



City Council Agenda Item

City Council Meeting Date: December 17, 2019

TO: Jim Throop, City Manager

FROM: Brian Halvorson, Planning Manager
b_halvorson@ci.lompoc.ca.us

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

Recommendation:

The Planning Commission recommends the City Council take the following actions:

- 1) Receive and consider the Planning Commission recommendations;
- 2) Adopt Resolution No. 6258(19) (Attachment 1), which will:
 - (a) Rescind Resolutions No. 4895(00) and 4925(01), which, respectively, adopted the Old Town Specific Plan (OTSP) and added a map to the Land Use Element designating the area regulated by the OTSP,
 - (b) Remove General Plan text referring to the OTSP,
 - (c) Delete General Plan Land Use Element Implementation Measure 23 relating to orientation of buildings and parking, and
 - (d) Amend the purpose of the Business Park designation and the allowable building density floor area ratio for the Industrial designation in the General Plan Land Use Element (Attachment 1);
- 3) Conduct the second reading and adopt Ordinance No. 1670(19) (Attachment 2), which will:
 - (a) Repeal Lompoc Municipal Code (LMC) section 10.28.150 relating to permit requirements for commercial vehicles used for solicitation of patronage;

- (b) Delete the Commercial Office (CO) designation from the City's zoning map and 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);
 - (c) Revise Architectural Guidelines Section I.B. to be consistent with the updated Zoning Code regarding major architectural design and site development review;
 - (d) Add the Planned Development Overlay, Special Event Overlay, and H Street Overlay;
 - (e) Repeal the locational restrictions on cannabis uses contained in LMC Chapter 9.36 and incorporate its provisions into the Zoning Code;
 - (f) Rescind Planning Commission Resolution No. 88-67 regarding the use of metal storage containers;
 - (g) 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
 - (h) Adopt the Comprehensive Zoning Code Update to Title 17 of the LMC (Update); or
- 4) Provide other direction.

Background/Discussion:

A special City Council meeting was held on November 7, 2019, (Staff Report shown as Attachment 3) to further discuss the draft Zoning Code and adoption consideration. At that meeting, the City Council reviewed the following follow-up items from the previous hearing and further discussed and made decisions for the following:

- a) Metal Storage Containers.** Standards were revised for parcels in the Industrial, Business Park, and Open Space zones that have a Floor Area Ratio less than 0.50 which can have up to 5 containers per acre and can be pro-rated for parcels smaller or larger than 1 acre in size.
- b) Southside Overlay.** Specific language from Ordinance No. 1566(13) has been incorporated into the code and the ordinance cited within the Overlay.
- c) Parking for Self-Storage facilities.** A statement describing that parking is not required for units with direct exterior access was deleted.

- d) **Airport Overlay.** The prohibition of above ground utility facilities including transformers, telephone pedestals, fire hydrants, or light poles was deleted from the Overlay.
- e) **Transportation Demand Management Plan (required for non-residential discretionary projects over 100,000 square feet).** Table 17.308.080.A that describes additional optional travel demand measures that may be implemented as part of a transportation demand management plan was determined to not be required and therefore was deleted from the code.
- f) **Reduction in minimum lot width (R-1 zone).** A clarification was made that a reduction in allowable lot width to 50 feet also applies to corner lots as well.
- g) **Limits on the size of retail stores.** It was decided that the code should not restrict retail stores to 100,000 square feet (no changes were made to the code).
- h) **Proof of legal non-conformity.** The year required in which it is the property owner's responsibility to prove that there is an existing legal non-conformity was changed from 1945 to 1965.
- i) **Flexible Options for Non-conforming properties.** To provide more flexibility for non-conforming uses, structures and parcels, the time in which to comply with new regulations (once discontinued) increased from one year to three years (for all zones).
- j) **Deletion of General Plan Land Use Implementation Measure 23.** This measure (which requires new development to place buildings adjacent to H Street with parking areas behind) from the General Plan Land Use Element is proposed to be deleted as part of the code update and is reflected in Resolution No. 6258(19) (Attachment 1).
- k) **Special Event Overlay.** In order to implement the code (the previously reviewed Overlay could not be implemented by all departments as drafted), the City Council reviewed revised code language for this Overlay at the November 7, 2019, meeting that still provides flexibility to the business community by not requiring a TUP for events that are exempt while still providing a code that preserves public health and safety.

All of the additional changes discussed above have been made to the code (beginning with the May 2019 code) and the final code (with no redlines) has been attached to Ordinance No. 1670(19) which is ready for City Council adoption. In addition, the code was posted to the Community Development Department webpage approximately two weeks prior to the City Council meeting to allow additional time (instead of the Friday before the Council meeting) for review of the code.

Environmental Review:

The City Council certified the Final Environmental Impact Report (FEIR) during the adoption of the 2030 General Plan on October 19, 2010. For the Zoning Code Update, an Addendum to the FEIR has been prepared pursuant to the requirements of California Environmental Quality Act and was circulated for public review from August 10, 2018, to September 10, 2018.

The Addendum is the sixth Addendum to the 2030 General Plan FEIR (Attachment 7). As a reminder, an Addendum to an Environmental Impact Report (EIR) is appropriate when only minor technical changes or additions are necessary, and no substantial changes are proposed or new information available that would require major revisions to the EIR. The completed EIR Addendum analysis determined no new or more severe environmental impacts beyond those disclosed in the FEIR would occur as a result of the Zoning Code Update.

Fiscal Impact:

Funding for the Update was approved by the City Council on July 7, 2015. Following funding approval, consultant services by Lisa Wise Consulting, Inc., were secured on August 1, 2015, for \$396,294.00. The contract also included required environmental work (EIR Addendum) for the Project with Rincon Consultants, Inc.

To date, the City has been billed for \$388,510.48 for work performed on the Update. \$7,783.52 remains in the original budget. On December 3, 2019, the City Council approved a contract modification in the amount of \$8,500 in order to accommodate additional environmental work based on City Council directed changes to the code as discussed at public hearings in October and November. The tasks remaining for the Update include adoption hearings (final hearing), and finalization of the Zoning Code prior to publication. All of the remaining funds will be required to complete the Zoning Code Update.

Conclusion:

Based on strong public participation, outreach, numerous hearings and workshops that occurred during the Update, staff recommends adoption of the new Zoning Code, which complies with Federal and State Laws, is user-friendly, provides more flexible and streamlined modern regulations, implements General Plan goals, policies, and measures, while promoting revitalization and encouraging new housing development within the City.

At a later point in time (in approximately 1-2 years) there will be additional “clean up” items (and amendments to the noise ordinance and architectural guidelines) that will need to be addressed once the code is implemented. This being said, staff is ready to implement the new zoning code and appreciates all the hard work that the City has made to modernize and streamline zoning regulations.

Respectfully submitted,

Brian Halvorson, Planning Manager

APPROVED FOR SUBMITTAL TO THE CITY MANAGER:

Christie Alarcon, Community Development Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Jim Throop, City Manager

Attachments:

- 1) Resolution No. 6258(19)
- 2) Ordinance No. 1670(19)
- 3) Council Staff Report from November 7, 2019 (No Attachments)
- 4) Planning Commission Resolution Nos. 904 (19), 905 (19), 906 (19) and 907 (19)
- 5) **2030 General Plan EIR**
- 6) 2030 General Plan Environmental Impact Report Addendum #6 (dated November 2019)

Attachment 5 is not attached in hard copy to this Staff report but will be available at the City Council meeting, and currently is available for review at the Planning Division, City Clerk's Office at City Hall or on the City's website at:

2030 General Plan EIR:

<https://www.cityoflomdoc.com/government/departments/economic-community-development/planning-division/planning-documents-and-maps/-folder-109>

In addition, the following website is a direct link to the Final Zoning Code and Environmental Addendum.

<https://www.cityoflomdoc.com/government/departments/economic-community-development/planning-division/zoning-code-update>