towns which shows what he would like to be able to do with his property which he will present during public participation.

Commissioner Gonzales removed himself from the room due to the conflict of interest due to his ownership of properties in the OTC. Commissioner Fink chaired the workshop.

AGENDA ITEM NO. 2:

The Planning Commission and the Economic Development *Launching Lompoc Into the 21st Century* Subcommittee discussed the Old Town Commercial (OTC) District. Specific issues included the boundary area for the OTC and the proposed uses allowed.

Input from the discussion included in the recommendations for Text Amendment TA 12-01 – Commercial Zoning districts prepared for City Council determination by the Planning Commission.

Planning Manager Lucille Breese presented a verbal staff report; noted Supplemental Information had been received from Carol Benham which was distributed to the workshop participants and was available for the public; asked the participants to cover the questions posed in the staff report; and described the room layout with maps and tablets for use by the participants.

Commissioner Fink indicated the first step in the process was to develop the OTC boundary; noted there could be more than one map forwarded to the City Council; indicated a dual OTC zone could have more restrictive uses in a specific area; and requested people review the maps and provide their input on leaving the OTC boundary as it is or changing it. The proposed EDC OTC map was shown on the screen.

7:00 p.m. to 7:10 p.m. the group moved around the room and worked on maps.

Commissioner Fink requested the maps be turned into staff to prepare exhibits and requested the EDC make their power point presentation.

Members of the EDC subcommittee presented a Power Point presentation of the OTC divided into two (2) areas to create a vibrant pedestrian friendly area with business friendly regulations; discussed specific recommendations for permitted and prohibited uses in Zone 1 and Zone 2; and discussed possible recommended incentives to business.

OPEN PUBLIC COMMENT ON MAP

Staff presented a package of four (4) maps from the map exercise:

Map 1 – retains existing boundary with one zone.

Map 2A – reduces size of OTC - moves northern boundary from Chestnut Avenue to Walnut Avenue; proposes core (Zone 1) area from Walnut on north to Cypress on south; Zone 2 from K Street on west to I Street on east and from G Street on west to F Street on east.

Map 2B – retains existing boundary – Zone 1 from Walnut on north to Cypress on south; and from F Street on east to J Street on west; Zone 2 balance of OTC in three (3) segments; and

Map 2C – retains existing boundary – Zone 1 from Walnut on north to Cypress on south; and from G Street on east to J Street on west; Zone 2 balance of OTC in four (4) segments; and

Mary Saladino – asked for the murals to be considered when proposing changes to the boundary.

SubCommittee Member Debbie McComb – noted the City was attempting to ease restrictions on business.

Jim Moore – asked if residents in the vicinity of proposed business were considered, indicated he has a noisy business located near his residence.

Commissioner Leach expressed concern that a lack of use restrictions could cause incompatible uses.

Sub-Committee Member Dawn Thomas - noted economic growth would balance uses and indicated other City regulations could be utilized to monitor any nuisance.

Nicholas Gonzales, property owner – presented a photo slide show of potential uses he would like to see for his building; included slides of Santa Monica pier area and Lompoc as it currently exists.

Commissioner Clark indicated it would be beneficial to understand the motivation for the proposed maps.

Charles Arnold indicated he felt the existing boundary should be retained. Commissioner Fink indicated he had submitted Map 2A based on a need to condense the OTC since a previous development at Chestnut & H has not been successful. Map 2B – no one responded. Map 2C – Michelle Shafer stated it was the EDD recommended map.

Sub-Committee Member Debbie McComb indicated they did not remove areas due to the benefits to business of being in the OTC.

Charles Arnold noted it is difficult to understand what is driving the OTC as it complicates the situation, he favors existing boundary for OTC; indicated pedestrian friendly area is divided by Caltrans right-of-way over which the City has no control; and mentioned the 18-wheelers from Miguelito Canyon moving through the area.

Robert Schmiedeke – indicated area from Ocean to Cypress could be walkable; recommended closing H Street between Ocean and Cypress; stated there is plenty of parking in area; and supported opening up uses.

8:12 p.m. to 8:25 p.m. the group moved around the room and worked on use lists.

Tablets were available for the public to list Uses in the OTC under three (3) headings Permitted Use, Conditionally Permitted Use, and Prohibited Use.

Commissioner Fink explained Permitted Use, Conditionally Permitted Use, and Prohibited Use for the benefit of the audience. He also explained how the Planning Commission allows deviation from Development Standards utilizing a Conditional Use Permit.

Nicholas Gonzales, property owner – explained his difficulty in operating an office use in the OTC.

Sub-Committee Member Debbie McComb indicated generally the EDC was in agreement with the permitted uses allowed in the OTC Zoning District.

Commissioner Fink indicated that due to the late hour the public hearing by the Planning Commission regarding Commercial Zoning District would be continued to May 9.

OPEN PUBLIC COMMENT ON USES

Nicholas Gonzales, property owner – discussed his vision for utilizing his building and noted he often meets clients in his office in the evening.

Regarding specific input requested in the staff report, Commissioner Fink asked if it would be reasonable to review the OTC uses at five (5) year intervals

Sub-Committee Member Alice Milligan noted the City had spent considerable funds on the Old Town Specific Plan (OTSP) and suggested the EDC could work on updating it.

Sub-Committee Member Don Pommerville noted the City is not doing business as usual; the goal is to help businesses flourish; and more successful businesses create more funds for City to provide services.

A member of public indicated need to focus on parks and public spaces as well as business.

Commissioner Fink noted OTSP addresses those issues, current topic boundary and uses for OTC.

Sub-Committee Member Dawn Thomas noted quality of life is an important focus not solely business but on vibrant downtown. She noted five (5) years should be sufficient time to evaluate if a strategy is working.

Marc Donars property owner – noted sidewalks in front of his building are in a dilapidated condition; noted funds had been put aside for pavers but nothing had been accomplished; noted it was his understanding the project was on hold until a determination was made about the Theater; indicated his building needed to be painted, but he won't do so until pavers are installed; noted I Street parking lot primarily utilized during the day by commuters; improvements have been made to south side of Ocean Avenue with nothing on north side.

Commissioner Fink advised Mr. Donars his issues were out of the jurisdiction of the Planning Commission and advised him to approach the City Council. Sub-Committee Member Debbie McComb advised Mr. Donars the EDC has a sub-committee working on infrastructure who would be interested in his concerns.

Commissioner Leach asked about the intention for residential in the OTC. Sub-Committee Member Stephen Pepe indicated the sub-committee agreed residential uses should be allowed, but not on the ground floor and suggested any misunderstanding may be the result of semantics.

ADJOURNMENT:

Commissioner Fink adjourned the workshop at 9:15 p.m.



Lucille T. Breese, AICP
Secretary



Ron Fink
Vice Chair