



## MINUTES

Regular Meeting of the Lompoc City Council  
Tuesday, August 6, 2019  
City Hall, 100 Civic Center Plaza, Council Chamber

### CLOSED SESSION

#### OPEN SESSION – 6:00 P.M. – Council Chamber

**Council Members Present:** Victor Vega, James Mosby, Dirk Starbuck, Gilda Cordova, and Mayor Jenelle Osborne.

**Staff Present:** City Manager Jim Throop, City Clerk Stacey Haddon, and City Attorney Jeff Malawy.

**ORAL COMMUNICATIONS:** None

#### CLOSED SESSION – City Council Conference Room

##### BUSINESS ITEM:

1. **CONFERENCE WITH LABOR NEGOTIATORS:** City Designated Representatives: Management Services Director Dean Albro, Human Resources Manager Gabriel Garcia, City Attorney Jeff Malawy and City Manager Jim Throop. Employee Organizations: Lompoc Police Officer's Association, and International Brotherhood of Electrical Workers.
2. **CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION:** Initiation of litigation pursuant to Government Code section 54956.9(d)(4): one case.

#### OPEN SESSION - 6:30 P.M. – Council Chamber

**Council Members Present:** Victor Vega, James Mosby, Dirk Starbuck, Gilda Cordova, and Mayor Jenelle Osborne.

**Staff Present:** City Manager Jim Throop, City Clerk Stacey Haddon, City Attorney Jeff Malawy, Wastewater Superintendent Dave Zevely, Community Development Program Manager Chanel Ovalle, Planning Manager Brian Halvorson, and Building Services Manager/Building Official Al Johnson.

**Others Present:** Gary Hulse, Morris Sobhani, Diane Long, Erik Mendoza, Keith Fieckert, Sabrina Fieckert, and Anita Dwyer.

#### REPORT ON ACTION TAKEN DURING CLOSED SESSION:

City Attorney Jeff Malawy stated no reportable action was taken during the Closed Session.

Pastor Joy Price gave the invocation and Mayor Jenelle Osborne led the **Pledge of Allegiance**.

#### CITY MANAGER REPORT: (Information only)

City Manager Jim Throop announced the Council will be holding a Special Meeting on Thursday, August 22, 2019, beginning at 6:30PM here in the Council Chamber, to discuss a possible sales tax measure; and the Lompoc Chamber of Commerce and Visitor's Bureau has two more Old Town Market events scheduled – August 9, 2019 (Lompoc PD Cruise Night) and August 16, 2019 (Healthy Lompoc Night).

**CITY MANAGER REPORT:** (cont'd)

Council Member Mosby asked Mr. Throop to clarify why the number Lompoc Police Department sworn officers seems to be one amount on the employee vacancy report and another number was reported in the newspaper; and if there is any update on the City's application for annexation for the Bailey Avenue Corridor. City Manager Jim Throop explained there are sworn officers who are unavailable to take part in patrol duties, due to injury or pending retirement. Planning Manager Brain Halvorson stated the City has met with Santa Barbara County regarding the Bailey Avenue Corridor annexation application and will meet with the County again soon, and explained the application was held up by the proposed changes in the Santa Barbara County Local Agency Formation Commission (LAFCO) open spaces rules and regulations.

**PUBLIC COMMENT ON CONSENT CALENDAR ITEMS (Max of 3 Minutes):** None

**CONSENT CALENDAR:**

Council Member Cordova recused herself from Consent Calendar Item No. 4, and asked Staff to clarify how long the City will hold a payment before it is declared stale. Management Services Director Dean Albro stated the City holds payments for 3 years before this process is begun.

**ACTION:** Motion/Second: Starbuck/Vega. By a 5-0 vote, Council:

1. Approved the Minutes of the Lompoc City Council Regular Meeting of June 4, 2019.
2. Adopted Ordinance No. 1665(19), which:
  - i. Changes the Zoning Map designation for one parcel (APN: 085-150-089) at the northwest corner of Seventh Street and Cypress Avenue from Commercial Office to Mixed Use; and
  - ii. Changes the Zoning Map designation of a portion of one parcel (APN: 085-150-090) at the southwest corner of Seventh Street and Ocean Avenue from Commercial Office to Mixed Use.
3. Award of Project No. FY-19-S-1, 2019 Street Pavement Digout Project.

Adopted the Special Provisions for Project No. FY-19-S-1, 2019 Street Pavement Digout Project (Project), as required by Section 22039 of the Public Contract Code (copies of Special Provisions are on file in the City Engineer's Office);

Awarded the Construction Contract in the amount of \$673,902.50 to Souza Engineering Contracting, Inc., DBA Souza Construction; authorized the City Manager to execute the necessary agreements for that Contract; and authorized the City Engineer, or designee, to approve additional construction costs and construction contract change orders in an amount not to exceed \$70,000;

Awarded the Consulting Contract for Construction Engineering Support, Materials Testing, and Supplemental Inspection Services in the amount of \$76,090 to Pavement Engineering, Inc.; authorized the City Manager to execute the necessary agreements for that Contract; and authorized the City Engineer to approve contract change orders in an amount not to exceed \$7,000.00.

5. **Unclaimed Property: Stale-Dated Checks; Adoption of Resolution No. 6272(19).**

Adopted Resolution No. 6272(19), transferring property (stale-dated checks) to the General Fund.

**CONSENT CALENDAR:** (cont'd)

4. **Lompoc Tourism Improvement District 2019 Annual Report by Visit Lompoc Inc.**

**ACTION:** Motion/Second: Starbuck/Vega. By a 4-0-1 vote (Council Member Cordova abstained), Council reviewed and approved the Lompoc Tourism Improvement District 2019 Annual Report submitted by Visit Lompoc, Inc.

**STAFF PRESENTATIONS/ANNOUNCEMENTS/REQUESTS:**

Utilities Director introduced newly hired Wastewater Superintendent Dave Zevely. Mr. Zevely thanked Council and Staff for the welcome and invited tours of the Wastewater Treatment Plant.

**ORAL COMMUNICATIONS (3 Minutes Maximum):**

1. Keith Fieckert and Sabrina Fieckert spoke about the West Coast Cub Fly-In event which was at the Lompoc Airport on July 12, 13, and 14, 2019, thanked everyone involved for the support, asked Council to discuss the idea of providing lower hangar rents at the Airport, stated the event costs approximately \$25,000 to produce, with all the attendees bring revenue to the City during this event.
2. Anita Dwyer expressed her concern about the Council's reluctance to provide the Citizens the opportunity to vote on a sales tax measure and suggested Council's salaries be cut down.

**APPOINTMENTS:**

6. **Designation of Voting Delegate and Alternate for League of California Cities Annual Conference.**

**ACTION:** Motion/Second: Starbuck/Cordova. By a 5-0 vote, Council appointed Mayor Osborne as the Voting Delegate and City Manager Jim Throop as the Alternate for the League of California Cities Annual Conference.

**PUBLIC HEARING:**

7. **Approval of 2019-2020 Draft Annual Action Plan and Fiscal Year 2019-2020 Budgets for the Community Development Block Grant and Human Services Programs; Adoption of Resolution No. 6273(19)**

Community Development Program Manager Chanel Ovalle presented the Staff report and recommendations.

Council briefly discussed the information presented.

**Public Comment:**

1. (Name not given), asked why Meals on Wheels is only receiving \$4,285.00.

Community Development Program Manager Chanel Ovalle stated the total amount being awarded to Meals on Wheels is the exact amount requested by that organization.

**ACTION:** Motion/Second: Cordova/Vega. By a 5-0 vote, Council held a public hearing; approved the selection of Capital Improvement Projects under the Community Development Block Grant (CDBG) Program for Fiscal Year (FY) 2019-20; adopted Resolution No. 6273(19), approving FY 2019-20 Budgets for the CDBG and Human Services program funds for inclusion in the draft City of Lompoc Annual Action Plan for FY 2019-20 ; authorized the City Manager or designee to sign any agreements or certifications that authorize the City to receive the funds; and authorized submission of the approved FY 2019-20 Action Plan to the U.S. Department of Housing and Urban Development at the conclusion of the 30-day public comment period.

City Attorney Jeff Malawy announced Council Member Mosby will recuse himself from Agenda Item No. 8, due to real property interest within 500ft of this property. Council Member Mosby stepped down from the dais and exited the Council Chamber.

**PUBLIC HEARING:** (cont'd)

**8. Appeal of Building Requirements (204 North C Street).**

Building Services Manager/Building Official Al Johnson stepped up to the podium and stated he and Building Division Contract Plans Examiner Anne Schneider are available to answer any questions Council may have regarding this matter.

Council Member Starbuck asked Staff to explain why this project is being denied. Building Services Manager/Building Official Al Johnson stated the project has not been denied, the City has not received a building permit application for this project, Mr. Hulseley was in the plan check process and the City did not receive the required information from Mr. Hulseley and the plan check application has expired.

Council Member Vega asked if Mr. Hulseley could reinstate the application. Mr. Johnson stated the plan check application is expired and it cannot be reinstated.

Council Member Cordova requested Mr. Hulseley step forward and give the Council his statement.

Mr. Hulseley stepped up to the podium and stated he is the owner/builder of this and other projects, and completes most of the work for his projects by himself to help keep costs down, and explained he believes the requirement for a soils report could be exempted from this project; he also stated he thinks the Building Official is unwilling and unhelpful.

Council Member Cordova thanked Mr. Hulseley for the information provided and asked if he had received the request for corrections from the City. Mr. Hulseley answered yes, he had received the request for corrections.

Council Member Cordova asked Staff to explain why a notice of expiration was not sent to the applicant quicker. Building Services Manager/Building Official Al Johnson stated the Building Division has had several personnel changes in the last few years and it has contributed to some inconsistencies.

Council Member Vega asked if the applicant was notified a new building permit for this project? Mr. Johnson explained there is no current project, the applicant applied for a plan check on a proposed project a building permit application has not been received for this property. Building Division Contract Plans Examiner Anne Schneider stated one reason this plan check has not moved forward is because the applicant has not supplied the required soils report, he has had one completed, but has not provided it to the City for review.

Council Member Vega asked Mr. Hulseley if he does have a full soils report and if he is willing to provide it to the Building Division. Mr. Hulseley stated he does have a soils report and has not yet provided it to the City for review, but requested to be able to use the standard footings design to help keep the construction costs down.

Council Member Starbuck told Staff the City must provide better customer service and asked what could be done to help Mr. Hulseley move forward on this proposed project. City Manager Jim Throop stated the City must receive all required and requested documents for review.

**Public Comment:**

1. (Name not Given) suggested Council allow Mr. Hulseley to use his previous plan check application and file for a building permit.
2. (Name not Given) stated they believe Staff was unprepared for this matter.
3. (Name not Given) asked Staff to be more professional and cordial and suggested review times be standardized.
4. (Name not Given) suggested the Council allow Mr. Hulseley to file an application under the previous Building and Fire Code regulations.
5. Morris Sobhani asked why these appeals are being brought to Council and suggested a review or appeals board be setup for these matters.

**PUBLIC HEARING:** (cont'd)  
Item No. 8

Council Member Vega asked City Attorney Jeff Malawy to clarify if the process can move forward with the previous plan check application and the previous Building and Fire Code requirements. Mr. Malawy stated the City cannot take an expired application and reinstate it to the previous Building and or Fire Codes.

**ACTION:** Motion/Second: Mayor Osborne/Cordova. By a 3-1-1 vote (Council Member Vega voted No and Council Member Mosby was absent), Council denied the appellant's appeal and required the appellant to submit the requested and required reports, and submit a building permit application for his project.

9. **Consideration of Planning Commission Recommendations for Approval of the Comprehensive Update to Title 17 (Zoning) of the Lompoc Municipal Code; Adoption of Resolution No. 6258(19); Introduction of Ordinance No. 1670(19) and Adoption of an Addendum to the 2030 General Plan Environmental Impact Report.**

Planning Manager Brian Halvorson gave a brief summary of this item and introduced Jennifer Daugherty of Lisa Wise Consultants. Ms. Daugherty gave a presentation on Staff recommendations.

The Council discussed at great length the information provided and after accepting Public Comment, the following actions taken:

❖ Metal Storage Containers (Permanent Containers, Residential Districts and Container Size Limit).

**ACTION:** Motion/Second: Mayor Osborne/Cordova. By a 5-0 vote, Council directed Staff to update the Draft Zoning Code with the following revisions specific for Metal Storage Containers:

- Limit container size to 14 feet or 120 square feet.

For All Zones (excludes Residential):

- Instead of a standard of adhering to the architectural guidelines, painting to match was instead acceptable.
- Allow 5 containers/acre (instead of 1 per parcel or business).

For Residential Zones:

- Temporary containers do not need to adhere to accessory structure standards.
- Permanent containers would be allowed but must adhere to accessory structure standards.
- Churches in residential zones would be allowed to have permanent containers.

❖ Amendments to Architectural Guidelines (Consistency with Draft Zoning Code)

**ACTION:** Motion/Second: Mayor Osborne/Cordova. By a 5-0 vote, Council approved Staff recommendation to return at a future date with a comprehensive update to the Architectural Guidelines after the adoption of the Zoning Code Update, for Council review.

❖ Cannabis (Incorporating Locational Requirements into Draft Zoning Code)

**ACTION:** Motion/Second: Mayor Osborne/Starbuck By a 5-0 vote, Council approved Staff recommendation to incorporate the locational land use provisions for Cannabis uses from the Lompoc Municipal Code Chapter 9.36 into the new Zoning Code.

**PUBLIC HEARING:** (cont'd)  
Item No. 9

❖ H Street Overlay Uses (Consistency with recently approved Land Use Changes).

**ACTION:** Motion/Second: Mayor Osborne/Cordova By a 5-0 vote, Council approved Staff recommendation to revise the H Street Overlay land use tables to reflect the recent code revisions approved by the City Council (or through the State of California) such as animal raising, residential care homes, cannabis, and Accessory Dwelling Units, would be allowed uses in the H Street Overlay, which are not currently shown in the Draft Zoning Code.

Council Member Starbuck recused himself due to real property interest within 500ft of the area to be discussed, he stepped down from the dais and exited the Council Chamber.

❖ Pharmacy/Dry Cleaning & Processing Uses

**ACTION:** Motion/Second: Mosby/Mayor Osborne By a 4-0-1 vote (Council Member Starbuck was absent), Council approved Staff recommendation to delete pharmacy use and add dispensary Mixed Use (MU) District and Dry Cleaning & Processing to be allowed as Permitted in Central Business District; and add Dry Cleaning/Processing uses be changed to a Permitted use in the Central Business District, although it should be noted that if a property is located in the H Street Overlay, this use is not listed, and therefore would not be allowed (General Plan EIR Mitigation Measure AQ-2(b) prohibits dry cleaning facilities in mixed-use developments).

Council Member Starbuck returned to the dais.

❖ Conditional Use Permits and Minor Use Permits

**ACTION:** Motion/Second: Mosby/Vega By a 5-0 vote, Council approved Staff recommendations to provide a permitting process for uses that are not explicitly listed in the Zoning Code land use tables (but are consistent with the intent/purpose of the General Plan designation), the Zoning Code would be amended to allow any use that meets certain findings.

❖ Public Comments from John Linn

**ACTION:** Motion/Second: Mosby/Vega By a 5-0 vote, Council approved Staff recommendations as shown below with the clarification Comment No. 27 cannot be changed since this was required as part of a mitigation measure from the General Plan Update Final EIR.

Change = Code will be revised    No Change = Code will remain as drafted

- Change 1.**                    17.104 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.
- No Change 2.**            17.1..04.040 Applicability: Item A contradicts with item D.
- No Change 3.**            17.1.08-3 Exercise of Discretion: This is the place for a business friendly statement like: The decision promotes economic growth and business friendly City.
- No Change 4.**            17.2.08-3 Adds "Safe Parking" as a use in residential zones with a MUP???
- No Change 5.**            17.2.08-4 7R1 zone. It establishes 65 foot wide lots as the minimum standard when most lots are now 50 feet wide.
- No Change 6.**            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.
- Noted 7.**                    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.

**PUBLIC HEARING:** (cont'd)

Item No. 9 ❖ Public Comments from John Linn

- No Change 8.** 17.2.12-3 Why is a parking lot not a permitted use in Old Tow Commercial? Many already exist there. Why is Safe Parking allowed with a MUP so the businesses have no notice or right to comment?
- No Change 9.** 17.2.12.4 - Stillman's cleaners would no longer be allowed in Old Town Commercial
- No Change 10.** 17.2. 2.9 Trash enclosures will not be permitted without landscaping.

**INDUSTRIAL AND BUSINESS PARK ZONES**

- No Change 11.** 1702.16.0 Is unclear about what exterior uses are accessory and thus limited.
- No Change 12.** 17.2.16.030A Adds Safe Parking as an approved use with a MUP.
- No Change 13.** 17.2.16-3 Limits the food service area to 749 square feet regardless fo the building size.
- No Change 15.** 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.
- No Change 16.** 17.3.12- 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.
- No Change 17.** 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.
- No Change 18.** 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.
- No Change 19.** 17.03.04-16 is backwards on establishing noise standards for I and BP buildings byrequiring the building to reduce exterior noise entering instead of limiting operations nose from going outside.
- No Change 20.** 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.
- Change 21.** 17.2.20- Dry cleaners are prohibited. Why?
- No Change 22.** 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.
- Change 23.** 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
- No Change 24.** 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.
- No Change 25.** 17.2.24-12 requires parking to be behind buildings in the Hand 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.

**PUBLIC HEARING:** (cont'd)

Item No. 9 ❖ Public Comments from John Linn

- Change 26.** 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.
- No Change 27.** *1703.04-2-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?*
- No Change 28.** 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.
- Change 29.** 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??
- No Change 30.** 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?
- No Change 31.** 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.
- Change 32.** 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.
- Change 33.** 17.4.04-59 Limits temporary outdoor display and storage to 750 sq. ft. What will Home Depot due?? That is why outdoor use is generally linked to the size of the business not a one size fits all.
- Change 34.** 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.
- No Change 35.** 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.
- No Change 36.** 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.
- No Change 37.** 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
- No Change 38.** 17.6.20-5 Regarding non-conforming parcels says to retain its non-conforming statues 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 ???
- No Change 39.** 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.



**PUBLIC HEARING:** (cont'd)  
Item No. 9

❖ Restaurants in Industrial Zones

**ACTION:** Motion/Second: Mosby/Mayor Osborne By a 5-0 vote, Council approved Planning Commission recommendation to allow restaurants in the Industrial Zones as a permitted use with a note to the use table describing that adequate infrastructure/utilities will be reviewed/required during a building permit plan check is included.

❖ Accessory Uses in Industrial Zones

**ACTION:** Motion/Second: Cordova/Vega By a 5-0 vote, Council approved to allow up to 49% Accessory Uses With Wine Tasting Rooms Occupying 100% Of Floor Area With No On-Site Production with all Building and Fire Code requirements to be applied for any accessory use.

❖ Special Event Overlay

**ACTION:** Motion/Second: Vega/Mayor Osborne By a 4-1 vote (Council Member Cordova voted No), Council approved Staff recommendation to remove the Special Event Overlay from the Zoning Code and return at a later date with a discussion item regarding this matter.

Council Member Starbuck recused himself due to real property interest within 500ft of the area to be discussed, he stepped down from the dais and exited the Council Chamber.

❖ Veterinary Clinics and Hospitals

**ACTION:** Motion/Second: Vega/Mayor Osborne By a 4-1 vote (Council Member Starbuck was absent) Council approved allowing veterinary clinics and hospitals as a Permitted Use in the Old Town Commercial District and H Street Overlay District.

Council Member Starbuck returned to the dais.

**ACTION:** Motion/Second: Mayor/Vega By a 5-0 vote, Council directed Staff to return with a discussion item on parking requirements for self-storage facilities.

**ACTION:** Motion/Second: Mayor/Mosby By a 5-0 vote, Council directed Staff to return to Council on September 17, 2019 with a Staff report on the revisions and clarifications Council approved on the Zoning Code Update.

Public Comment: (on all preceding Zoning Code Update items)

1. Gary Hulsey and (Name not Given) spoke about the use of metal containers and agreed with Council Member Mosby's suggestions to allow permanent use in residential zones.
2. John Linn and Morris Sobhani spoke in favor of allowing veterinary clinics in Old Town and in the H Street Overlay.
3. John Linn spoke in favor of implementing a review process that would allow a Conditional Use or Minor Use Permit for uses not explicitly allowed but meet certain criteria.
4. John Linn asked Council to allow him to speak about each of his 39 public comments, suggesting the matter be continued to a later date.
5. Steve Bridge asked Council allow for a larger than 10% total use size for accessory uses of any building.
6. Morris Sobhani requested the percentage total for accessory use be removed from the Code.
7. John Linn suggested Council approve the Planning Commission recommendation of up to 49% of gross floor area with Building and Fire Code compliance for accessory uses in the industrial zones.

**PUBLIC HEARING:** (cont'd)  
Item No. 9

8. Steve Arrowood stated he would like to see Council approve 100% of buildings be used for accessory uses inside the industrial zones.
9. Jeremy Ball asked Council to be supportive of the wine industry.
10. Name not Given, Name not Given, and Steve Bridge agreed with Staff to remove the Special Event Overlay from the Zoning Code Update Draft and return with future public workshops and meetings with the Planning Commission and the City Council.
11. Laura Tamora asked for Council to review the current parking requirements for mini-storage, self-storage businesses.
12. Name not Given, suggested veterinary clinics be a permitted use in Old Town Zone and the H Street Overlay.
13. Brandon Bridge expressed his disagreement with Staff recommendations for requiring a conditional use permit for veterinary clinics in Old Town and the H Street Overlay.

At 10:55 P.M., Council Member Cordova motioned to extend the meeting by 30 minutes. The motion was seconded by Council Member Starbuck and approved by a unanimous vote of the entire Council.

**COUNCIL REQUESTS:**

10. **Report to Council - Impact Fees for Accessory Dwelling Use Buildings**  
(Requested by Council Member Mosby).

Building Services Manager/Building Official Al Johnson presented the Staff report and recommendations.

Council discussed the information provided.

**Public Comment:**

1. Diane Long stated she believes she was incorrectly charged for the building permit for her accessory dwelling use building and should not be required to pay the impact fees.

**ACTION:** Motion/Second: Mosby/Starbuck. By a 5-0 vote, Council received this report on impact fees for accessory dwelling use buildings and directed Staff to return at a future meeting with an item for Council discussion and possible action on impact fees for accessory dwelling use buildings.

11. **Status Report Regarding Enforcement of Grease Trap Requirements Against La Roca Bakery & Taqueria and Status of La Roca's Appeal**  
(Requested by Council Member Mosby).

Utility Director Brad Wilkie presented the Staff report.

At 11:21 P.M., Council Member Mosby motioned to extend the meeting by 30 minutes. The motion was seconded by Council Member Starbuck and approved by a 4-1 vote of the entire Council, (Council Member Vega voted No)

Owner of La Roca Bakery and Taqueria Erik Mendoza presented his argument and requested Council allow him the opportunity to appeal the requirement for a grease trap at his business.

Council discussed the information provided by Staff and Mr. Mendoza.

**COUNCIL REQUESTS:** (cont'd)

Item No. 11

Public Comment: None

**ACTION:** Motion/Second: Mosby/Starbuck. By a 5-0 vote, Council received the informational report and directed Staff to return at a later date with a report for a Council discussion and possible action to amend the Lompoc Municipal Code to extend the appeal deadlines and possibly interpret the letter received from La Roca Bakery, dated March 25, 2019, as a timely appeal to the City Council regarding the requirements for the installation of a grease trap at the business located at 425 No. H Street, Lompoc.

**NEW BUSINESS:**

- 12. **Introduction of Ordinance No. 1671(19) to Repeal Lompoc Municipal Code Chapter 9.44 Relating to Registered Sex Offender Residency Restrictions**

City Attorney Jeff Malawy presented the Staff report and recommendations.

Public Comment:

- 1. Name not Given, asked Council to keep this community as safe as possible.

**ACTION:** Motion/Second: Cordova/Vega. By a 5-0 vote, Council introduced, for first reading by title only with further reading waived, Ordinance No. 1671(19), which would repeal the residency restrictions on registered sex offenders imposed by Lompoc Municipal Code (LMC) chapter 9.44 because they are largely duplicative of current State law.

**WRITTEN COMMUNICATIONS:** None

**ORAL COMMUNICATIONS (2 Minutes Maximum):**

- 1. Name not Given asked Council to provide clarity about wine tasting rooms.
- 2. Gary Hulseley expressed his confusion about his proposed project and the permit process.

**COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS:**

Council Member Starbuck asked for Staff to reach out to Mr. Hulseley to help clarify any questions he may have regarding his proposed project at 204 No. C Street, Lompoc.

Council Member Cordova reported she attended the welcome event for Colonel Mastalir as the new Commander of the 30<sup>th</sup> Space Wing at Vandenberg Air Force Base.

Council Member Mosby stated he attended a meeting at Surf Beach on July 26, 2019, with several agencies to discuss public access.

At 11:58 P.M., Council Member Mosby motioned to extend the meeting by 5 minutes. The motion was seconded by Mayor Osborne and approved by a 4-1 vote of the entire Council, (Council Member Vega voted No)

Council Member Mosby requested Staff return with a report at a future meeting with estimates of cost that allow the City Attorney’s Office to be the point of contact and lead for the Bailey Avenue Corridor annexation process. The request was seconded by Council Member Starbuck and carried by Council Member Cordova.

**COUNCIL REQUESTS, COMMENTS, AND MEETING REPORTS:**

Mayor Osborne thanked Explore Lompoc for hosting the welcome event for Colonel Matalir at the Hilton; stated she attended the July 26, 2019 meeting at Surf Beach regarding public access and possible improved amenities and cautioned this is still in the planning stages; congratulated Lompoc Police Officer Jason Flint on receiving an award from the North County Rape Crisis and Child Protection Center for his support with domestic violence victims; announced she will be hosting a **Ride with the Mayor** biking event at Old Town Market on August 16, 2019; and requested Staff return at a future meeting with a status report on all public safety infrastructure and equipment inventory and status report. The request was seconded by Council Member Cordova and carried by Council Member Starbuck.

**ADJOURNMENT:** At 12:04 A.M. Mayor Osborne adjourned the Lompoc City Council to a Regular Meeting on August 20, 2019 at 6:30 P.M., in City of Lompoc Council Chamber.

Respectfully, submitted to Council for review on September 13, 2019 by: */Stacey Haddon/*  
Stacey Haddon, City Clerk