

ORDINANCE NO. 1670(19)

**An Ordinance of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Approving a Zoning Code Amendment Deleting the Commercial Office
Zoning Designation, Renaming the C-2 (Central Business) Zone to the
CB (Central Business) Zone and the T (Mobile Home Park) Zone to
MH (Residential Mobile Home Park) Zone, Repealing 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 Overlay, Special Event Overlay and H Street Overlay,
Rescinding Planning Commission Resolution 88-67 Regarding the Use of
Metal Storage Containers, Repealing the 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, Adding the requirement for Notification Upon Request Regarding
Nonconformities That Have Been Created as a Result of the Adoption of a
New Zoning Code, Adopting a Sixth Addendum to the 2030 General Plan EIR, and
Adopting the Comprehensive Zoning Code Update to Title 17 (Zoning) of the
Lompoc Municipal Code (Planning Division File No. GP 17-01 / ZC 15-02)**

WHEREAS, Zoning Amendment 15-02 (Project) includes (i) deletion of the Commercial Office (CO) designation from the City of Lompoc's (City) Zoning Map and Zoning Code, (ii) renaming the C-2 (Central Business) zoning designation to CB (Central Business) and the T (Mobile Home Park) Zone to MH (Residential Mobile Home Park), (iii) repeal of Lompoc Municipal Code (LMC) section 10.28.150, (iv) revision of the Architectural Guidelines Section I.B., (v) addition of the Planned Development Overlay, Special Event Overlay and H Street Overlay, (vi) rescission of Planning Commission Resolution 88-67 regarding the use of metal storage containers, (vii) repeal of locational restrictions on cannabis uses contained in Chapter 9.36 and commercial film permit regulations in Chapter 5.56 and incorporation of those provisions into the Zoning Code, (viii) add the requirement for notification upon request regarding nonconformities that have been created as a result of the adoption of a new zoning code, and (ix) adoption of a Comprehensive Code Update to Title 17 (Zoning) of the LMC; and

WHEREAS, the City Council held public hearings on February 19, 2019, May 21, 2019, June 4, 2019, July 2, 2019, August 6, 2019, October 3, 2019, November 7, 2019, and December 17, 2019, in the time and manner prescribed by law, and has duly heard and considered the Planning Commission's recommendations; and

WHEREAS, the Planning Commission, by Planning Commission Resolution No. 907 (19), following public hearings on August 22, 2018, September 12, 2018, October 10, 2018, October 24, 2018, November 14, 2018, and April 10, 2019, in the time and manner prescribed by law, recommended the proposed zoning amendments described herein; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act (CEQA), environmental impacts of the Project were evaluated in an Addendum to the Final Environmental Impact Report (SCH 2008081032) (FEIR) prepared for the 2030 General Plan, as well as in the FEIR. The Addendum was circulated for public review from August 10, 2018, through September 10, 2018, subsequently revised, and finalized in a version dated November 2019.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The City Council hereby finds and determines the Zoning Code amendments described herein are (i) consistent with the 2030 General Plan, with the adoption of the General Plan Amendments, and required for the public necessity, convenience and general welfare, and (ii) the subject area is afforded the services and facilities appropriate for the Zoning Code amendments.

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

- A. The revision is necessary to ensure consistency between the updated Zoning Code 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 CO district and addition of the Planned Development Overlay, Special Event Overlay, and H Street Overlay to the City's Zoning Map, the City Council 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 (i) a more flexible design approach in order to promote the orderly growth of the City and (ii) additional housing opportunities that are not typically available in the zoning districts that include those overlays.

SECTION 4: With respect to repealing LMC section 10.28.150 relating to permit requirements for commercial vehicles used for solicitation of patronage, the City Council hereby finds and determines:

- A. The repeal of LMC section 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 Planning Commission Resolution 88-67 regarding the use of metal storage containers and commercial film regulations (Chapter 5.56) and incorporating regulations into the City's updated Zoning Code, the City Council hereby finds and determines:

- A. The Zoning change is necessary as the commercial film permit regulations are contained within the City's updated Zoning Code and, therefore, should not be duplicated in LMC Chapter 5.56.

- B. Updated regulations and development standards for metal storage containers are needed and are incorporated into the City's updated Zoning Ordinance.

SECTION 6: With respect to repealing the locational restrictions on cannabis uses contained in LMC Chapter 9.36 and incorporating its regulations into the City's updated Zoning Code, the City Council hereby finds and determines:

- A. The Zoning amendment repeals LMC 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 places cannabis locational use requirements within the City's updated Zoning Code.

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 City Council 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).

- D. Measure 13 of the Land Use Element provides the City shall explicitly allow wineries and winery-related facilities in appropriate Commercial and Industrial districts.
- E. 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.
- F. 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 Zoning Code Update to Title 17 (Zoning) of the LMC to implement the 2030 General Plan, the City Council 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.

SECTION 9: With respect to adding the requirement for notification upon request regarding nonconformities that have been created as a result of the adoption of a new Zoning Code, the City Council hereby finds and determines:

- E. The required noticing will help property owners identify nonconformities on their property.
- F. City staff will provide notification upon request which in turn will help an owner make more informative decisions regarding the use of their property and newly adopted zoning regulations that apply to a given property.

SECTION 10: The City Council 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 December 17, 2019, City Council agenda item on the Comprehensive Zoning Code Update. The Addendum determined there is no substantial evidence the Project will have a significant effect on the environment.

SECTION 11: Title 17 of the LMC is hereby repealed and replaced with the Zoning Code attached hereto as Exhibit A, which, among other things, includes the (i) deletion of the Commercial Office (CO) district from the Zoning Code, (ii) addition of the Planned Development Overlay, Special Event Overlay, and H Street Overlay, and (iii) renaming of the C-2 (Central Business) zoning designation to CB (Central Business) and the T (Mobile Home Park) zoning designation to MH (Residential Mobile Home Park).

SECTION 12: Planning Commission Resolution 88-67, relating to metal storage containers, is hereby repealed.

SECTION 13: LMC section 10.28.150 is hereby repealed.

SECTION 14: LMC section 9.36.090, subdivision A., section 9.36.110, subdivision C. and section 9.36.120 are hereby repealed; LMC section 9.36.090, subdivision B., is renumbered as 9.36.090, subdivision A.

SECTION 15. The Commercial Office (CO) District is hereby deleted from the City's Zoning Map; the Planned Development Overlay, Special Event Overlay, and H Street Overlay are hereby added to the Zoning Map; the C-2 and T Zoning Districts are hereby renamed to CB (Central Business) and MH (Residential Mobile Home Park), respectively, on the Zoning Map, all as shown on Exhibit B, attached hereto.

SECTION 16. Section I.B. of the City's Architectural Review Guidelines (Ordinance Nos. 1405(95) and 1462(01)) is hereby amended 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 more than 2,500 square feet of gross floor area or new additions of more than 2,500 square feet of gross floor area;
 - 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.

SECTION 17. LMC Chapter 5.56 (Commercial Filming Permits) is hereby repealed.

SECTION 18. The requirement for notification upon request regarding nonconformities that have been created because of the adoption of a new zoning code is hereby approved.

SECTION 19. This Ordinance shall be effective 30 days after its adoption. The City Clerk, or the duly appointed deputy, shall attest to the adoption of this ordinance and shall cause this ordinance to be posted in the manner required by law.

The foregoing Ordinance was introduced on December 17, 2019, and duly adopted by the City Council of the City of Lompoc at its duly noticed regular meeting on _____, by the following electronic vote:

PASSED AND ADOPTED this ___th day of ___ 2019, by the following electronic vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

Jenelle Osborne, Mayor
City of Lompoc

Attest:

Stacey Haddon, City Clerk
City of Lompoc

Attachments: Exhibit A: Title 17 (Zoning) Comprehensive Zoning Code Update
Exhibit B: Existing and Amended Zoning Map

Attachments are available for review at www.cityoflompoc.com or at the City Clerk’s Office or the Lompoc Public Library.