

RESOLUTION NO. 907 (19)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC RECOMMENDING THAT THE CITY COUNCIL APPROVE A ZONING AMENDMENT (ZC15-02) DELETING THE COMMERCIAL OFFICE ZONING DESIGNATION, RENAMING THE C-2 (CENTRAL BUSINESS) ZONE TO THE CB (CENTRAL BUSINESS) ZONE, RENAMING THE T (MOBILE HOME PARK) ZONE TO THE MH (RESIDENTIAL MOBILE HOME PARK) ZONE, DELETING LOMPOC MUNICIPAL CODE SECTION 10.28.150, REVISING ARCHITECTURAL GUIDELINES SECTION I.B. TO BE CONSISTENT WITH THE UPDATED ZONING CODE REGARDING MAJOR ARCHITECTURAL DESIGN AND SITE DEVELOPMENT REVIEW, ADDING THE PLANNED DEVELOPMENT, SPECIAL EVENT, AND H STREET OVERLAYS, RESCINDING THE OLD TOWN SPECIFIC PLAN AND LOCATIONAL RESTRICTIONS ON CANNABIS USES CONTAINED IN CHAPTER 9.36 AND COMMERCIAL FILM PERMIT REGULATIONS IN CHAPTER 5.56 AND INCORPORATING THEIR PROVISIONS INTO THE ZONING CODE, AND ADOPTING THE COMPREHENSIVE UPDATE TO TITLE 17 (ZONING) OF THE LOMPOC MUNICIPAL CODE

WHEREAS, Zoning Amendment ZC15-02 includes deletion of the Commercial Office (CO) designation from the City's Zoning Map and Zoning Code, renaming the C-2 (Central Business) zoning designation to CB (Central Business), renaming the T (Mobile Home Park) zoning designation to MH (Residential Mobile Home Park), deletion of Lompoc Municipal Code section 10.28.150, revision of the Architectural Guidelines Section I.B., addition of the Planned Development, Special Event, and H Street Overlays, rescission of the Old Town Specific Plan and locational restrictions on cannabis uses contained in Chapter 9.36 and commercial film permit regulations in Chapter 5.56 and incorporation of their provisions into the Zoning Code, revision of section 17.4.04.200(B)(2) to include language regarding wireless telecommunication facilities located in the public right-of-way which must comply with requirements of LMC Chapter 12.38, and adoption of a Comprehensive Update to Title 17 (Zoning) of the Lompoc Municipal Code; and

WHEREAS, to avoid conflicts of interest related to real property interests and sources of income of various Planning Commissioners, the Planning Commission's recommendation to the City Council regarding Zoning Code Amendment ZC15-02 must be split into multiple resolutions, numbered Resolutions 904 through 907; and

WHEREAS, the matter was considered by the Planning Commission at duly-noticed public meetings on August 22, September 12, October 10, October 24, November 14, 2018 and April 10, 2019; and

WHEREAS, at the above-listed meetings, public comment was received, and City staff answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act (CEQA), environmental impacts of Zoning Amendment ZC 15-02 and General Plan Amendment GP17-01 (“Project”) were evaluated in an Addendum to the Final Environmental Impact Report (SCH 2008081032) prepared for the 2030 General Plan. The Addendum has been circulated for public review from August 10, 2018 through September 10, 2018 and reviewed by the Planning Commission at the above-listed meetings.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOMPOC RESOLVES AS FOLLOWS:

FINDINGS

SECTION 1: The Planning Commission hereby finds and determines the zoning amendments described herein are consistent with the 2030 General Plan, including the amendments to the General Plan recommended by the Planning Commission, and that the zoning amendments are required for the public necessity, convenience and general welfare, and the subject area is afforded the services and facilities appropriate for the zoning amendments.

SECTION 2: With respect to revising Architectural Guidelines Section IB contained within the City of Lompoc Architectural Review Guidelines approved in Ordinance No. 1462(01), the Planning Commission hereby finds and determines:

- A. The revision is necessary to ensure consistency between the Zoning Code (including the revisions recommended by the Planning Commission) and the existing Architectural Guidelines.
- B. The revision will streamline site development review and regulations applied for architectural review in the City.

SECTION 3: With respect to deletion of the Commercial Office (CO) district and addition of the Planned Development Overlay, Special Event Overlay, and H Street Overlay to the City’s Zoning Map, the Planning Commission hereby finds and determines:

- A. The Commercial Office district is outdated, and based on public input from the community and various stakeholders, the Planned Commercial Development district would better serve the public necessity, convenience, and general welfare.
- B. The addition of the Planned Development Overlay, Special Event Overlay and the H Street Overlay will provide consistency with Title 17 and the City’s Zoning Map while also providing additional opportunities for businesses and patrons to buy/sell goods and services that are not typically available in the zoning districts that include these overlays.

- C. The proposed zone change is consistent with the General Plan (including the changes to the General Plan recommended by the Planning Commission).
- D. The proposed modification is required for the public necessity, convenience, and general welfare.
- E. The area is afforded the services and facilities appropriate for the zone proposed.

SECTION 4: With respect to deletion of Lompoc Municipal Code section 10.28.150 relating to permit requirements for commercial vehicles used for solicitation of patronage, the Planning Commission hereby finds and determines:

- A. The proposed deletion of Lompoc Municipal Code 10.28.150 (Permit to Stand Commercial Vehicle upon Street for Solicitation of Patronage) will be replaced with updated Mobile Vending regulations contained within the City's updated Zoning Ordinance consistent with new state law requirements.

SECTION 5: With respect to rescinding the Old Town Specific Plan and commercial film regulations (Chapter 5.56) and incorporating their regulations into the City's updated Zoning Code, the Planning Commission hereby finds and determines:

- A. The Zoning change is necessary as the Old Town Specific Plan regulations and commercial film permit regulations are contained within the City's updated Zoning Ordinance.

SECTION 6: With respect to rescinding the locational restrictions on cannabis uses contained in Title 9.36 and incorporating its regulations into the City's updated Zoning Code, the Planning Commission hereby finds and determines:

- A. The Zoning amendment repeals Lompoc Municipal Code Sections 9.36.090(A), 9.36.110(C) and 9.36.120 to eliminate duplication of regulations that are typically found in Title 17 and place cannabis locational use requirements within the City's updated Zoning Ordinance.

SECTION 7: With respect to regulation of Formula Restaurants in the Comprehensive Update to Title 17, as defined in footnote 2 to table 17.2.16.030A, the Planning Commission hereby finds and determines:

- A. Lompoc is strategically situated in the heart of Santa Barbara County wine country and is home to numerous boutique wineries and wine tasting rooms located in the City's Industrial and Business Park zoning districts. Lompoc has the second largest concentration of wine tasting rooms in Santa Barbara County.

- B. Those wineries and wine tasting rooms are a unique tourist destination. They attract visitors to Lompoc from throughout California and the United States, who come to enjoy and experience the unique character of the wine tourism areas in Lompoc, particularly the area known as the Wine Ghetto, and the unique businesses that contribute to the wine tourism experience. Promotion of that tourist destination in Lompoc is a key tool in the continued economic development and growth of the City.
- C. The goals of the Economic Development Element of the Lompoc General Plan include support of regional destination uses and support and enhancement of travel and tourist opportunities. The Element provides the following specific goals and policies:
1. The City should participate with the Wine industry to promote City wine related business (Policy 1.12);
 2. The City shall preserve suitable industrial sites and encourage new industrial development that serves the needs of the Lompoc community and tourists (Goal 2);
 3. The City shall support destination developments, including travel and tourist opportunities that would stimulate economic development in the City (Goal 4);
 4. The City should facilitate establishment of restaurants that bring people to the City (Policy 4.5);
 5. The City shall consider the needs of existing businesses in industrial areas when reviewing applications for adjacent businesses that may not be compatible with those areas (Measure 5);
 6. The City shall encourage the development of quality restaurants to meet the needs of businesses and to bring visitors to the community (Measure 13);
 7. The City should encourage additional tourist attractions by capitalizing on local attractions (Measure 21).
 8. Measure 13 of the Land Use Element provides the City shall explicitly allow wineries and winery-related facilities in appropriate Commercial and Industrial districts.
 9. The unique wine tourism experience and atmosphere of the winery and wine tasting areas of the City would be adversely affected by the presence of “formula restaurants” which are virtually identical to restaurants in other communities as a result of standardized menus, ingredients, food preparation,

decor, uniforms, and the like. Standardized “chain” restaurants, by virtue of their sameness among all communities, detract from the uniqueness of Lompoc winery and wine tasting areas, reducing the appeal of those areas as a unique tourist destination. That would run counter to the City’s General Plan goals and policies, listed above, to encourage and promote wine-related businesses in industrial areas as tourist destinations.

10. Therefore, in order to promote and preserve Lompoc’s winery and wine tasting areas as unique tourism destinations, consistent with the goals and policies of the City’s General Plan listed above, it is reasonable and appropriate to prohibit the establishment of formula restaurants in the Industrial and Business Park zoning districts of the City.

SECTION 8: With respect to adoption of the Comprehensive Update to Title 17 (Zoning) of the Lompoc Municipal Code to implement the 2030 General Plan, the Planning Commission hereby finds and determines:

- A. The update complies with legal requirements.
- B. The update provides clear and enforceable regulations.
- C. The update is user friendly and addresses public comments and stakeholder input.
- D. The update is consistent with the adopted 2030 General Plan (as amended) and is necessary to serve the public necessity, convenience, and general welfare.

ENVIRONMENTAL REVIEW

SECTION 9: The Planning Commission has independently reviewed and analyzed the FEIR for the 2030 General Plan and the Addendum to the FEIR for the 2030 General Plan, which are attached to the staff report for the April 10, 2019, Planning Commission agenda item on the Comprehensive Zoning Code Update. The Planning Commission finds the Addendum reflects the independent judgment of the Planning Commission and that there is no substantial evidence that the Project will have a significant effect on the environment. The Planning Commission recommends that the City Council adopt the Addendum (SCH No. 2008081032) included as Exhibit B to Resolution 904 (19).

RECOMMENDATIONS

SECTION 10: The Planning Commission recommends that the Commercial Office (CO) District be deleted from the City's Zoning Map; the Planned Development Overlay, Special Event Overlay, and H Street Overlay be added to the Zoning Map; the C-2 zoning district be renamed to CB (Central Business); and the T zoning district be renamed to the MH (Residential Mobile Home Park) on the Zoning Map, all as shown on Exhibit A and Exhibit B attached hereto.

SECTION 11: The Planning Commission recommends that the City Council delete the Commercial Office (CO) district from the City's Zoning Code; add the Planned Development Overlay, Special Event Overlay, and H Street Overlay; rescind the Old Town Specific Plan and incorporate its provisions into the Zoning Code; rename the C-2 (Central Business) zoning designation to CB (Central Business); rename the T (Mobile Home Park) zoning designation to MH (Residential Mobile Home Park); and adopt the comprehensive update to Title 17 (Zoning) of the Lompoc Municipal Code, including the revisions shown in redline in Exhibit C, attached to this resolution, and subject to the following further recommendations:

- A. Conditional Use Permits. The Commission recommends that the Proposed Zoning Code should include the same policies and procedures for the approval of Conditional Use Permits (CUPs) as those contained in the current Zoning Code, and should be revised as necessary to achieve this goal. The Commission does not have any specific recommendations for textual revisions regarding CUPs.
- B. Accessory Uses in Industrial Zones. The Commission recommends including wine tasting and associated marketing activities in the definition of "Accessory Uses." The Commission further recommends that Accessory Uses shall be limited to 49% of the primary use.
- C. Definition of Winery. The Commission recommends revising the definition of winery to include wine production, wine tasting, manufacturing, marketing, and sales.
- D. Special Event Overlay. The Commission recommends that Special Events in the overlay have an annual Temporary Use Permit that defines attendance, hours, music, and location (indoors/outdoors). The Commission further recommends removing limits on the permitted amount of special events.
- E. Restaurants in Industrial Zones. The Commission recommends revising the land uses in the Industrial (I) and Business Park (BP) zones to allow a restaurant as a Permitted (P) use.

- F. Shipping Containers. The Commission recommends rescinding Resolution 88-67. The Commission further recommends allowing shipping containers as a permitted permanent use in Commercial, Industrial, and Business Park zones, and allowing them as a permitted temporary use in residential zones. The Commission further recommends that the Council consider the recommendations of John Linn, attached as Exhibit D to this resolution, and consider any recommendations of staff based on further research on this issue.
- G. Minimum Building Height. The Commission recommends deleting all minimum building height requirements.
- H. John Linn Comments. The Commission recommends that John Linn's comments and suggestions attached as Exhibit E to this resolution, be considered by the Council with a recommendation.

SECTION 12: The Planning Commission recommends that the City Council make the following additional changes to the Lompoc Municipal Code:

- A. Repeal Chapter 5.56 (Commercial Filming Permits).
- B. Repeal Section 9.36.090(A), remove the letter (B) from before the remaining text, and retitle the Section "On-Site Smoking"; repeal section 9.36.110, subdivision (C); and repeal section 9.36.120.
- C. Repeal Section 10.28.150 (Mobile Vending).

SECTION 13: The Planning Commission recommends that the City Council amend Section I.B. of the City of Lompoc Architectural Review Guidelines (Ordinance Nos. 1405(95) and 1462(01)) to read, in its entirety, as follows:

Architectural Design and Site Development Review shall be required for all new buildings or structures and additions and alterations to existing structures with the following exceptions:

- A. Single-family homes in R-1 zones that are not part of a subdivision map;
- B. Accessory dwelling units;
- C. Additions of floor area within the existing building envelope;
- D. Additions and alterations to existing buildings and structures that will not increase the gross floor area of the building by more than 2,500 square feet and will not involve exterior alterations along any street-facing façade on Ocean Avenue, H Street north of Cypress Avenue, or Central Avenue; and

- E. Alterations and improvements required to meet Federal or State requirements to accommodate persons with disabilities.

An application for an Architectural Design and Site Development Review shall be prepared, filed, and processed in compliance with Chapter 17.5.04 (Application Processing Procedures). The Review Authority for an Architectural Design and Site Development Review shall be as follows:

1. **Minor Architectural Design and Site Development Review.** All projects that do not meet the criteria for Commission review as specified below and are not exempt (17.5.12.020) shall be subject to review and approval or denial by the Director.
2. **Major Architectural Design and Site Development Review.** The Commission shall be the Review Authority for the following:
 - a. New construction of 2,500 square feet or more or new additions of 2,500 square feet or more;
 - b. New construction with frontage on Ocean Avenue, H Street north of Cypress Avenue, or Central Avenue (excluding additions); and
 - c. Any major façade improvements with frontage on Ocean Avenue, H Street north of Cypress Avenue, or Central Avenue.

The foregoing Resolution, on motion by Commissioner Leach, seconded by Commissioner Gonzales, was adopted at the Planning Commission meeting of April 10, 2019 by the following vote:

AYES: Braxton, Keller, Leach, Gonzales

NOES: None

ABSENT: Cioni



Brian Halvorson, Secretary



Nicholas Gonzales, Chair

Attachments:

- Exhibit A – Existing Zoning Map
- Exhibit B – Proposed Zoning Map
- Exhibit C – Recommended Changes to Proposed Zoning Code (Note: Redline only shows changes recommended at the Planning Commission Meeting on April 10, 2019.)
- Exhibit D – Proposed Revisions Regarding Shipping Containers presented to the Commission by John Linn
- Exhibit E – Supplemental Comments Presented to the Commission by John Linn

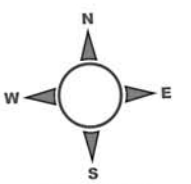
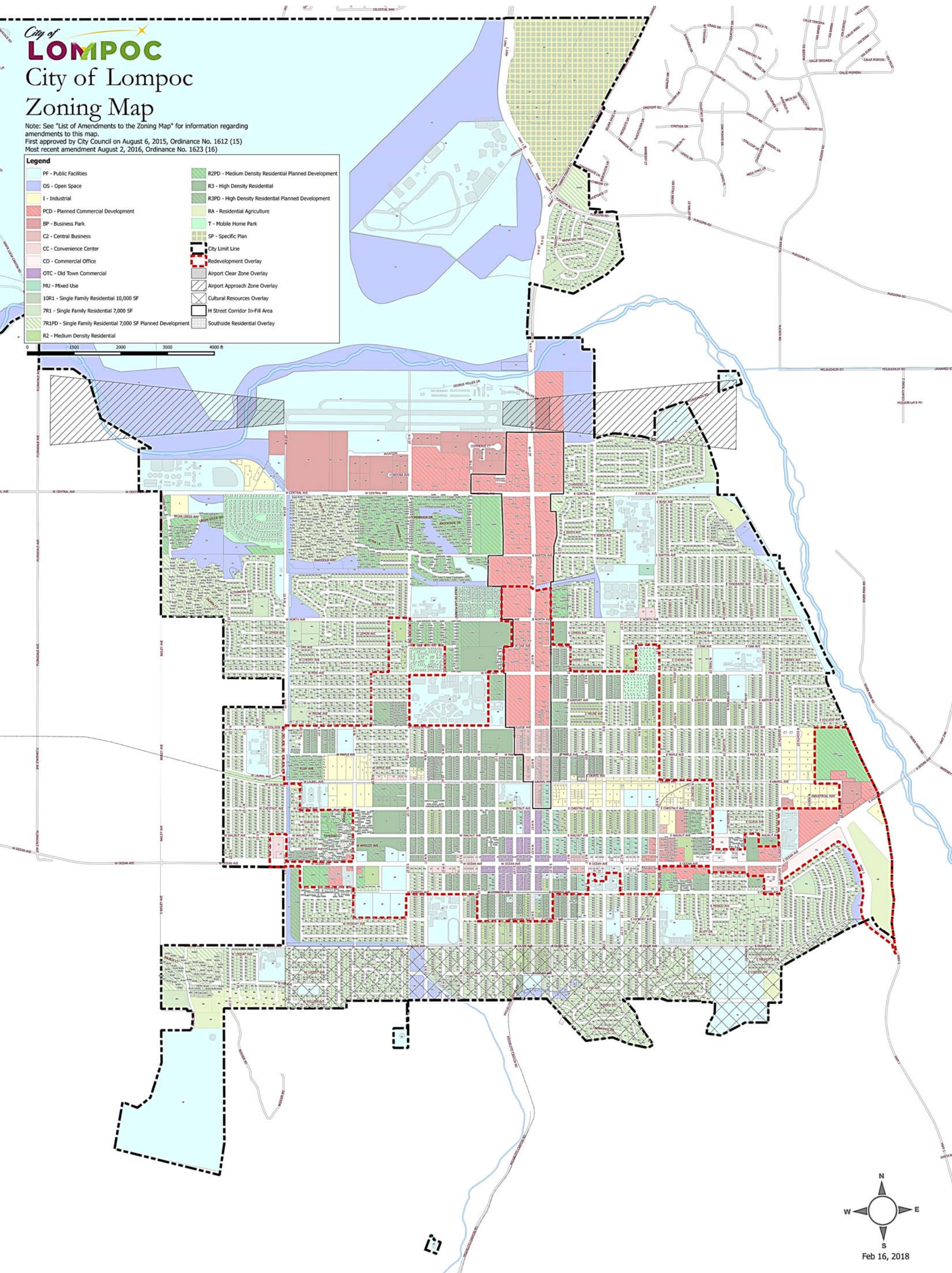
EXHIBIT A

EXISTING ZONING MAP

City of Lompoc Zoning Map

Note: See "List of Amendments to the Zoning Map" for information regarding amendments to this map.
First approved by City Council on August 6, 2015, Ordinance No. 1612 (15)
Most recent amendment August 2, 2016, Ordinance No. 1623 (16)

Legend	
PF - Public Facilities	R2PD - Medium Density Residential Planned Development
OS - Open Space	R3 - High Density Residential
I - Industrial	R3PD - High Density Residential Planned Development
PCD - Planned Commercial Development	RA - Residential Agriculture
BP - Business Park	T - Mobile Home Park
C2 - Central Business	SP - Specific Plan
CC - Convenience Center	City Limit Line
CO - Commercial Office	Redevelopment Overlay
OTC - Old Town Commercial	Airport Clear Zone Overlay
MU - Mixed Use	Airport Approach Zone Overlay
1OR1 - Single Family Residential 10,000 SF	Cultural Resources Overlay
7R1 - Single Family Residential 7,000 SF	H Street Corridor In-Fill Area
7R1PD - Single Family Residential 7,000 SF Planned Development	Southside Residential Overlay
R2 - Medium Density Residential	



Feb 16, 2018

EXHIBIT B

PROPOSED ZONING MAP

City of **LOMPOC**
Proposed Zoning Map

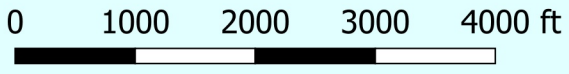
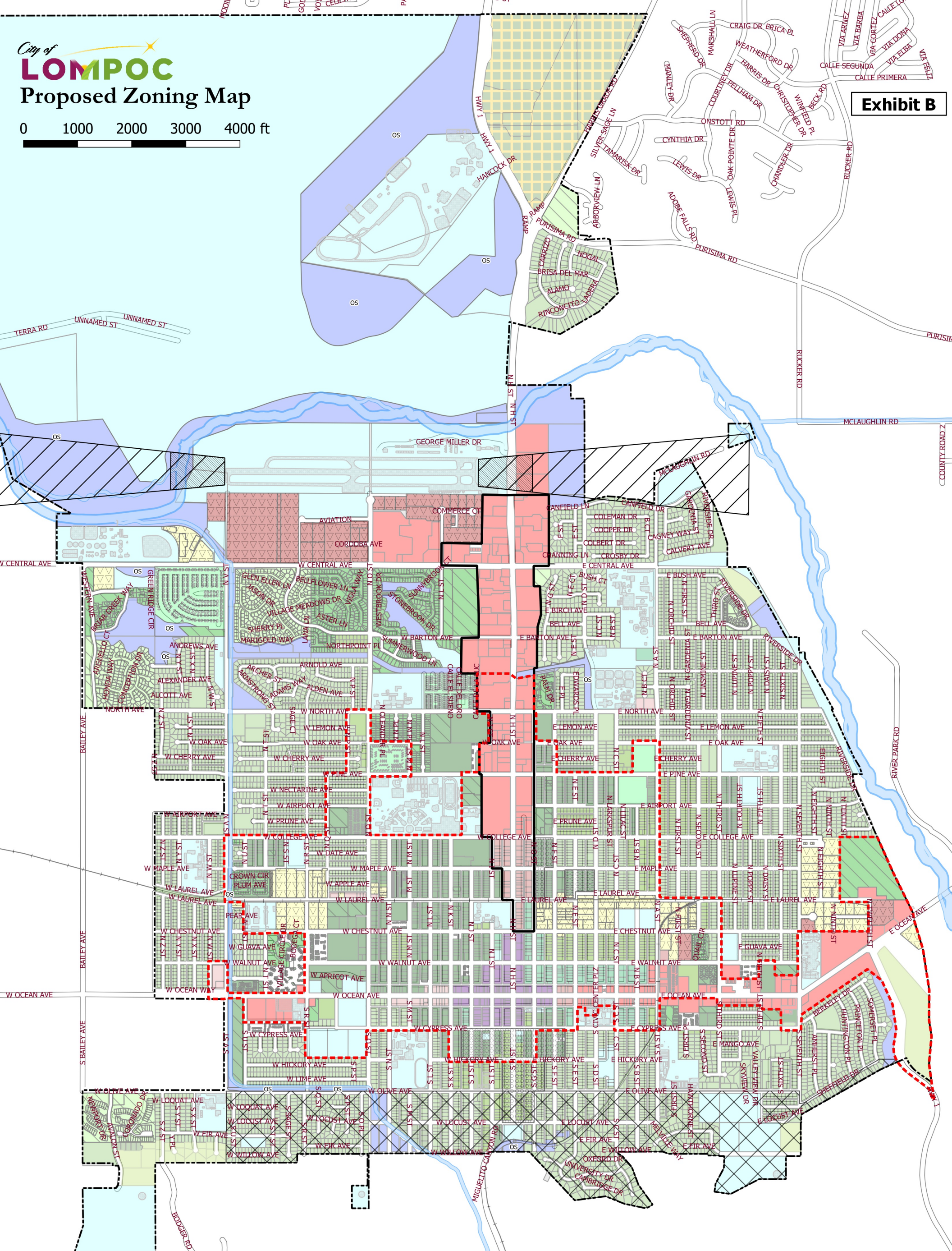
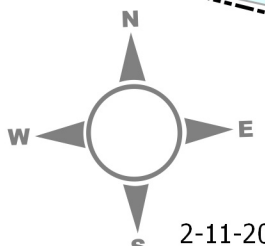


Exhibit B



Legend			
	PF - Public Facilities		OTC - Old Town Commercial
	OS - Open Space		MU - Mixed Use
	I - Industrial		10R1 - Single Family Residential 10,000 SF
	PCD - Planned Commercial Development		7R1 - Single Family Residential 7,000 SF
	BP - Business Park		7R1PD - Single Family Residential 7,000 SF Planned Development
	CB - Central Business		R2 - Medium Density Residential
	CC - Convenience Center		R2PD - Medium Density Residential Planned Development
	R3 - High Density Residential		MH - Mobile Home Park
	R3PD - High Density Residential Planned Development		SP - Specific Plan
	RA - Residential Agriculture		City Limit Line
	Airport Clear Zone Overlay		Redevelopment Overlay
	Airport Approach Zone Overlay		H Street Overlay
	Cultural Resources Overlay		Southside Residential Overlay
	H Street Overlay		Special Event Overlay
	Southside Residential Overlay		Planned Development Overlay



2-11-2019

EXHIBIT C

RECOMMENDED CHANGES TO PROPOSED ZONING CODE

(Note: Redline only shows changes recommended
at the Planning Commission Meeting on April 10, 2019.)

17.2.12.040: Commercial Zones Development Standards

Table 17.2.12.040.A: Commercial Zones Development Standards					
Development Feature	Requirement by Zone				
	CC	CB ¹	OTC	PCD ¹	
Lot Requirements					
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.	-	
Setbacks					
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.		
Building Form Standards					
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.		
Lot Coverage (max.)	-	-	-		
Floor Area Ratio (max.)	0.5	0.5	2.0 with up to 50% of floor area for residential		
Height (min.)	-	-	20 ft.		
Density Standards²					
Density (max.)	-	-	44 dwelling units/net acre	-	
Density (min.)	-	-	20 dwelling units/net acre	-	
Build-to Requirement³ 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.)	

Table 17.2.16.030.A: Industrial Zones Allowed Uses			
Use	Requirement by Zone		Specific Use Regulations
	I	BP	
Residential Use Types			
Emergency Shelters	CUP	CUP	17.4.04.080
Caretaker’s Unit	CUP	MUP	17.4.04.050
Live/Work	-	CUP	17.4.04.110
Retail Trade Use Types			
Dispensary	CUP	CUP	LMC 9.36
Food Service	SUP ²	SUP ²	-
Outdoor Dining	MUP	MUP	17.4.04.150
Restaurant	MUP ²	MUP ²	-
Services Use Types			
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
Wireless Telecommunications Facility Use Types			
Wireless Tower	CUP	CUP	17.4.04.200
Other Wireless Telecommunications Facility	See Section 17.4.04.200		
Vehicle Sales and Services Use Types			
Automotive Storage	P	-	-
Large Vehicle and Boat Sales and Rental	P	-	-
Repair, Major	P	-	-
Repair, Minor	P	-	-
Other Use Types			
Temporary Use	See Section 17.4.04.190		

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

¹ 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.

² ~~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.~~

³ ~~A restaurant devoted to the preparation and offering for sale of food and/or beverages for consumption either on or off the premises, which has 10 or more standardized other locations worldwide (i.e., standardized menus, ingredients, food preparation, décor, uniforms, or similar standardized features) is not allowed (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.~~

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 ~~1049~~% 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.~~

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
Lot Requirements						
Lot Area (min.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone					
Lot Area (max.)						
Lot Width (min.)						
Setbacks						
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.	
Building Form Standards						
Height (max.)	See	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone				
Height (max.) - Accessory Building	17.2.24.050.A					
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	
Density Standards						
Density (max.)	Refer to base zone or approved Preliminary Development Plan for PD Overlay Zone					
Build-to Requirement¹ See Figure 17.2.24.040.1						
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 ² (min.)	

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.

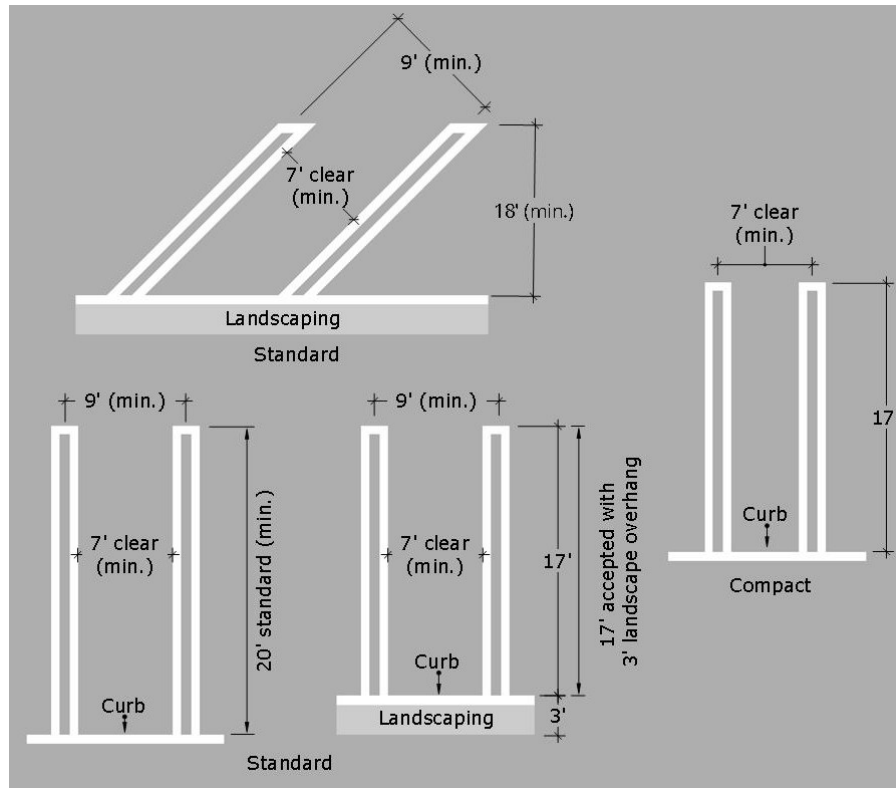
D. Special Event Overlay Zone.

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; and
 - ~~b. The event cannot exceed the approved occupant load; and~~
 - ~~c. b. There shall be no more than four events per building in a calendar quarter.~~
2. **~~Indoor~~ Special Events exempt from a Temporary Use Permit.** 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.
3. **~~Partially or Entirely Outside~~ Special Events that require a Temporary Use Permit.**
 - a. Consistent with Section 17.4.04.190 (Temporary Uses), a special event that is not exempt by 17.2.24.050.D.2 ~~located partially or entirely outside~~ shall require the approval of a Temporary Use Permit consistent with Chapter 17.5.44 (Temporary Use Permit).
 - b. ~~However, t~~he 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).

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

Figure 17.3.08.060.2: Striping Details



C. Striping Permit. ~~A Striping Permit, approved by the Department, is required for the restriping of a parking lot.~~ The re-striping of any parking lot that substantially changes the existing parking layout or results in a lesser number of spaces, shall require a striping permit approved by the Community Development Department.

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.

3. Encourage applicants for wireless telecommunications facilities to locate and design such facilities in a manner that is least intrusive to the community while still allowing carriers to provide wireless telecommunications services without significant coverage gaps in Lompoc;
4. Encourage users of wireless telecommunications facilities to configure such facilities in a way that minimizes adverse visual impact through careful design, use of stealth facilities, siting, landscape screening, and other innovative camouflaging techniques;
5. Enhance the ability of the providers of wireless telecommunication services to provide services to the community quickly, effectively, and efficiently; and
6. Regulate telecommunications facilities in a manner that is compliant with Federal, State, and local laws.

B. Applicability.

1. This Section applies to all wireless telecommunications facilities located:
 - a. Outside of the public right-of-way;
 - b. Outside City-owned properties; or
 - c. Not mounted upon, or occupying, City-owned support structures.
2. Facilities located in the public right-of-way shall ~~be consistent~~ comply with the standards and requirements contained in ~~Chapter 12.38~~ Title 12 (Wireless Telecommunications Facilities in the Public Right-of-Way) (Streets, Sidewalks, and Public Places) and shall be subject to approval of Architectural Design and Site Development Review (Chapter 17.5.12) and any other permit identified in ~~Division 17.2 (Zones Allowed Uses and Development Standards)~~.
3. This Chapter does not apply to the following:
 - a. Amateur radio facilities;
 - b. Over the air reception devices ("OTARD") antennas;
 - c. Facilities owned and operated by the City for its use; or
 - d. Any entity legally entitled to an exemption pursuant to State or Federal law or governing franchise agreement.

C. Permits Required.

1. Wireless telecommunications facilities shall require Architectural Design and Site Development Review approval and any other permit identified in Division 17.2 (Zones Allowed Uses and Development Standards) prior to installation,

Accessory equipment. Any equipment associated with the installation of a wireless telecommunications facility, including but not limited to cabling, generators, fans, air conditioning units, electrical panels, equipment shelters, equipment cabinets, equipment buildings, pedestals, meters, vaults, splice boxes, surface location markers, fencing or shielding. This definition is specific to wireless telecommunications facilities (Section 17.4.04.200) and reflects Federal law.

Accessory office and business area. A secondary office space that is attached or detached from a primary use, which provides space for executive, management, professional, or administrative services.

Accessory structure. A structure or part of a structure that is subordinate and incidental to the main building, structure, or use on the same lot. Also, an accessory building.

Accessory use. A use incidental, related, appropriate, and clearly subordinate to the main use of the lot or building that does not alter the primary use of the subject lot. (For example, wine tasting rooms and associated marketing activities are an accessory use to a winery; see Winery definition in Section 17.7.08.020.)

Addition. An extension or increase in floor area and/or height of a building or structure.

Adjacent. Neighboring or next to each other, but may not be touching (e.g., may be across the street).

Adjoining. Having a common boundary with, abutting, or touching.

Adult business terms. The following terms are defined for the purposes of Section 17.4.04.030 (Adult Businesses).

Adult arcade. An establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, for viewing by five or fewer persons each, are used to show films, computer generated images, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

Adult bookstore or adult video store. An establishment which has as a regular and substantial portion of its stock-in-trade, or derives a substantial portion of its business, as further defined in this Section, from the sale, rental or viewing for any form of consideration of any one or more of the following inventory of "adult materials": Books, magazines, periodicals, or other printed matter, or photographs, films, sculptures, motion pictures, video cassettes, slides, computer generated images, or other visual representations which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas, instruments, devices or

EXHIBIT D

**PROPOSED REVISIONS REGARDING SHIPPING CONTAINERS
PRESENTED TO THE COMMISSION BY JOHN LINN**

Rec'd at 4/10/2019
Planning Commission
Meeting from
John Linn

STORAGE CONTAINERS

Background: Like most things in the Zoning Ordinance the use of Cargo Containers has changed since the Zoning Ordinance was passed and later Resolution 88-67 was passed in 1988. It is now time to bring the Zoning Ordinance current with today's and future uses.

Motion #1: Repeal Resolution 88-67 passed by the Planning Commission 12/13/1988 and here by request that the City Council take the same action if Resolution 88-67 was also passed by the City Council

Motion #2: Add Section 17.3.04.020 Section D: as follows.

A storage Container is a metal unit, typically used to transport goods by ship and may have been modified for its storage use. Containers are permitted in all zones and are most similar to a trailer. Containers shall be placed at grade and at least five feet from any structure and on a surface of concrete, asphalt, pavers or gravel. Only containers of metal construction shall be used. Containers shall be maintained in good and serviceable condition. Containers shall not be used for Group H Occupancy to store flammable products or hazardous materials without the necessary permit in all other zones and not in the R-1 zone. Containers allowed under this section may be used for storage only and not for residential occupancy or for the operation of a business. Containers may not have electrical or plumbing connections without obtaining an MUP. A business operating solely out of a storage container in any Zone shall obtain a CUP. Additional requirements per section 3103 of the Building Code shall apply for fire separation and egress.

R-1 Zones: A Container is a permitted use on each parcel with no more than one in a back yard, behind fence of at least 6 feet in height, painted to match adjoining structure and up to a maximum of 26 feet in length. The container may be placed against the alley fence.

R2 or R3, RA, T Zones: A Container[s] is/are a permitted use when placed on the property behind a fence, at the rear of the parcel or adjacent to the alley and painted to match the adjoining structure. If the container is placed on all or part of an existing parking space which is required to meet the number of parking spaces required for the property or in an unfenced area a MUP shall be required. One container is allowed per parcel up to 14,000 square feet and up to two containers for larger parcels.

Commercial Zones: A Container[s] is/are a permitted use when placed behind the building and painted to match the adjoining building. If the container is placed on all or part of an existing parking space which is required to meet the number of parking spaces required for the property or all or part of a designated loading zone an MUP shall be required. One container per parcel or per business on multi business parcels. Businesses over 14,000 gross square feet of floor area may have one additional container for each additional 14,000 square feet up to a maximum of 5 containers per

business. Businesses may obtain an AUP for seasonal use of containers not to exceed 180 days.

Industrial and Business Park Zones: Container[s] is/are a permitted use when the container[s] are placed within a fenced storage area which is not designated as required parking for the property. Containers may be placed in unfenced portion of the front of the parcel of an I or BP business, if no other location is available and subject to being painted to match the adjoining structure and obtaining an MUP.

Public Facilities Zone: Containers may be placed on the property in the PF Zone with the approval of the Chief Administrator of the public entity that owns the property and shall be painted to match nearby structures or amenities.

Churches: Churches may place one or more storage containers on their property if they are painted to match the adjoining structure and subject to the general conditions listed in the first paragraph of this section. Containers may not be placed on parking space[s] which are required to meet the parking requirement of the main assembly room of the Church.

Any property owner may request a CUP to memorialize the placement of a container on any parcel where a container is permitted or not permitted above.

End

EXHIBIT E

**SUPPLEMENTAL COMMENTS
PRESENTED TO THE COMMISSION BY JOHN LINN**

Issues to Consider

17.1.04 Title and purpose.

6. Lessen traffic in streets. Less traffic equals less business and no new business.
It should say something like: Promote efficient traffic flow.

17.1.04.040 Applicability: Item A contradicts with item D.

17.1.08-1 Exercise of Discretion: This is the place for a business friendly statement like:

The decision promotes economic growth and business friendly City.

17.2.08-3 Adds "Safe Parking" as a use in residential zones with a MUP???

17.2.08-4 7R1 zone. It establishes 65 foot wide lots as the minimum standard when most lots are now 50 feet wide.

17.2.08-050 Sets a standard that for a R-1 house. If it has parapet walls they must be on at least two sides. The most common use of a parapet wall is a lot line building which can only be built against one property line because of setbacks.

17.2.12.3 Commercial Zones. Review all the business types that require a MUP or CUP and ask yourself if that is needed to protect the public health and safety.

A MUP costs about \$2,500.00 and takes 2-10 weeks plus of architect fees or \$2,000 to \$10,000

A CUP costs about \$6,000.00 and takes 10 to 60 weeks plus architect fees of \$10,000 to \$50,000.

17.2.12-3 Why is a parking lot not a permitted use in Old Town Commercial? Many already exist there.

Why is Safe Parking allowed with a MUP so the businesses have no notice or right to comment?

17.2.12-4 Stillman's cleaners would no longer be allowed in Old Town Commercial

17.2.12.9 Trash enclosures will not be permitted without landscaping.

INDUSTRIAL AND BUSINESS PARK ZONES

1702.16.0 Is unclear about what exterior uses are accessory and thus limited.

17.2.16.030A Adds Safe Parking as an approved use with a MUP.

17.2.16-3 Limits the food service are to 749 square feet regardless of the building size.

17.2.16-5 Reduces the current 15% space for accessory uses to 10% after the Planning Commission approved 20%.

17.2.16.030A The table adds a new restriction for these two zones not in the prior ordinance. It reduces the space that can be built on with an Industrial lot to 50% using a

method normally used to determine occupancies of residential and commercial buildings.

It also makes up to 50% of the existing Industrial buildings per-existing nonconforming uses which in turn makes them subject to loss of use if they are vacant for a year.

17.3.12-5 Reduces the maximum fence height from 8' to 7' with almost all of the existing fences at 8' which will then become pre-existing nonconforming uses. This also removes language in the current ordinance that allows a business to seek a permit for a taller fence.

17.3.08 Number C will now require a permit to re-stripe a parking lot. In addition to the permit cost the property owner will have to have an engineer or architect prepare a drawing to get a permit at a cost of \$300.00 to \$5,000.00 depending on the size.

17.3.08-2 limits compact car parking spaces to 10% even though the percentage of compact cars on the road today is much higher.

17.03.04-16 is backwards on establishing noise standards for I and BP buildings by requiring the building to reduce exterior noise entering instead of limiting operations noise from going outside.

17.2.20-3 requires Outdoor Dining, Restaurant with Alcohol Sales and Medical Clinics and Laboratories to get a MUP when they are no more impactful than other permitted uses. Again think of the costs. Auto Repair Minor and Automotive Sales and Rental are not included as uses even though they have existed in the zone since it was created in 2007.

17.2.20-4 Dry cleaners are prohibited. Why?

17.2.20-5 Red Line page. The text is missing from the top box on the right. The density at 44 units per acre is not adequate for any mixed use project to be built on the top two floors of a three story building as the ordinance intends. After a rear setback each floor would have about 6,300 square feet but the building would only be allowed 7 apartments for the two floors. That would be about 1600 square foot apartments.

Note 1 and note 5 are not shown in the grid above them.

17.2.24-5 All new buildings in the H Street and Ocean Avenue overlay zones will have to have a front wall height of 20'. This is a bad idea from the Old Town specific plan which stopped at least two buildings from being built because of the cost of construction 20' creates

17.2.24-7 is one of 20 to 30 pages that do not match from the redline version to the July version so they cannot be compared.

17.2.24-12 requires parking to be behind buildings in the H and Ocean overlays with the buildings within 10 feet of the street. A future interpretation could be that all the buildings setback from the street are pre-existing nonconforming uses. This will

dramatically impact property values. It is silly as most of the shopping centers have had renovations in the last 10 years.

17.3040-12 requires that corner buildings have a five foot by five foot triangle cut off the building for a vehicle sight zone. This fails to account for sidewalk widths which vary widely from 4 feet to 10 feet.

1703.04-16-2-C For noise it requires that in MU the Heating and Air Conditioning equipment be shielded or enclosed with sound barriers. New high cost but only for Mixed Use Zone??? Heard any complaints about loud HVAC systems?

17.3.08.050 All apartment buildings from R2 up shall have two designated bicycle parking spaces???

No parking requirement for Residential in OTC if the units are completed within three years of the adoption of this ordinance. A better solution would be that existing residential spaces are exempt from a parking space requirement as that is one of the reasons the downtown lots were built.

17.3.08-8 Requires that a temporary parking lot must have screening to separate it from public view. Can you imagine putting up fencing on a temporary lot you will use for a short time??

17.3.08-10 Allows shared parking to be located 400 feet away from the primary parking lot rather than the current 300. Is 400' more reasonable for someone to walk?

17.3.12-2 Sets a minimum percentage of a parcel that must be covered by landscaping. While it is reasonable for most zones it is not reasonable for I and BP as much of the property is out of the public view and just creates issues for the business to maintain the landscape and suffer the loss of usable space.

17.3.12 Options available in the I and BP zones for security fencing with a CUP which are available in the current Ordinance are not in the new ordinance.

17.4.04-59 Limits temporary outdoor display and storage to 750 sq. ft. What will Home Depot do?? That is why outdoor use is generally linked to the size of the business not a one size fits all.

17.4-04-52 Deals with storage containers except in city parks. It requires a Temporary Use Permit with its fee annually. It requires the container be behind a 6 foot fence. There are hundreds of storage containers in Lompoc and there is no outcry to regulate them. Make them a permitted use that either must be screened by a fence or painted to match the adjoining building. They are more attractive, safer and more durable than the home made sheds allowed in the code. Step into the 21st century.

17.6.20-2 At my request the burden of proof for structures built prior to 1945 will now be on the City to prove that the buildings were not built with a permit. I had recommended that the date be 1965, because I have a building built in 1965 and the City has no building record of the improvements put in by Comcast. The City was going

to force me to have an architect re-draw the improvements and bring them to current code when I showed them the sticker from the City on an electrical panel from 1965 which saved me. I am the fourth owner of the property and all records were lost with the first owner from Stockton

.17.6.20-3 deals with the loss of use for non-conforming uses through vacancy. Many changes in this Zoning Ordinance will create new non-conforming uses and some will become vacant for a year and then become permanently vacant through loss of use. Think about the building on Laurel and the years it sat boarded up as the City said it had no use.

Item G even states that if one tenant has less hours of operation than the prior tenant no future tenant can have those prior longer hours or use???

This section needs a lot more consideration.

17.6.20-4 item D3 limits a new business use to something less impactful than the most recent use rather than historical uses of the building.

17.6.20-5 Regarding non-conforming parcels says to retain its non-conforming status a parcel is "under one ownership and of record". It is unclear if this means there is a single owner, the property has not been sold or ???

17.6.20-10 Had a section that gave vacant industrial properties up to three years of vacancy before use was lost but it was deleted and industrial properties which tend to have longer vacancies now are under the one year loss of use.