



**MINUTES OF THE REGULAR MEETING
OF THE LOMPOC PLANNING COMMISSION
Wednesday, October 10, 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

STAFF: Planning Manager Brian Halvorson
Principal Planner Greg Stones
Assistant City Attorney Jeff M. Malawy
Fire Marshal Dena Paschke
Building Official Al Johnson

ORAL COMMUNICATIONS:

PUBLIC HEARING ITEM:

1. GP 17-01 / ZC 15-02 – Comprehensive Update to Lompoc Municipal Code Title 17 (Zoning) – Continued from the September 12, 2018, Planning Commission meeting

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).

Staff: Brian Halvorson, Planning Manager
e-mail address: b_halvorson@ci.lompoc.ca.us

Planning Manager Brian Halvorson gave a staff report presentation and summarized the following consensus items from the last meeting:

- No formula chain restaurants in the industrial zones which will be defined as ten or more locations worldwide.
- Cannabis testing laboratories were recommended to be allowed in the Industrial (I) zone.
- Minimum lot width in the R2 and R3 zones would be allowed to have 50 foot lots.

- 10 foot landscape setback between the I zone and the residential uses is only with new construction of either residential or industrial there was a concern that that would be pretty burdensome for existing buildings that have that ten-foot landscape setback so there was a compromise that it was just a change in use that that setback that landscape setback will not apply. It would only be for new construction.
- For the Cypress Court properties, the southern parcel (vacant lot) along Cypress Street was recommended to be rezoned to R1 and rezone the existing residential building (senior apartments) to R3 and the front lots on Ocean Avenue to be rezoned PCD.

Assistant Attorney Jeff Malawy mentioned that last time when we voted there were no conflicts of interest so we had four members up on the board and Commissioner Rodenhi was absent. After we voted on this item Commissioner Gonzales actually came to him and said that he may have made a mistake and that he actually does have a conflict in that he received more than \$500 in rental income from the Housing Authority in the last twelve months. So what we need to do is revote on this item. All three of those after Commissioner Gonzales has stepped down from the dais and left the room.

This one is where he cannot stay in the room. In addition to that **Commissioner Rodenhi** was not here at the last meeting so he didn't have the benefit of getting the testimony from the public and there was quite a bit of significant testimony from the owner of that property so I would recommend that **Commissioner Rodenhi** also recuse himself from these three votes because he wasn't here for the public hearing.

Action:

MOTION: It was moved by **Commissioner Fink**, seconded by **Commissioner Cioni** 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 3-0-1-1, with **Commissioner Gonzales Not Participating** and **Commissioner Rodenhi Abstaining**

MOTION: It was moved by **Commissioner Fink**, seconded by **Commissioner Leach** 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 3-0-1-1, with **Commissioner Gonzales Not Participating** and **Commissioner Rodenhi Abstaining**

MOTION: It was moved by **Commissioner Fink**, seconded by **Commissioner Leach** 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 3-0-1-1, with **Commissioner Gonzales Not Participating** and Commissioner **Rodenhi Abstaining**

Commissioners Gonzales and Rodenhi return to the dais.

Planning Manager Brian Halvorson stated that there was a consensus on allowing micro alcohol production with a CUP in the MU zone.

Malawy: Brian, if I could just interrupt. I promise there's not going to be as many conflict situations tonight, guys because we're not talking so much about the zones anymore but on this particular item we are discussing the open space zone and at the last meeting I noted that **Commissioners Gonzalez** and **Leach** have conflicts for the open space zone. I drew the name of **Commissioner Leach** who could participate and **Commissioner Gonzales** needed to step down.

Leach: I don't think I have a conflict. Is this because I am next to an Open Space?

Malawy: Yes, you can own property within five hundred feet of the open space so we need to have the same makeup for this discussion which means **Commissioner Gonzales** needs to recuse himself from this discussion. He can stay in the room for this one. **Commissioner Rodenhi**, I would say that it's up to you. I feel more comfortable for this one because there was not a property owner out there who was giving us testimony at the public hearing there's no strong defined rule either way. So if you'd like to stay on the dais I feel comfortable with that.

There was considerable discussion about setback requirements along rivers/creeks and existing General Plan setback requirements in the Open space designation.

Action:

MOTION: Commission consensus to add the General Plan language of "natural resources features".

VOTE: The motion passed on a voice vote of 4-0-1, with **Commissioner Gonzales Not Participating**

Commissioner Gonzales returned to the dais

There was considerable discussion about the wall/fence height limit for permanent outdoor storage.

Action:

MOTION: It was moved by **Commissioner Fink** to recommend that City Council limit the fence height in the Industrial zone to six feet.

No second, motion fails

MOTION: It was moved by **Commissioner Cioni, seconded by Commissioner Gonzales** to recommend that the City Council limit the fence height in the Industrial zone to seven feet.

VOTE: The motion passed on a roll call vote of 4-1, with **Commissioner Fink** voting no.

There was considerable discussion about fence/wall height in the Industrial Zone adjacent to Residential.

Action:

MOTION: It was moved by **Chair Fink, seconded by Commissioner Leach** to recommend that the City Council limit the fence height in the Industrial (I) Zone adjacent to Residential Zone to six feet

After discussion, **Commissioner Leach** withdrew the second and **Chair Fink** withdrew the motion.

Action:

MOTION: It was moved by **Commissioner Gonzales, seconded by Commissioner Cioni** to recommend that the City Council limit the fence height in the Industrial (I) Zone adjacent to Residential Zones to seven feet.

VOTE: The motion passed on a roll call vote of 4-1, with **Commissioner Fink** voting no.

There was considerable discussion about additional standards and requirements for permanent outdoor storage (including wall/fence height).

Action:

MOTION: It was moved by **Commissioner Cioni, seconded by Commissioner Leach** to recommended that the City Council change Section 17.2.16.050 to read Additional Standards and Requirements A. All Industrial Zones. Permanent Outdoor Storage. 2. Ensure no material is stored at a height greater than the height of the required wall or fence, and ensure that no material is stored

within a distance from the wall or fence that is not compliant with the Fire Code.

VOTE: The motion passed on a voice vote of 5-0.

There was a discussion regarding screening wall heights in the industrial zone when adjacent to a residential zone.

Action:

MOTION: It was moved by **Commissioner Gonzales**, seconded by **Commissioner Leach** to recommend that City Council change 17.3.12.040 D. Screening Height Table 17.3.12.04.04.C to read that when a wall is placed in an industrial zone and is adjacent to a residential zone a solid masonry wall be required.

VOTE: The motion passed on a voice vote of 5-0.

There was considerable discussion about buffer setbacks when industrial districts adjoin (or are adjacent) residential.

Action:

MOTION: It was moved by **Commissioner Rodenhi**, seconded by **Chair Fink** to recommend that the language in 17.3.12F1. Industrial is changed to read: In the industrial zones, a minimum of ten feet of landscaping of 75% opacity, shall be planted and maintained **when adjoining** residential zones.

VOTE: The motion passed on a voice vote of 5-0.

Assistant Attorney Jeff Malawy presented a summary of the draft mobile vending ordinance and there was a discussion with the Planning Commission.

Planning Manager Brian Halvorson mentioned that the Commission can start their review and discussion for Section 3 of the zoning code.

Public comment:

John Linn: I appreciate the staff's time working with me on developing these comments I just want to recap on three of them. The first one is 17.3.08.040 with regard to residential parking in the Old Town Commercial. When I was Mayor, I worked with a number of developers on downtown properties and vacant lots trying to get mixed-use buildings in every case the cost killer was the ground floor or a basement parking for the residential units because of the fire separation needs to be concrete ceilings and concrete walls. And so in spite of an awful lot of effort I was never able

to get a single project going forward. A solution to that would be to allow that residential parking to be in the three downtown parking lots that we have. Because those were built with federal funds specifically for the purpose of revitalizing downtown. So I would hope you would correct that. I think it would be reasonable for someone who is utilizing those spaces to pay some kind of maintenance cost to the city for that use for their residential customers. The next one is 17.3.12.040 providing additional options for security and adding language regarding security fencing. Over the last 20 years, I've worked numerous times with businesses who were trying to come up with some security fencing that was both useful and acceptable to the city. To date, nothing has ever been successful in moving through the city process. I would hope that as part of this ordinance you would discuss some choices or if you don't want to incorporate in the ordinance direct staff to come back with a policy with regard to what security fencing can be used. I think the example in here is we call it chainmail if the super small chain link fence that used it's used by Home Depot and they had the deep pockets and the ability to through the process and that's an excellent fence but it is exceptionally expensive. So I would really hope you would provide something with regard to that. And my next one 17.6, so I'll come back to that.

Public Comment closes.

There was considerable discussion about Mr. Linn's comments (refer to staff report attachment or this comment letter) and the following consensus was made regarding Mr. Linn's comments:

- The Commission agreed to changes from Mr. Linn's memo regarding items #2, #3, #4, #5, #6, #7, #8, #9, #10, #13, #14 (staff will further review juniper plants) and #18 (off-site signage as shown below).
- Off-site signage would be allowed only if the signage is part of a commercial center (i.e. shopping center) and the parcels are located in this center.

In summary, items discussed with direction to staff included:

- A revised mobile vending ordinance will be presented and discussed at the next Planning Commission hearing.
- Staff would research other cities to see if balcony spaces are included when calculating number of required parking spaces for commercial space only.
- Provide an exception in the code for channelized water courses (the V Street Channel was an example that was discussed) when applying the required setbacks from Rivers and Creeks.
- Require a masonry wall for new construction **adjoining** residential uses.
- Section 17.3.12.040F 1 – Change the Industrial Buffer from “adjacent” to “**adjoining**”.
- Revise Section 17.2.16.050A2 relating to Permanent Outdoor Storage in all Industrial Zones by striking the reference “*within 10 linear feet of the wall or fence*” and instead add wording that the outdoor material storage shall be located at a distance that complies with the California Fire Code.
- For wall screening heights (Table 17.3.12.040.C), reduce wall height for Industrial zones from 8 feet to 7 feet, and from 8 feet to 7 feet for Industrial zone lot lines that are adjacent to a residential zone.

- Regarding liquid waste, staff will look into the wording of "into" or "onto" and what staff recommends to be used in the new code.

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 Leach to adjourn the meeting at 9:02 P.M. and Continue to a Special Meeting on October 24, 2018, 6:30 P.M. in City of Lompoc, Council Chambers.

VOTE: The motion passed on a voice vote of 5-0.



Brian Halvorson
Secretary



Ron Fink
Chair