



Adopted August 12, 2020

**Minutes of the Regular Meeting of the Lompoc Planning Commission
Wednesday, July 8, 2020, at 6:30 p.m.
City Hall, 100 Civic Center Plaza, Council Chambers**

ROLL CALL: Commissioner Federico Cioni (Acting Chair)
Commissioner Steve Bridge
Commissioner Sasha Keller
Commissioner Ken Ostini

STAFF: Assistant City Attorney Brian Wright-Bushman via Zoom
Planning Manager Brian Halvorson
Temporary Planner Sara Farrell
Development Services Assistant II Cherridah Weigel

ORAL COMMUNICATIONS (3 Minutes Maximum): None

CONSENT CALENDAR:

- Planning Commission 2019/2020 Annual Report
(Summary of Commission Actions for the 2019/2020 Fiscal Year)

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Ostini**, that the Commission pull the Planning Commission 2019/2020 Annual Report from the Consent Calendar for discussion.

VOTE: The motion passed on a voice vote of 4-0.

PUBLIC HEARING ITEMS:

Item pulled from Consent Calendar:

Planning Commission 2019/2020 Annual Report
(Summary of Commission Actions for the 2019/2020 Fiscal Year)

Commissioner Bridge stated he would like the following items added to the Anticipated Activities for FY 2020/2021 shown on page 5 of the report:

- A review of the 2030 General Plan
- Participation in the Regional Housing Needs Allocation (RHNA) process.

After the discussion, the **Commission** agreed to include these additional items in the

report.

OPEN/CLOSE Public Comment for Planning Commission 2019/2020 Annual Report

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Ostini**, that the Commission adopt the Planning Commission 2019/2020 Annual Report with a review of the 2030 General Plan and participation in the RHNA process added to the anticipated activities for FY 2020/2021 contained within the report.

VOTE: The motion passed on a voice vote of 4-0

Public Hearing Item No. 1:

DR 20-05 – Campbell Box Warehouse

A request for a Development Review Permit from Tom Davidson representing property owner Bob Campbell for Planning Commission consideration of a 20,000 square foot warehouse for the assembly and storage of berry boxes located at 1608 North O Street (APN: 093-450-063). This project was reviewed with an Addendum to the previously adopted Mitigated Negative Declaration (SCH No. 2008021146) as part of DR 07-16 in accordance with the California Environmental Quality Act (CEQA).

Sara Farrell, Temporary Planner, summarized the written staff report with a PowerPoint presentation. Sara noted there was an error in the Addendum Attachment 4 (page 1), in the first paragraph where the commercial condominium project numbers should have been cited DR 07-16 / LOM 579-P which will be corrected for the record. Ms. Farrell also noted that a fence has been constructed for Seasmoke winery on the adjacent property to the west. This fence is over the property line and is located on the subject property for DR 20-05. Seasmoke and the applicant have agreed to enter into a private written agreement regarding the fence. The fence also contains barbed wire, which requires Planning Commission approval with this project.

Commissioner Bridge inquired if Condition of Approval (COA) P40b applied since the project is under 15 acres.

Sara Farrell noted that the project is under 15 acres and that COA P40b can be removed if the **Commission** wants to do so.

Commissioner Bridge also inquired on COA EL7 and the pad transformer.

Sara Farrell explained that the original plan submitted had a transformer located at the top of a slope adjacent to the retention basin. There is a concern with placing an electrical transformer in close proximity to a water retention basin. The applicant has agreed to a new location for the transformer that will be finalized during the building permit process.

OPEN Public Comment for DR 20-05.

Bob Campbell, property owner, stated that Staff did a very nice job with the presentation. Mr. Campbell noted that berry boxes are very different from vegetable boxes. Vegetable boxes collapse upon themselves to lay flat and are easily assembled in the field, where berry boxes are constructed and glued together in a warehouse and cannot be assembled in the field. He noted that they are currently building berry boxes in Santa Maria and transporting them to Lompoc and explained that this new Box Warehouse will save us time and money.

Chair Cioni asked Mr. Campbell if he read the COA and agrees to them.

Bob Campbell stated he agrees to the COA.

Commissioner Keller asked Mr. Campbell if he agrees to COA P52 regarding no outdoor storage on the property.

Bob Campbell stated that there would not be a need for outdoor storage on this property.

CLOSE Public Comment for DR 20-05.

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Keller** that the Commission adopt Resolution No. 933 (20) approving a Development Review Permit (DR 20-05) based upon the Findings in the Resolution and subject to the attached Conditions of Approval as amended:

- Remove COA P40b, not required for this project, and
- Approval of barbed wire on fence per LMC 17.312.040H1

VOTE: The motion passed on a voice vote of 4-0.

Public Hearing Item No. 2:

Presentation and Discussion of Draft Amendments (TA 20-02) to the City of Lompoc Zoning Code (Title 17)

Preliminary review and discussion of draft minor Zoning Code text amendments initiated by the Planning Commission on April 8, 2020, related to allowed uses in commercial zones, mobile vendors, architectural review guidelines, and permanent outdoor storage in industrial zones.

Brian Halvorson, Planning Manager, summarized this item as written in the staff report as follows:

Amendment Item I.

Allowed Uses in Commercial Zones (Restaurants Serving Alcohol in the CC Zone)

Currently, a restaurant with alcohol sales in the Convenience Center (CC) Zone requires a Minor Use Permit (MUP). The Commission recommended streamlining the code by making this use “Permitted” instead of requiring an MUP. Permitted uses only require the submittal of a Business Tax Certificate and a fee of approximately \$54. Staff agrees that streamlining this process would be beneficial (save time and money) to the applicant but would like to mention that it is not uncommon when serving alcohol in areas near residential uses to have impacts (noise, traffic, crime, etc.). If an MUP is not required, the community may not have the same opportunity to voice their concerns during the permit review process when alcohol is introduced into a business (restaurant) that did not previously have this component. Although an MUP is approved by the Community Development Director, this decision can be appealed to the Planning Commission/City Council.

Commissioner Bridge asked what the public involvement was with and MUP.

Mr. Halvorson noted that a Public Hearing Notice is Published in the Lompoc Record, posted on the City Website, posted at the project site, and mailed to property owners within 300 feet of the subject property. This allows the public the opportunity to express support or concern for the project at the Administrative Hearing that is held. He also noted that the MUP process allows the Planning Division to apply COA to the project to limit delivery and business hours if a business is adjacent to a residential use to mitigate noise, traffic, etc.

OPEN/CLOSE Public Comment for Zoning Code Amendment TA 20-02 (Item I).

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Ostini** that the Commission authorize Staff to move forward with a Text Amendment (TA) that will change a restaurant with alcohol sales in the CC Zone from an MUP to a Permitted “P” use.

VOTE: The motion passed on a voice vote of 4-0.

Amendment Item II.

Mobile Vendors

Brian Halvorson, Planning Manager, summarized this item as written in the staff report

as follows:

Under zoning code section 17.404.210.C.5, businesses that conduct mobile vending (other than in public sidewalks or parks) are required to obtain a Mobile Vendor's Permit. A Mobile Vendor's Permit costs \$349 (\$250 TUP + \$99 Fire Review), is valid for one year (like a Business Tax Certificate), is reviewed by various departments, and requires operation in accordance with operational/safety requirements described in the code. The same application/fee and operational/safety requirements also apply to sidewalk vending, which includes selling or distributing food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person, upon a public sidewalk or other public pedestrian path or within a public park. The Commission recommended that the code be amended so that a Vendor's Permit not be required and only a Business Tax Certificate (BTC) is needed. Staff supports this code amendment and also recommends this change for Sidewalk Vendors (section 17.404.210.C.4); however, staff recommends that the term/renewal, display of off-site signs, vending cart requirements, and operational/safety requirements for Sidewalk Vendors remain in the code.

The Commission discussion included **Commissioner Bridge** stating he agrees with having standards but expressed his concern that the Code is requiring duplicated efforts by City Staff for items that other governmental agencies have completed at the expense and time spent by an applicant to acquire a permit.

Commissioner Keller noted that the City should be verifying that the applicant has all of their documentation for the protection of the community.

Commissioner Cioni agrees that there should not be a duplication of efforts of City Staff and is in favor of revising this section of the Code.

OPEN/CLOSE Public Comment for Zoning Code Amendment TA 20-02 (Item II).

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Ostini**, that the Commission authorized Staff to perform a full review of the Mobile Vendor and Sidewalk Vendor Permit code sections with the intent to research and return with revised sections that exclude duplicated efforts of other Government Agencies while maintaining the ability to protect the health and safety our community.

VOTE: The motion passed on a voice vote of 4-0.

Amendment Item III.

Architectural Review Guidelines

Brian Halvorson, Planning Manager, summarized this item as written in the staff report as follows:

The Commission discussed deleting the following section contained in Section III of the Architectural Character/Building Design (B. Residential – Infill) section of the guidelines:

6. New structures shall not crowd or overwhelm neighboring residences. Creation of a vertical canyon effect between houses must be avoided. When a two-story house is proposed adjacent to a one-story house, the second story shall be further from the property line than the first story.

This section came up recently with a small residential project that the Commission reviewed and it was expressed that this section is too burdensome and should be deleted.

In addition, since the last update of the zoning code, smaller projects (such as a duplex) have been required to be reviewed by the Planning Commission but may be streamlined with a direct submittal of a building permit if the guidelines provided more flexibility.

Therefore, staff is recommending that the following minor amendments be addressed if there is a consensus from the Commission to amend section I.B of the Architectural Review Guidelines (page 7) to the following:

B. Who Does the Reviewing and What is Reviewed?

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, and development projects with six (6) or fewer residential units in the R-2, R-3 and MU zones, that are not part of a subdivision map;

The section above is also contained in the Architectural Design and Site Development Review Chapter of the Zoning Code. Therefore, the same revisions above would also need to be made to section 17.512.020, as shown below, for code consistency:

17.512.020 Applicability

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, and development projects with six (6) or fewer residential units in the R-2, R-3, and MU zones, that are not part of a subdivision map;

The above amendments to the guidelines and zoning code as shown above would promote more infill housing opportunities and allow smaller projects (6 units or less) to go straight into a building permit submittal.

Staff acknowledges that the existing Architectural Review Guidelines need further amendments to streamline the guidelines (especially for smaller developments) and to allow more flexibility in design and permit review. Unfortunately, due to staffing levels, a complete overhaul of the guidelines is not possible at this time. The City has received a grant from the Department of Housing and Urban Development (through Senate Bill 2) that will allow for a thorough review and revision of the guidelines over the next 2 years.

After discussion, the **Commission** agreed with the changes as presented in the Staff Report.

OPEN/CLOSE Public Comment for Zoning Code Amendment TA 20-02 (Item III).

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Ostini** that the Commission authorized Staff to move forward with a Text Amendment (TA) that will update the Architectural Review Guidelines and corresponding Lompoc Municipal Code Section as noted in the Staff Report.

VOTE: The motion passed on a voice vote of 4-0.

Amendment Item IV.

Permanent Outdoor Storage (Industrial Zones)

Brian Halvorson, Planning Manager, summarized this item as written in the staff report as follows:

The Commission discussed that there may be times during the year that a business may need to store material higher than the fence/wall line and that the code should accommodate this need.

Staff discussed potentially amending section 17.216.050 (Additional Standards and Requirements) with the Fire Department to allow storage in Industrial zones higher than the required wall or fence (currently, a maximum height of 8 feet along the side and rear property lines). Currently, the Fire Department allows pallet storage up to 20 feet without a

permit and a required setback of 10 feet from a lot line for pallet storage. The Fire Department reviews factors that Planning staff and the Commission do not consider (such as type of material stored). From a zoning perspective, 20 feet is high and may not be appropriate in terms of proximity to residential, viewsheds, and visibility.

Taking these factors into consideration, staff recommended the following revised language for this code section:

17.216.050 Additional Standards and Requirements

- A. **Permanent Outdoor Storage.** Permanent outdoor storage and areas in the industrial zones shall comply with the following standards:
2. Ensure no material is stored at a height greater than the height of the required wall or fence unless the property is not adjacent to residential, a setback of 10 feet is provided, and the storage exceeds the wall or fence height no higher than twice the height of the required fence or wall height.

The above language provides flexibility in the code but also considers proximity to residential uses, provides a setback, and considers safety as important factors when storing materials at a height that may pose a concern to citizens, businesses, and assets.

Brian Halvorson, Planning Manager concluded this section of the written staff report with a PowerPoint presentation showing various examples of outdoor storage and fence/wall heights.

OPEN/CLOSE Public Comment for Zoning Code Amendment TA 20-02 (Item IV).

After discussion, the **Commission** agreed with the changes as presented in the Staff Report as amended.

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Ostini** that the Commission authorize Staff to move forward with a Text Amendment (TA) to update Lompoc Municipal Code Section 17.216.050A2 as amended:

2. Ensure no material is stored at a height greater than the height of the required wall or fence unless the property is not adjacent to residential, a setback of 10 feet is provided, and the storage exceeds the wall or fence height no higher than twice the height of the ~~required~~ existing fence or wall height;

VOTE: The motion passed on a voice vote of 4-0.

Item V.

Bicycle Parking

Brian Halvorson, Planning Manager, summarized this item as written in the staff report as follows:

Currently, the zoning code requires bicycle parking in all zones where 2 bicycle spaces or 5% of required off-street parking spaces (whichever is greater) are required for all uses (other than single-family residential). The Commission expressed a concern that this requirement should be eliminated for multi-family projects with up to four (4) units with garages (not carports).

Therefore, staff recommends the following code amendment to address this issue:

17.308.050 Bicycle and Motorcycle Parking Requirements

A. **Bicycle Parking.** The following standards apply to bicycle parking in all zones:

1. Two bicycle parking spaces, or five percent of required off-street parking spaces, whichever is greater, are required for all uses other than single-family residential. For multi-family residential projects with 4 or fewer units, no bicycle parking is required if a fully enclosed garage (with a garage door, not a carport) is provided.

This amendment would not require bicycle parking for smaller residential developments such as a duplex or triplex when a garage is already provided on-site as it is assumed that bicycles will be stored in a secure, enclosed structure (garage).

OPEN/CLOSE Public Comment for Zoning Code Amendment TA 20-02 (Item V).

After the discussion, the **Commission** agreed with the changes as presented in the Staff Report.

MOTION: It was moved by **Commissioner Ostini**, seconded by **Commissioner Bridge** that the Commission authorize Staff to move forward with a Text Amendment (TA) to update Lompoc Municipal Code Section 17.308.050A1 as written in the Staff Report.

VOTE: The motion passed on a voice vote of 4-0.

Item VI.

Other Minor Amendments

Brian Halvorson, Planning Manager, summarized this item as written in the staff report as follows:

Staff has found a variety of typographical errors in the code, clarifications, and other minor changes (terminology, incorrect references, etc.) that will also be a part of the overall amendments. In addition, there is a minor fence regulation (allowed height in residential side yards) that will also be included in the future amendments.

OPEN/CLOSE Public Comment for Zoning Code Amendment TA 20-02 (Item VI).

The **Commission** consensus authorized Staff to move forward with a Text Amendment (TA) to update typographical errors in the code, clarifications, and other minor changes (terminology, incorrect references, etc.) to be brought back to the Commission with the other Text Amendments.

NEW BUSINESS: None

ORAL COMMUNICATIONS (3 Minutes Maximum): None

WRITTEN COMMUNICATIONS: None

APPROVAL OF MINUTES:

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Ostini**, that the Commission adopt the May 13, 2020 minutes.

VOTE: The motion passed on a voice vote of 4-0.

DIRECTOR/STAFF COMMUNICATIONS:

- **Brian Halvorson, Planning Manager** attended the Santa Barbara County Association of Governments (SBCAG) Technical Planning Advisory Committee (TPAC) / Joint Technical Advisory Committee (JTAC) Meetings on June 4, 2020, via Zoom and items discussed included:
 - SB 743 Vehicle Mile Traveled (VMT) effective July 1, 2020. The City is in the process of the release a Request for Proposal (RFP) for VMT guidelines.

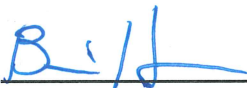
COMMISSION REQUESTS:

- **Commissioner Bridge** inquired about the monthly Master Project List distributed to the City Manager from the Planning Manager regarding projects that state "inactive". **Brian Halvorson** stated he would look into those projects.

ADJOURNMENT:

MOTION: It was moved by **Chair Cioni**, seconded by **Commissioner Bridge**, to adjourn the meeting at 8:40 P.M. to a regular meeting on Wednesday, August 12, 2020, at 6:30 P.M. in the City of Lompoc Council Chambers.

VOTE: The motion passed on a voice vote of 4-0.



Brian Halvorson
Secretary



Federico Cioni
Acting Chair