



**Community Development Department  
Planning Division**

**Memorandum**

DATE: October 14, 2020  
TO: Planning Commission  
FROM: Brian Halvorson, Planning Manager  
SUBJECT: Agenda Item No. 1 – TA 20-02  
Supplemental Information

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The attached are the Code Amendment suggestions received from Commissioner Bridge.

Recommended changes to Lompoc Ordinance and ABG

MUP for restaurants in CC code to be permitted to sell beer and wine without MUP

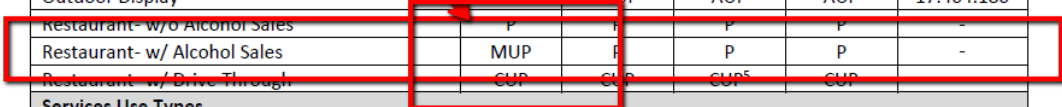
17.212: Commercial Zones

**Table 17.212.030.A: Commercial Zones Allowed Uses**

Use	Requirement by Zone				Specific Use Regulations
	CC	CB	OTC	PCD	
<b>Residential Use Types</b>					
Car Wash	-	MUP	-	MUP	17.404.060
Emergency Services	P	P	CUP	CUP	17.404.090
Homebased Business	-	-	AUP	-	17.404.110
Live Entertainment	MUP	MUP	P	MUP	17.404.120
Multipurpose	-	-	p <sup>3</sup>	-	17.404.160
Singles	CUP	CUP	CUP	CUP	-
Supplies	-	-	p <sup>3,4</sup>	-	-
<b>Retail</b>					
Alcohol	P	P	P	P	-
Bar/Nightclub	-	P	MUP	P	-
Dispensary	P	P	P	P	LMC 9.36
Drive-Through, Non-Restaurants	MUP	MUP	CUP <sup>5</sup>	MUP	-
General Retail ≤ 5,000 sf	P	P	P	P	-
General Retail > 5,000 sf.	MUP	MUP	MUP	P	-
Outdoor Dining	P	P	P	P	17.404.170
Outdoor Display	AUP	MUP	AUP	AUP	17.404.180
Restaurant- w/o Alcohol Sales	P	P	P	P	-
Restaurant- w/ Alcohol Sales	MUP	P	P	P	-
Restaurant- w/ Drive-Through	CUP	CUP	CUP <sup>5</sup>	CUP	-
<b>Services Use Types</b>					
Bed & Breakfast	-	-	CUP	-	-
Day Care, Commercial	CUP	-	CUP	-	-
Dry Cleaning, Processing	P	P	-	P	-
Funeral Homes and Mortuaries	-	P	-	P	-
General Services	P	P	P	P	-
Hospital	-	P	-	P	-

Change this to alcohol above 30%.  
Allow beer and wine.

ABC already does a mailing to every property owner and residence within 500 feet and a 30 day post.



## Simplify and eliminate TUP requirement

### 5. Mobile vendors.

- a. Purpose.** This Subsection regulates mobile vending other than in public sidewalks or parks. Mobile vending can promote the public interest by contributing to an active and attractive pedestrian environment. However, reasonable regulation of mobile vending is necessary to protect the public health, safety, and welfare. The purpose of this Subsection is to set forth the conditions and requirements under which mobile vendors may be permitted to operate to protect the public health, safety, and welfare of the residents of and visitors to Lompoc.
- b. Applicability.** Mobile vending activity may occur within a public or private open space not including a public sidewalk or park (e.g., parking lot, plaza, etc.), or from a vehicle legally parked on the street, in all commercial, mixed use, business park, and industrial zones in compliance with the standards in this Subsection. Mobile vending activity may also occur from a vehicle legally parked on the street in all residential zones, in compliance with the standards of this Subsection. The requirements in this Code shall control over the provisions in LMC Section 5.08.150. The following mobile vendors are not subject to the standards in this Subsection:
- (i) A mobile vending vehicle or pushcart owned or operated by any public agency;
  - (ii) Persons delivering goods, wares, merchandise, fruits, vegetables, or foodstuffs upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution;
  - (iii) Vendors participating in farmers markets or other special events as allowed by the City;
  - (iv) An event at a school facility or an assembly use facility, if the vendor is operating in partnership with the organization conducting the event and is located on the site of the event (i.e., not in the public right-of-way); and
  - (v) Vendors that only sell, display, solicit, or offer sale of items that are inherently communicative and have nominal utility apart from its communication (e.g., newspapers, leaflets, pamphlets, buttons, etc.).
- c. Vendors permit required.** No mobile vendor shall operate without a ~~mobile vendor's permit and~~ business tax certificate.
- d. Applications.** The application for a ~~mobile vendor's permit~~BTC shall be signed by the applicant and shall include the following:
- (i) The name, home, and physical business address of the applicant, and the name and address of the owner, if other than the applicant, of the vending stand to be used in the operation of the vending business.
  - (ii) A description of the type of food, beverage, or merchandise to be sold, as well as hours of operation and any additional information that will explain proposed use.
  - (iii) A description and photograph (including signage and colors) of any stand to be used in the operation of the business; or
  - ~~(iv) Written evidence that the applicant is an owner, lessee, or holder of a similar interest in the mobile vendor vehicle;~~
  - ~~(v) The name and address of all legal and registered owner(s) of the mobile vendor vehicle, and each person with a financial interest in the business that operates the mobile vendor vehicle; and~~
  - (vi) The state vehicle license plate number and the vehicle identification number of the mobile vendor vehicle.

- ~~(vii) If operating on private property or on a City-owned parking lot, plaza, or other City-owned area (other than a public sidewalk or park), the mobile vendor shall provide evidence of the property owner's written authorization.~~
- ~~(viii) If operating in State right-of-way, the mobile vendor shall provide evidence of the State's authorization.~~
- ~~(ix) For each person with a 10% or greater financial interest in the business that operates the mobile vendor vehicle, a list, signed under penalty of perjury, of each conviction of such person and whether such conviction was by verdict, plea of guilty, or plea of no contest. The list shall, for each conviction, set forth the date of arrest, the offense charged, and the offense of which the person was convicted. A person who acquires a 10% or greater financial interest in the business that operates the mobile vendor vehicle during the term of the permit issued pursuant to this Code shall immediately so notify the Director and comply with this Subsection.~~
- ~~(x)(viii) Proof of insurance policy, issued by an insurance company licensed to do business in the State, protecting the permittee and the City from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with the permit. Such insurance shall name as additional insured the City and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days advance written notice to the City.~~
- ~~(xi)(ix) Valid permit issued by the Santa Barbara County Health Department, if the mobile vendor intends to sell food or any other item requiring a County Health Department permit.~~
- ~~(xii) Evidence of compliance with Health & Safety Code § 114315(a). Such evidence may include, but is not limited to, written permission from a private business owner for use of the business's toilet and hand washing facility, a printed or electronic map showing the location of a compliant public toilet and hand washing facility, or similar documented evidence of compliance.~~
- e. **Issuance and fees.** Not later than 30 days after the filing of a completed application for a vendor's permit, the applicant shall be notified of the decision on the issuance or denial of the permit.
  - ~~(i) Fees shall be determined by Council resolution and shall be paid prior to issuance of a permit.~~
  - ~~(ii) Permits to vend shall be reviewed and approved by the Director in conjunction with the City Clerk.~~
  - ~~(iii) Locations for vending, within the given commercial, mixed use, business park, industrial, and/or residential zone, shall be approved by the Director.
    - ~~a. Vending locations shall be designated based on the ability of the site to safely accommodate the use.~~
    - ~~b. Vending locations may change only upon written request by an applicant and approval by the Director.~~
    - ~~c. All locations of vending stands shall be considered in relation to rightof-way configurations and pedestrian safety.~~~~
- f. **Term and renewal.** All permits are valid for one year unless revoked or suspended prior to expiration. An application to renew a permit shall be made not later than 60 days before the expiration of the current permit. Permit fees and renewal procedures shall be established in accordance with the Municipal Code.
- g. **Operational standards.** It shall be prohibited for any mobile vendor to operate under any of the following conditions:
  - (i) Vend between 2:30 a.m. and 6:00 a.m. unless in conjunction with a special event;
  - (ii) Leave any stand or motor vehicle unattended;

- (iii) Store, park, or leave any stand overnight on any public street or sidewalk, or park any motor vehicle other than in a lawful parking place;
  - (iv) Sell food or beverages for immediate consumption unless there is a litter receptacle available for patrons' use;
  - (v) Leave any location without first disposing all trash or refuse remaining from sales conducted. Trash and refuse generated by the vending cart operations shall not be disposed of in public trash receptacles;
  - (vi) Discharge solids or liquids to the street or a storm drain;
  - (vii) Allow any items relating to the operation of the vending business to be placed anywhere other than in, on, or under the stand or vehicle;
  - (viii) Set up, maintain, or permit the use of any additional table, crate, carton, rack, or any other device to increase the selling or display capacity of his/her stand where such terms have not been described by his or her application;
  - (ix) Solicit or conduct business with persons in motor vehicles;
  - (x) Sell anything other than that which he or she is permitted to vend;
  - (xi) Sound or permit the sounding of any device that produces a loud and raucous noise, or any noise in violation of the City's noise ordinance (LMC Chapter 8.08). or use or operate any loud speaker, public address system, radio, sound amplifier, or similar device to attract the attention of the public;
  - (xii) Vend without the insurance coverage previously specified;
  - (xiii) Operate within 50 feet of a fire hydrant or 25 feet of a transit stop;
  - (xiv) Operate within 25 feet of the outer edge of a driveway or vehicular entrance to public or private property in residential zones;
  - (xv) Operate within 25 feet of the outer edge of a driveway or vehicular entrance to public or private property in commercial, mixed use, business park, or industrial zones;
  - (xvi) Vend from the exposed street or alley and/or traffic side of the vending cart or vehicle;
  - (xvii) Vend while parked illegally;
  - (xviii) Vend from any street parking space other than a space parallel to the curb;
  - (xix) Operate in a manner that does not maintain four feet of clear space on a public sidewalk;
  - (xx) Operate in any manner or location that blocks any citizen or service entry or exit from any business or residence;
  - (xxi) Operate from any motor vehicle not licensed by the Department of Motor Vehicles;
  - (xxii) Display off-site signs. No signs are allowed, except those approved in the application which identify the name of the product or the name of the vendor and the posting of prices on the cart. Signs with intermittent, flashing, moving, or blinking light, or varying intensity of light or color, are not permitted;
  - (xxiii) Operate in any manner that is not in compliance with all requirements of all applicable regulatory agencies.
- h. **Safety requirements.** All mobile vendors that prepare or sell food shall comply with the following requirements:
- (i) All equipment installed in any part of the mobile vending vehicle or cart shall be secured in order to prevent movement during transit and to prevent detachment in the event of a collision or overturn.

- (ii) All utensils shall be securely stored in order to prevent their being thrown from the cart or vehicle in the event of a sudden stop, collision or overturn. A safety knife holder shall be provided to avoid loose storage of knives.
  - (iii) Compressors, auxiliary engines, generators, batteries, battery chargers, gas-fueled water heaters, and similar equipment shall be installed so as to be hidden from view to the extent possible and be easily accessible.
  - (iv) All heating and cooking equipment shall be inspected annually by a qualified independent service for fuel leaks and condition of piping, brackets, and burners. Evidence of the completion and results of such inspections shall be provided to the City with every application to renew a mobile vending permit.
- i. **Display of ~~permit~~permitted BTC.** ~~All permits~~permitted BTC shall be displayed in a visible and conspicuous location at all times during the operation of the vending business.
  - j. **Denial, suspension, and revocation.** Any ~~permit~~permitted BTC may be denied, suspended, or revoked in accordance with Chapter 17.556 (Permit Modification and Revocation) for any of the following causes:
    - (i) Fraud or misrepresentation contained in the application for the permit.
    - (ii) Fraud or misrepresentation made in the course of carrying on the business of vending.
    - (iii) Conduct of the permitted business in such manner as to create a public nuisance, or constitute a danger to the public health, safety, or welfare.
    - (iv) Conduct in violation of the provisions of this Section 17.404.210(C)(5), or in violation of the mobile vendor permit.

Eliminate this requirement

### Architectural Review 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.~~

Why

### Table 17.212.030.A Commercial Zone Allowed Uses

3 For buildings with H Street or Ocean Avenue frontage in the OTC Zone, residential uses may only be located on the first floor if the residential use does not face the street (i.e., H Street or Ocean Avenue) and residential access is provided at the rear of the building.

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17.216-050

A.

2. Ensure no material is stored at a height greater than the height of the required wall or fence; In industries that have seasonal requirements for palletized or rack storage of seasonal materials, a temporary height of storage exceeding the height of the required wall or fence may be allowed if storage is at least 10 feet from fence or wall and provides at least 10 feet of facility access for emergency vehicles.

Increase Old Town designation



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## Future Changes

### **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 5% of required off-street parking spaces, whichever is greater, are required for all uses other than single-family residential.
2. Bicycle parking shall be placed in a convenient, highly-visible, and well-lit location not more than 50 feet walking distance from the main entrance and shall not interfere with pedestrian movements.
3. Bicycle stalls shall be provided in compliance with the following requirements:
  - a. A device capable of supporting a bicycle(s) in an upright or hanging position, that allows for two points of contact with the frame and will enable a user to lock the bicycle to the device shall be provided, and the device shall be approved by the City.
  - b. The minimum spacing dimension of bicycle stalls shall be three feet by six feet.
  - c. Areas containing bicycle stalls shall be surfaced with hardscape or paving.
  - d. When located within a parking area, bicycle spaces shall be protected by curbs, fences, planter areas, bumpers, or similar barriers for the mutual protection of bicycles, automobiles, and pedestrians, unless deemed by the Review Authority to be unnecessary because the intended safety is adequately achieved through other means.

#### [17.308: Parking Standards](#)

City of Lompoc Zoning Code | Final **17.308-6**

**B. Motorcycle Parking.** Parking for motorcycles shall be provided at the rate of one space for the first 40 required automobile spaces and one space for each 20 required automobile spaces above the first 40 required automobile spaces. An individual motorcycle space shall be four feet by seven feet.