

CITY OF LOMPOC WORKSHOP STAFF REPORT



MEETING DATE: APRIL 25, 2012

TO: MEMBERS OF THE PLANNING COMMISSION
MEMBERS OF THE ECONOMIC DEVELOPMENT
SUB-COMMITTEE

FROM: LUCILLE T. BREESE, AICP, PLANNING MANAGER

RE: OLD TOWN ZONING DISTRICT DISCUSSION

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

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

Discussion:

The City Council has directed the Planning Commission to hold public hearings and present recommendations for changes to the Commercial Zoning Districts in the City. The suggested changes include consolidation of the six (6) current commercial zoning districts to a smaller number of districts. However, the City Council desires the retention of the Old Town Commercial (OTC) district to recognize the unique character of the area considered the Old Town.

The Economic Development Strategic Plan has established a sub-committee, *Launching Lompoc Into the 21st Century*, with specific goals of identifying anchor tenants, defining downtown, and identifying businesses to target for inclusion in the Old Town.

The Old Town Specific Plan (OTSP) was adopted in 2000 following a series of meetings with business and property owners. The stated purpose of the OTSP is:

The Old Town Commercial District provides for medium-intensity commercial uses that serve mostly community-wide needs in a pedestrian-friendly environment. The district provides for the highest quality building design. Uses allowed include commercial retail, service commercial, business offices, restaurants and sidewalk cafes, entertainment uses, nightclubs and microbreweries, mixed-use (including residential), as well as prominent buildings for governmental uses.

Uses which would not be permitted include auto related uses, drive-through restaurants, adult entertainment and any uses detrimental to developing a pedestrian-friendly environment. Regulations in this district promote pleasing commercial and governmental structures as well as excellently designed parking structures with human scale and pedestrian character, including efficient internal access, ingress and egress, and amenities such as plazas, courtyards, and attractive streetscapes.

While the City Council has identified the need to review the entire OTSP following adoption of the 2030 General Plan, at this time a limited scope of review is being performed. To focus efforts of the Planning Commission and the Economic Development Subcommittee, the City Council has directed a joint workshop be held to review the boundary of the area identified as the OTC and to review the use lists in the OTC.

General comments made by Council members at the April 10 City Council meeting are noted below.

Mayor Linn discussed transition of uses from large spaces to office use to retail as a natural transition supporting an expansive use list; suggested a smaller core area; discussed allowing automotive uses in a facility originally built for the use; and generally supported an expansive use list.

Councilmember Martner discussed a business model which considers any use acceptable vs a business model based on a vision of a unique area which requires more investment to achieve and suggested compromise of two (2) tiers of uses – more restrictive at core, less restrictive on exterior fringe of the district.

Councilmember Lingl suggested changing the use list to reflect only Prohibited Uses; focus on attracting military and young professionals; and suggested Transit Center at H & Chestnut with commercial component.

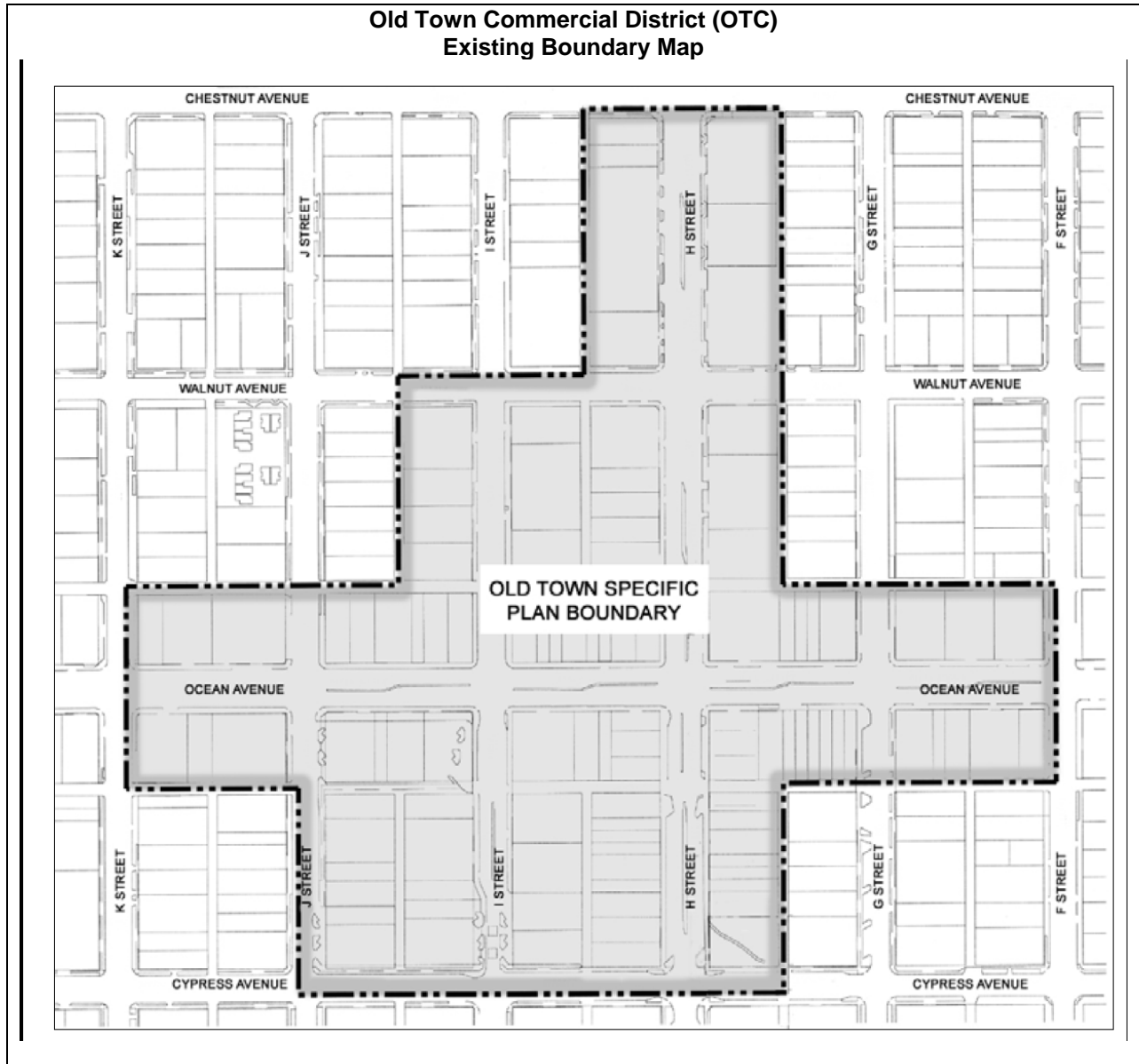
Councilmember Costa agreed with a focus on Prohibited Uses; identified need for incentives; agreed a tiered approach to the standards would be a good compromise with a core area being viewed as pedestrian oriented with appropriate standards and lesser standards for the outer areas.

Councilmember Starbuck did not participate in the discussion due to potential conflict of interest.

The following discussion points are proposed to reach a basic consensus:

- The stated intent and purpose of the OTC is noted above.
 - Is this the vision to be retained for the OTC?
 - If a change is recommended, what would be the focus?
 - Originally the OTSP was to be updated every five (5) years. Is this a reasonable expectation?

- The OTC boundary is shown below:
Should the area be reduced? Enlarged?
Should a tiered approach be considered in the OTC – pedestrian oriented core vs general commercial exterior fringe?



- The permitted, conditionally permitted, and prohibited land uses are listed in Chapter 17. 052 (Attachment No. 1)
Should the use list be changed? Reduced?

Should there be restrictions requiring pedestrian oriented businesses on the ground floor in the core area?

Next Steps:

The Planning Commission will hold a public hearing to consider material discussed at the City Council meetings of March and April 10, 2012. The City Council has provided general direction regarding the consolidation of the six (6) current zoning districts into three (3) zoning districts. The Planning Commission will make recommendations to the City Council regarding the zoning districts, which will include input from this workshop for the Old Town Commercial (OTC).

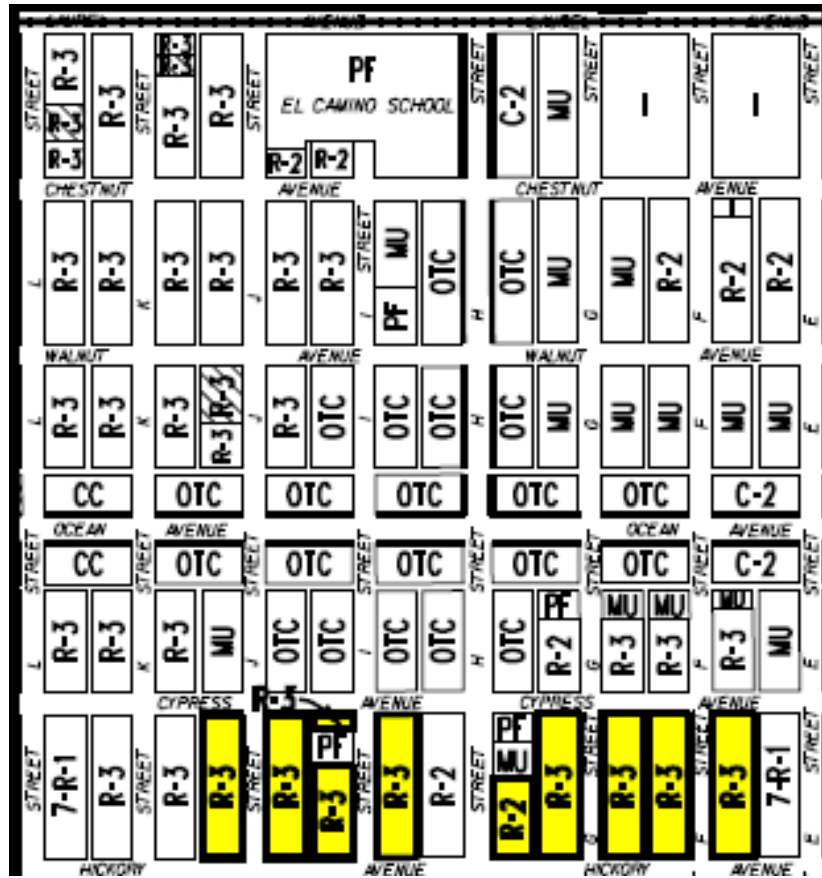
The Planning Commission has the authority to recommend approval or denial of an amendment to the Zoning Ordinance to the City Council (Lompoc City Code Section 17.132.040).

Attachments:

- 1) [OTC Zoning Map](#)
- 2) [Zoning Ordinance Chapter 17.052](#)






Staff Report has been reviewed and approved for submission to the Planning Commission			
Teresa Gallavan, Economic Development Director/ Assistant City Administrator	Date	Lucille T. Breese, AICP Planning Manager	Date

Old Town Commercial Zoning



CITY OF LOMPOC Zoning Map

Note: See "List of Amendments to the Zoning Map" for information regarding amendments to this map. Most recent amendment on November 3, 2009, Ordinance No. 1560 (09).

10-R-1	Single Family Residential 10,000 SF	R-2	Medium Density Residential
7-R-1	Single Family Residential 7,000 SF	R-3	High Density Residential
BP	Business Park	RA	Residential Agriculture
C-2	Central Business	SP	Specific Plan
CC	Convenience Center	T	Mobile Home Park
CO	Commercial Office		
I	Industrial		Airport Approach Zone (Overlay)
MU	Mixed Use		Airport Clear Zone (Overlay)
OS	Open Space		Cultural Resources (Overlay)
OTC	Old Town Commercial		Planned Development
PCD	Planned Commercial Development		Inconsistent with General Plan
PF	Public Facilities		

Date Printed: September 6, 2011

Chapter 17.052

OTC OLD TOWN COMMERCIAL DISTRICT

Sections:

- 17.052.010 Intent and Purpose.**
- 17.052.020 Land Uses and Permit Requirements.**
- 17.052.030 Permitted Uses.**
- 17.052.040 Conditionally Permitted Uses.**
- 17.052.045 Minor Use Permit.**
- 17.052.050 Prohibited Uses.**
- 17.052.060 Development Standards.**
- 17.052.070 Special Development Standards and Regulations.**
- 17.052.080 Development Incentives.**

17.052.010 Intent and Purpose.

- A. To establish the land use district within the Old Town Lompoc Specific Plan area and the development standards that apply. The Old Town Commercial (OTC) land use district and the development standards provide the general development provisions for the Specific Plan area.
- B. The Old Town Commercial District provides for medium-intensity commercial uses that serve mostly community-wide needs in a pedestrian-friendly environment. The district provides for the highest quality building design. Uses allowed include commercial retail, service commercial, business offices, restaurants and sidewalk cafés, entertainment uses, nightclubs and microbreweries, mixed-use (including residential), as well as prominent buildings for governmental uses.
- C. Uses which would not be permitted include auto related uses, drive-through restaurants, adult entertainment, and any uses detrimental to developing a pedestrian-friendly environment. Regulations in this district promote pleasing commercial and governmental structures in addition to well-designed parking structures with the human scale and pedestrian character, including efficient internal access, ingress and egress, and amenities such as plazas, courtyards, and attractive streetscapes. (Prior code § 8106)

17.052.020 Land Uses and Permit Requirements.

The following Section describes those land uses which are permitted, conditionally permitted, or prohibited in the OTC District. Where a use is unlisted, the Community Development Director, or designee, shall be responsible to make a determination of the most appropriate use classification. Unless the proposed use is determined to be similar to a listed use, it shall be prohibited.

- A. Permitted uses are uses which are permitted as right within the OTC District. Permitted uses shall obtain a business tax statement, or equivalent, prior to commencement of the use.
- B. Conditional uses are uses which require a conditional use permit, as provided for the Lompoc Zoning Ordinance, prior to commencement of the use or issuance of a building permit.
- C. Prohibited uses are uses which are not permitted in the OTC District. (Prior code § 8107)

17.052.030 Permitted Uses.

- A. Eating and Drinking Establishments.
 - 1. Alcohol service in conjunction with restaurant.

2. Bakery, less than 5,000 square feet.
 3. Coffeehouse.
 4. Delicatessen/sandwich shops.
 5. Ice cream/yogurt shops.
 6. Restaurants, without drive-throughs.
- B. Recreation, Community Services, Education.
1. Court facilities.
 2. Dance, gymnastics, martial arts studio.
 3. Educational institutions.
 4. Health/athletic clubs.
 5. Live or movie theater.
 6. Parks/playgrounds/community gardens.
 7. Public/quasi-public uses.
 8. Public safety facilities.
- C. Retail Commercial.
1. Art galleries and studios.
 2. Auto parts sales, with any repair and installation incidental and fully enclosed within a building, less than 5,000 square feet.
 3. Flower/gift shops.
 4. Clothing.
 5. Handicraft-type industries (furniture, saddles, sculptures, stained glass, etc., less than 5,000 square feet).
 6. Hardware store, less than 5,000 square feet.
 7. Office supplies/equipment.
 8. Retail stores, general merchandise.
 9. Specialty food stores.
 10. Furniture stores.
 11. Motorcycle sales, with any repair and installation incidental and fully enclosed within a building.
- D. Service Uses.
1. Banks, credit unions, and financial institutions without drive-throughs.
 2. Offices, governmental.
 3. Offices, professional (restricted from ground floor on Ocean Avenue and "H" Street).
 4. Personal services (i.e., barber, beauty, and nail shops; tailor shops, dry cleaners/laundromat, travel agency).
- E. Residential Uses. Mixed use developments, including residential and office/retail/service components within the same structure. Residential must be located above the first floor and shall be built with a 1.00 FAR with a minimum of 33 percent of floor area for residential. (Prior code § 8108)

17.052.040 Conditionally Permitted Uses.

- A. Communications and Transportation.
1. Parking structures.
 2. Transit centers and stations.
- B. Eating and Drinking Establishments.
1. Nightclubs/bar/lounges.
 2. Micro breweries.

3. Wine tasting.
4. Sidewalk cafés.
- C. Recreation, Community Services, Education.
 1. Arcades, limited to five games/machines when located as an auxiliary use in an otherwise permitted use.
 2. Billiard parlors.
 3. Child care.
 4. Community service facilities, clubs, lodges, meeting halls.
- D. Cultural Facilities.
 1. Schools, business/trade schools.
- E. Retail Commercial.
 1. Building material sales, indoor.
 2. Convenience stores.
 3. Grocery stores.
 4. Liquor stores.
 5. Pet stores.
 6. Sidewalk vendors.
 7. Thrift stores, antique shops, used merchandise (no pawnshops).
- F. Residential.
 1. Multifamily Dwellings. No more than four dwelling units.
 2. Home occupation.
- G. Service Uses.
 1. Bed and breakfast inns.
 2. Computer manufacturer and repair.
 3. Hotels and motels.
 4. Internet provider. (Prior code § 8109)

17.052.045 Minor Use Permit.

A conditionally permitted use may be permitted subject to a Minor Use Permit as defined in Chapter 17.124 issued by the Zoning Administrator where the use will be in an existing building and all of the underlying development standards of the Zoning District are met. (Ord. 1578(11) § 8)

17.052.050 Prohibited Uses.

- A. Automotive Related Uses.
 1. Auto parts sales, with installations, if not within an enclosed building.
 2. Auto repair, if not incidental to sales within an enclosed building.
 3. Automobile sales and leasing (car, RV, and truck).
 4. Automobile service stations with or without convenience retail.
 5. Car wash, full service, or self-service.
 6. Rental car lots.
- B. Eating and Drinking Establishments.
 1. Restaurants with drive-throughs.
- C. Health Care Facilities.
- D. Light Manufacturing.
 1. Assembly, light.

17.052.060

- 2. Distribution.
- 3. Home improvement centers.
- 4. Manufacturing, light.
- 5. Laboratories.
- 6. Processing.
- 7. Repairing.
- 8. Storage.
- 9. Treatment, light.
- 10. Wholesaling.
- 11. Welding, machine and sheet metal shops.
- E. Recreation, Community Services, Education.
 - 1. Ambulance service.
 - 2. Public utilities.
 - 3. Religious facilities.
 - 4. Billiard rooms/pool halls.
- F. Residential.
 - 1. Single-family dwellings.
 - 2. Two-family dwellings.
- G. Service Uses.
 - 1. Check cashing.
 - 2. Funeral parlors, and mortuaries.
 - 3. Maintenance and repair services.
 - 4. Pawnshops.
- H. Retail/Entertainment.
 - 1. Adult businesses. (Prior code § 8110)

17.052.060 Development Standards.

- A. General Development Standards. This Section establishes other general requirements, site development standards and land use regulations that apply to all projects in the OTC District, including remodel of existing building façades. Any standards not specifically covered by this Specific Plan are subject to the regulations of the City of Lompoc.

Minimum Lot Area	5,000 square feet
Minimum Lot Width	25 feet
Minimum Lot Depth	No minimum
Maximum Building Height	45 feet/3 stories
Minimum Building Height	20 feet
Maximum Floor Area Ratio (FAR)	2.0 with up to 25 percent of floor area available for residential use at 14.5-21.8 DU/net acre
Minimum Yard Setbacks	
Front yard	No minimum
Side yard	No minimum
Rear yard	10 feet
Maximum Residential Density	21.8 DU/net acre
Parking Requirements	No parking requirement for commercial uses; with the exception of existing residences, residential uses must comply with Section 17.112.020

Reference To Design Guidelines. In reviewing projects/improvements subject to any approval, the City Staff shall refer to appropriate design guidelines in the Architectural Review Guidelines (July, 2001 Edition) in order to provide guidance to applicants seeking to comply with the requirements of the Specific Plan. Additionally, the design guidelines serve as adopted criteria for the review of development proposals in compliance with the provisions of the Zoning Ordinance.

- B. **Nonconforming Uses and Structures.** Where at the time of adoption of the Specific Plan, a lawful use of land or structure exists which would otherwise not be permitted by the regulations established by this Specific Plan, such use or structure may be continued indefinitely subject to the following:
1. No nonconforming use shall in any way be physically expanded or extended more than 25 percent of its gross floor area either on the same or on adjoining property, unless the expansion is intended to bring the use into or toward conformity.
 2. A nonconforming use shall not be re-established after having been abandoned or discontinued for a period of 180 consecutive days. This discontinuance shall cause the use to be deemed to have ceased and the use shall not be reinstated or replaced with another nonconforming use.
 3. Where a structure is noncomplying only by reason of inadequate setbacks, yard size or open space, structural additions, alterations or enlargements of the existing structure(s) shall be permitted, provided the additions, alterations or enlargements comply with all current provisions/standards relating to the structure's building envelope.
- C. **Outdoor Uses and Displays.** All uses, including commercial, repair, service and storage shall be conducted within a completely enclosed building or be completely screened from view from off the subject site, except as below.
- The outdoor display of merchandise in conjunction with antique shops, flower shops and similar specialty and craft businesses is permitted in the OTC District subject to the following provisions:
1. Outdoor displays may be allowed upon the public sidewalk provided that a minimum width of four feet is maintained clear of any obstructions;
 2. No additional signs or other advertising devices (temporary or permanent) shall be used in conjunction with an outdoor display, except those allowed in compliance with the Zoning Ordinance, Architectural Review Guidelines, and Old Town Specific Plan;
 3. The outdoor display of merchandise shall only occur during times when the associated establishment is also open for business; and
 4. Only merchandise normally available at the associated business may be displayed outdoors.
- D. **Installation of Public Improvements.** Project developers are responsible for providing public improvements such as streets, water and sewer lines, drainage facilities, curbs, gutters, sidewalks, street lighting, parkway landscaping, street trees and other similar items in compliance with City standards at the time of development. If multiple phases of development are proposed, improvements shall be installed during the first phase. For the purpose of this requirement, development shall also include the expansion of existing structures by 50 percent or more of the existing gross floor area.
- E. **Undergrounding of On-site Utilities.** All new developments shall provide underground utilities in compliance with City requirements. In addition, any existing structure that expands its gross floor area by more than 50 percent shall provide on-site underground utilities in compliance with City standards.
- F. **Protection of Existing Trees.** Existing, mature trees add significantly to the small town character and aesthetic charm of Old Town Lompoc. Trees also provide shade and increase pedestrian comfort. It is the intent of the City to protect and preserve any significant street trees, healthy and mature, and native trees where those trees are associated with proposals of development in compliance with the provisions of the Zoning Ordinance and General Plan.

- G. **Business Address Required.** Each business or structure, as appropriate, shall provide its address in numbers a minimum of six inches in height. The address shall be placed on the building, awning, valance, or canopy in a manner to be clearly visible from the adjacent street or sidewalk. The preferred locations are above the main pedestrian entrance and at rear or side entrances.
- H. **Roof-Mounted Equipment.** Roof-mounted equipment, vents, ducts, or dish antennas shall not be visible from ground level from any adjacent parcel, or any public street or right-of-way. This shall be accomplished through the extension of the main structure or roof, or through screening that is architecturally integrated with the main structure.
- I. **Trash Enclosures.**
 - 1. Refuse storage and disposal areas shall be provided within trash enclosures which are screened on at least three sides from public view by a solid, decorative wall, fence, or landscaping not less than five feet six inches in height. Slatted chain link not permitted. The dimensions of a double bin shall be seven feet eight inches by 14 feet four inches. A single bin enclosure shall be seven feet eight inches by eight feet four inches. When notified a container is damaged, the Solid Waste Division shall make a concerted effort to replace the container within 48 hours.
 - 2. Refuse bins shall be provided in sufficient number and shall be placed in convenient locations. Trash areas shall not be used for storage or other purposes. The premises shall be kept in a neat and orderly condition at all times, and all improvements shall be maintained in a condition of good repair and appearance.
- J. **Parking.** Provision of private off-street parking is not required for new nonresidential developments within the OTC District. Developments which include new housing units must provide on-site parking in accordance with the Lompoc Zoning Ordinance. (Prior code § 8111)

17.052.070 Special Development Standards and Regulations.

Certain land uses, because of their operational characteristics, have opportunity to create more significant impacts on adjacent properties than others. As a result, specific development criteria for these uses is recommended.

- A. **Sidewalk Cafés.**
 - 1. **Purpose.** Sidewalk cafés on public streets can enhance the pedestrian ambiance of Old Town Lompoc and are encouraged. The purpose of this Subsection is to set forth the conditions and requirements under which a sidewalk café, as defined below, may be permitted to operate by conditional use permit on a public sidewalk within the OTC District.
 - 2. **Definition.** A sidewalk café is any group of tables and chairs, and its authorized decorative and accessory devices, situated and maintained upon the public sidewalk or along the private porches and arcades for use in connection with the consumption of food and beverage sold to the public from or in an adjoining indoor restaurant or delicatessen.
 - 3. **Conditional Use Permit Required.** A sidewalk café may be permitted only by an approved conditional use permit granted in conformity with the requirements of this Subsection and the City of Lompoc Zoning Ordinance.
 - 4. **Limitations and Requirements.** A sidewalk café may be permitted only in the OTC District if the sidewalk café is situated adjacent to an indoor restaurant, delicatessen, or other food service business as specified below, and the sidewalk café's operation is incidental to and a part of the operation of such adjacent indoor restaurant or delicatessen.
 - a. Existing indoor restaurants and delicatessens must conform to all sections of the City of Lompoc Municipal Code in order to be eligible for approval of sidewalk services.

- b. A sidewalk café may be located on the public sidewalk immediately adjacent to and abutting the indoor restaurant or delicatessen which operates the café, provided that the area in which the sidewalk café is located extends no farther along the sidewalk's length than the actual sidewalk frontage of the operating indoor restaurant or delicatessen and all other applicable provisions of this Subsection are fulfilled.
- c. An indoor restaurant or delicatessen may be permitted to operate only one sidewalk café and each sidewalk café shall be confined to a single location on the sidewalk.
- d. A sidewalk café may be permitted only where the sidewalk or porch is wide enough to adequately accommodate both the usual pedestrian traffic in the area and the operation of the proposed café. There shall be a minimum four-foot clear distance free of all obstructions, in order to allow adequate pedestrian movement.
- e. All outdoor dining furniture, including tables, chairs, umbrellas, and planters, shall be movable. Umbrellas must be secured with a minimum base of not less than 60 pounds. Outdoor heaters, amplified music, or speakers shall be reviewed at the time of application for a conditional use permit.
- f. No signing shall be allowed at any outdoor café except for the name of the establishment on an awning or umbrella valance.
- g. A sidewalk café may serve only food and beverages prepared or stocked for sale at the adjoining indoor restaurant or delicatessen; provided that the service of beer or wine, or both, solely for on-premises consumption by customers within the area of the sidewalk café has been authorized as part of a conditional use permit approval. Each of the following requirements must also be met:
 - i. The area in which the sidewalk café is authorized is identified in a manner, as approved by the Planning Commission, which will clearly separate and delineate it from the areas of the sidewalk which will remain open to pedestrian traffic.
 - ii. The sidewalk café operation is duly licensed, or prior to the service of any beer or wine at the café, will be duly licensed, by State authorities to sell beer or wine, or both, for consumption within the area of the sidewalk café.
- h. The outdoor preparation of food and busing facilities are prohibited at sidewalk cafés. The presetting of tables with utensils, glasses, napkins, condiments, and the like is prohibited. All exterior surfaces within the café shall be easily cleanable and shall be kept clean at all times by the permittee.
 - i. Trash and refuse storage for the sidewalk café shall not be permitted within the outdoor dining area or on adjacent sidewalk areas and the permittee shall remove all trash and litter as they accumulate. The permittee shall be responsible for maintaining the outdoor dining area, including the sidewalk surface and furniture and adjacent areas in a clean and safe condition.
 - j. Hours of operation shall be limited to or less than those of the indoor restaurant or delicatessen. All furniture used in the operation of an outdoor café shall be removed from the sidewalk and stored indoors whenever the indoor restaurant or delicatessen is closed.
- k. The City shall have the right to prohibit the operation of a sidewalk café at any time because of anticipated or actual problems or conflicts in the use of the sidewalk area. Such problems and conflicts may arise from, but are not limited to, scheduled festivals and similar events, parades, repairs to the street or sidewalk, or emergencies occurring in the area. To the extent

possible, the permittee will be given prior written notice of any time period during which the City will prohibit the operation of the sidewalk café.

1. The sidewalk café will not require the provision of additional off-street parking.
5. Findings and Conditions. In connection with approval of a conditional use permit, the Planning Commission shall make findings that the proposed operation meets the limitations of this Subsection. The Commission may impose such conditions in granting its approval as it deems are needed to assure that the proposed operation will meet the operating requirements and conditions set forth in this Subsection and to assure that the general public health, safety and welfare will be protected.
6. Term and Renewal. A conditional use permit for a sidewalk café may be approved by the Planning Commission for a maximum period of three years. Thereafter, the Commission, if an extension application is filed prior to any expiration date of the conditional use permit, may extend the permit for additional periods, not to exceed one year each, following review and approval of the café's operations. The Commission may determine that additional or revised conditions are necessary and should be imposed if the permit is to be extended or that the permit should not be extended at all. The Planning Commission may make any extension of a conditional use permit subject to additional and revised conditions and requirements as it deems appropriate or necessary and any extension granted by the Planning Commission shall not exceed a period of three years.
7. Revocation. A conditional use permit may be revoked by the Planning Commission, following notice to the permittee and a public hearing, upon a finding that any of the following are true:
 - a. One or more conditions of the permit have been violated;
 - b. That one or more conditions of this Section have violated;
 - c. That the sidewalk café is being operated in a manner which constitutes a nuisance; or
 - d. That the operation of the sidewalk café unduly impedes or restricts the movement of pedestrians past the sidewalk café.
8. Appeals. In accordance with Section 17.006.030 the applicant or any interested party may appeal a decision of the Planning Commission to the City Council.
- B. Sidewalk Vendors. Vending on public streets and sidewalks in the OTC District promotes the public interest by contributing to an active and attractive pedestrian environment. However, reasonable regulation of street and sidewalk 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 sidewalk vendors may be permitted to operate within the OTC District.
 1. Definitions. For purposes of this Subsection, the following definitions shall apply:
 - a. **Stand** means a pushcart, wagon or any other wheeled vehicle or device which may be moved without the assistance of a motor and is used for the displaying, storing or transporting of articles offered for sale by a vendor.
 - b. **Vending** means the sale of food or merchandise from a stand operating on private property within the Old Town area.
 2. Vendors License Required. Selling or offering for sale, any food, beverage, or merchandise on any property within the OTC District shall comply with City of Lompoc Municipal Code licensing requirements. Existing businesses which legally operate outdoor displays of merchandise within the public right-of-way prior to the adoption of the ordinance codified in this Chapter are not required to obtain a license for a period of one year from adoption.
 3. Applications. The application for a vendor's license shall be signed by the applicant and shall include:

- a. 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.
 - b. A description of the type of food, beverage, or merchandise to be sold.
 - c. A description and photograph (including signage and colors) of any stand to be used in the operation of the business.
 - d. Proof of an insurance policy, issued by an insurance company licensed to do business in the State of California, protecting the licensee 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 license. 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.
4. Issuance and Fees. Not later than 30 days after the filing of a completed application for a vendor's license, the applicant shall be notified of the decision on the issuance or denial of the license.
- a. Fees shall be determined by resolution of the City Council and shall be paid prior to issuance of a permit.
 - b. Licenses to vend within the OTC District shall be reviewed and approved by the Community Development Director in conjunction with the City Clerk.
 - c. Locations for vending within the OTC District area shall be approved by the Community Development Director. Vending locations shall be designated based on the ability of the site to safely accommodate the use and to assure, as much as practical, that the sidewalk vendor is not selling merchandise that is primarily sold "on premise" within 300 feet of the vending locations.
 - d. Vending locations may change only upon written request by an applicant and approval by the Community Development Director.
 - e. All locations of vending stands shall be in conjunction with right-of-way considerations, pedestrian safety, and proximity to existing vendors. All locations shall be within the OTC District with primary emphasis at major intersections in Old Town.
 - f. As an initial pilot program, it is recommended that a maximum of ten sidewalk vendors be allowed in Old Town.
5. Term and Renewal. All licenses are valid for one year unless revoked or suspended prior to expiration. An application to renew a license shall be made not later than 60 days before the expiration of the current license. License fees and renewal procedures shall be established in accordance with the City of Lompoc Municipal Code.
6. Prohibited Conduct and Hours of Operation. It shall be prohibited for any outdoor vendor to operate under any of the following conditions:
- a. Vend between 10:00 p.m. and 6:00 a.m. unless in conjunction with a special event.
 - b. Leave any stand or motor vehicle unattended.
 - c. 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.
 - d. Sell food or beverages for immediate consumption unless there is a litter receptacle available for patrons use.
 - e. Leave any location without first picking up, removing and disposing of all trash or refuse remaining from sales made from cart. Trash and refuse generated by the vending cart operations shall not be disposed of in public trash receptacles.

- f. Allow any items relating to the operation of the vending business to be placed anywhere other than in, on, or under the stand.
 - g. 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 in his or her application.
 - h. Solicit or conduct business with persons in motor vehicles.
 - i. Sell anything other than that which he or she is licensed to vend.
 - j. Sound or permit the sounding of any device that produces a loud and raucous noise, or use or operate any loud speaker, public address system, radio, sound amplifier, or similar device to attract the attention of the public.
 - k. Vend without the insurance coverage previously specified.
7. Vending Cart Requirements. No stand shall exceed four feet in width, eight feet in height.
 8. Safety Requirements. All vending carts in or from which food is prepared or sold shall comply with the following requirements:
 - a. All equipment installed in any part of the vending cart shall be secured in order to prevent movement during transit and to prevent detachment in the event of a collision or overturn.
 - b. All utensils shall be securely stored in order to prevent their being thrown from the cart in the event of a sudden stop, collision or overturn. A safety knife holder shall be provided to avoid loose storage of knives.
 - c. 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.
 9. Display of License. All licenses shall be displayed in a visible and conspicuous location at all times during the operation of the vending business.
 10. Advertising. No advertising, except the posting of prices, shall be permitted on any stand, except to identify the name of the product or the name of the vendor.
 11. Denial, Suspension, and Revocation. Any license may be denied, suspended, or revoked in accordance with the procedures in the City of Lompoc Municipal Code for any of the following causes:
 - a. Fraud or misrepresentation contained in the application for the license.
 - b. Fraud or misrepresentation made in the course of carrying on the business of vending.
 - c. Conduct of the licensed business in such manner as to create a public nuisance, or constitute a danger to the public health, safety, welfare or morals.
 - d. Operation of business in such a manner that adversely impacts neighboring properties.
 - e. Conduct which is contrary to the provisions of this Section. (Ord. 1569 § 3, 2011; prior code § 8112)

17.052.080 Development Incentives.

- A. In order to achieve the type and quality of development and revitalization envisioned for Old Town Lompoc, certain development incentive bonuses should be established to encourage developers and property owners to participate in the various programs described below. Incentive bonuses may be granted at the discretion of the City Planning Commission and nothing contained herein shall obligate the City to provide any of the following bonuses.
- B. Pedestrian Amenities Incentive. Within the OTC District, it is desirable to encourage the provision of pedestrian amenities. Buildings in Lompoc should foster a pedestrian friendly atmosphere by being

seamlessly linked by landscaped sidewalks and walkways, plazas, pocket parks, courtyards, mid-block passages, and entry courts.

1. Incentive Bonuses. For projects meeting the requirements below, the following development bonuses may be available:
 - a. Area of permitted signs may be increased by a maximum of ten percent provided that a finding can be made that the increased sign area does not detract from the beautification and pedestrian-oriented objectives for Old Town Lompoc.
 - b. Through the development agreement process, the City may consider other incentive bonuses, such as reductions in processing fees, in-lieu fees, fast track application processing, or utility connection fees. The extent of such bonuses may vary on a case-by-case basis between the project applicant and the City.
2. Requirements for Incentive Bonuses.
 - a. Pedestrian Linkage Bonus. In order to qualify for the pedestrian linkage bonus, a proposed project must meet the following requirements:
 - i. Pedestrian linkages and pathways that run between buildings shall be a minimum of eight feet in width; linkages and pathways longer than 50 feet shall be an average of 16 feet wide.
 - ii. Pedestrian linkages shall be designed to be an integral part of the overall project and shall be configured to provide straightforward access from the development to adjacent land uses. The incorporation of plazas into the design of pedestrian linkages is highly encouraged.
 - iii. Business entrances are encouraged to front onto a pedestrian linkage or pathway. If it is deemed that a business entrance cannot front onto a pedestrian linkage or pathway, a minimum of one display window per business shall be provided facing onto the pathway or linkages.
 - iv. The pedestrian linkage or pathway shall incorporate landscape features, lighting, shade, textured paving, and other design elements to enhance the overall pedestrian environment and provide a high level of security, natural surveillance, and convenience.
 - v. A development agreement between the City and the property owner shall be entered into describing responsibilities for maintenance and other liabilities.
 - b. Public Plaza Incentive Bonus. In order to qualify for the public plaza incentive bonus, a proposed project must meet the following requirements:
 - i. Where inconsistent setbacks occur along the street, plazas shall be considered to compensate for the broken building edge.
 - ii. Plazas shall be designed with unimpeded line of-sight to and from the public sidewalk and pedestrian linkages.
 - iii. Physical access shall be provided from the public sidewalk to plazas, via pedestrian linkages.
 - iv. Visual features, such as public art, a fountain, clock, etc., shall be incorporated in plazas to attract pedestrians.
 - v. Shade trees or other elements providing relief from the sun, rain, and wind shall be incorporated within plazas. Landscaping shall provide special interest through unique foliage, color, seasonal changes in plant habit, scent or floral display.

- vi. Special paving and street furniture shall be used in plazas to complement the streetscape elements in the public right-of-way.
- vii. Plazas, including all entrances and exits, shall be fully illuminated one-half hour after sunset to one-half hour before sunrise to facilitate natural surveillance opportunities and to discourage illegitimate activities. Lighting shall be designed to help define, order, and further develop the design concept of the space in a manner that appears welcoming to pedestrians.
- viii. A development agreement between the City and the property owner shall be entered into describing responsibilities for maintenance and other liabilities of the public plazas. (Prior code § 8113)