

RESOLUTION NO. 956 (21)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC RECOMMENDING THAT THE CITY COUNCIL ADOPT SUBDIVISION CODE TEXT AMENDMENTS (TA 21-03) TO TITLE 16 (SUBDIVISIONS) OF THE LOMPOC MUNICIPAL CODE

WHEREAS, Subdivision Code Text Amendment TA 21-03 includes amendments to Title 16 (Subdivisions) to allow Director approval of Lot Line Adjustments, Deletion of Certain Development Standards and Zoning Requirements for Planned Residential Developments and Residential Condominiums, Amendments to the Initial Duration and Length of Discretionary Extensions of Tentative Tract Maps, and miscellaneous revisions to outdated code references; and

WHEREAS, the matter was considered by the Planning Commission at a duly-noticed public meeting on October 13, 2021; and

WHEREAS, at the meeting on October 13, 2021, public comment was received, and City staff was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of October 13, 2021, no one spoke in favor of the proposed Subdivision Code amendments, and no one spoke in opposition of the proposed Subdivision Code amendments.

WHEREAS, pursuant to the requirements of the California Environmental Quality Act (CEQA) this action is exempt pursuant to Section 15061b(3).

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOMPOC RESOLVES AS FOLLOWS:

SECTION 1: The proposed subdivision code text amendments allowing Director approval of lot line adjustment maps falls within the intent of the Subdivision Map Act and it can be found that:

- A. Lot line adjustment maps would require a hearing before the Subdivision Review Board.
- B. The Director may only approve a lot line adjustment map when all design and improvement standards and environmental protection measures are complied with.
- C. The Director's action may be appealed to the Planning Commission in the same manner as Zoning decisions.

SECTION 2: The proposed subdivision code text amendments deleting certain development standards and zoning requirements for Planned Residential Developments and Residential Condominiums is outdated based on a previous update to the Zoning code and it can be found that:

- A. The amendments would provide consistency between the Subdivision Code and Zoning Code.
- B. The amendments remove sections relating to Density Bonus provisions that are already covered in the Zoning code.
- C. The amendments are necessary to provide accurate code references.

SECTION 3: The proposed subdivision code text amendments to the initial duration and length of discretionary extensions of tentative tract maps are consistent with the Subdivision Map Act and it can be found that:

- A. The code amendments would provide the maximum duration in which a map could be extended.
- B. The code revision would provide additional time for tentative tract maps to record.
- C. The change would better serve the public necessity, convenience, and general welfare.

SECTION 4: The proposed subdivision code text revisions to miscellaneous outdated zoning code references would clarify previously adopted zoning regulations and it can be found that:

- A. The amendments are necessary in order to implement the subdivision ordinance.
- B. The amendments will provide clearer code citations.
- C. The code revisions are consistent with the zoning code as adopted in Ordinance 1670 (19).

SECTION 5: The Planning Commission has independently reviewed and analyzed the proposed Subdivision Code Text Amendments (TA 21-03) and finds that it is exempt pursuant to Section 15061b(3) of the California Environmental Quality Act.

SECTION 6: The Planning Commission recommends that the City Council approve Subdivision Code Text Amendments (TA 21-03) for amendments to Title 16 (Subdivisions) to allow Director approval of Lot Line Adjustments, Deletion of Certain Development Standards and Zoning Requirements for Planned Residential Developments and Residential Condominiums, Amendments to the Initial Duration and Length of Discretionary Extensions of Tentative Tract Maps, and miscellaneous revisions to outdated code references as shown on the attached exhibit. The Commission finds that these proposed changes:

- A. Are consistent with the 2030 General Plan, Zoning Code, and all applicable Specific Plans;
- B. Serve the public necessity, convenience, and general welfare;
- C. Are in compliance with the provisions of CEQA; and
- D. Are internally consistent with other applicable provisions of the Lompoc Municipal Code.

The foregoing Resolution, on motion by Commissioner Gonzales, seconded by Commissioner Caudillo, was adopted at the Planning Commission meeting of October 13, 2021 by the following vote:

AYES: Commissioner Caudillo, Braxton, Badertscher, Gonzales

NOES: None

ABSENT: Commissioner Cioni



Brian Halvorson, Secretary



Edwin Braxton, Vice Chair

Attachment:

Exhibit A – Subdivision Code Text Amendments

Additions are underlined and shown in RED, deletions are shown as strikeouts

16.04.110 Expiration of Tentative Map Approval.

- A. Expiration. The approval or conditional approval of a tentative map shall expire ~~twelve~~ twenty-four months from the date the map was approved or conditionally approved.
- B. Extension. The person filing the tentative map may request an extension of the tentative map approval or conditional approval by written application to the Planning Commission, such application to be filed at least 30 days before the approval or conditional approval is due to expire. The application shall state the reasons for requesting the extension. In granting an extension, new conditions may be imposed and existing conditions may be revised.
- C. Time Limit on Extensions. ~~An extension or~~ Discretionary extensions of a tentative map approval or conditional approval shall not exceed an aggregate of ~~two years~~ six years.
- D. Effect of Map Modification on Extension. Modification of a tentative map after approval or conditional approval shall not extend the time limits imposed by this Section.
- E. Appeal. If the Planning Commission denies a request for the extension of a tentative map, the applicant may appeal to the City Council in accordance with the provisions of Section 16.32.020.

16.08.010 When Maps Are Not Required.

- A. No maps shall be required for land divided by mineral, oil, or gas leases; land dedicated for cemetery purposes under the Health and Safety Code of the State of California; land divided by short-term leases (terminable by either party on not more than 30 days notice in writing) of a portion of an operating right-of-way of a railroad corporation defined by Section 230 of the Public Utilities Code, provided, however, that such a showing made by the City Engineer based upon substantial evidence that public policy necessitates such a map, this Section shall not apply; and leases of land for agricultural purposes; or any conveyance of land to a governmental agency, public entity or public utility.
- ~~B. Lot Line Adjustments. No maps shall be required in the case of lot line adjustments approved by the Planning Commission after filing the tentative parcel map requesting such adjustment and the issuance and recording of a certificate of compliance for the lots after said approval is rendered. The Planning Commission may make minor adjustments to lot lines in order to correct errors or alleviate hardship.~~

16.08.020 Maps Required.

A. A lot combination map or lot line adjustment map application shall be made in the same form as prescribed for tentative parcel maps (see Section 16.16.050) except that a preliminary title report, prepared within three months prior to the application date shall also be filed. The Community Development Department shall provide public notice according to State Law (State Government Code Section 65091). The Community Development Department shall consider the report of the Subdivision Review Board and shall hold a hearing and decide the matter. Upon a finding by the Community Development Department that all design and improvement standards and environmental protection measures established by the City will be complied with, the Community Development Director may approve the lot combination map or lot line adjustment map. Upon acceptance of all certificates, guarantees, or other documents which may be required in conjunction with the lot combination or lot line adjustment, the Community Development Department shall file a certificate of compliance, which shall contain an 8 1/2 by 11 inch reduction of the lot combination map or lot line adjustment map as an exhibit, and shall cause the certificate to be recorded in the office of the County Recorder. The Director's action may be appealed to the Planning Commission in the same manner as Zoning Ordinance decisions (See Section ~~17.144.030~~ Chapter 17.612).

B. A preliminary, tentative and final map shall be required for all divisions of land not exempted under Section 16.08.010 or the Map Act when such land is to be divided into five or more parcels, five or more condominiums, as defined in Section 783 of the California Civil Code, or a community apartment project containing five or more parcels.

16.12.030 Optional Design and Improvement Standards.

~~When a land divider and the Planning Commission agree, deviations Deviations from the standards herein may be granted if the divider complies with in compliance with the requirements of the Planned Commercial Development (PCD) Zone (see Chapter 17.212) or the Planned Development (PD) Overlay Zone. Chapters 17.32. and 17.048 of the Comprehensive Zoning Ordinance establishing requirements of the P-D Planned Development District, P-C-D Planned Commercial Development District, or P-M Planned Manufacturing District, respectively.~~

16.12.040 Improvements Required.

- A. The design and type of improvements shall conform to the City standard details and specifications approved and in use by the City for public streets and facilities. Any permit required for work in a public street or place shall be obtained prior to commencement of installation of any improvements.
- B. Improvements to be installed shall include the following:
1. Paved streets, curbs, gutters, sidewalks and walkways, parking bays, bikeways and equestrian trails.
 2. Water lines, cable television, gas, electric and other utility services to serve each lot, which utility shall be extended to the lot line.
 3. Sanitary sewers and laterals to serve each lot, extended to the lot line.
 4. Storm sewers, drains and channel improvements.
 5. Slope planting, retaining walls and any other forms of erosion control.
 6. Street tree wells.
 7. Street trees. The property shall be conditioned to require that the developer record covenants providing that the property owner shall maintain the trees. Subsequent owners shall be put on notice of such requirements. Such trees shall also be subject to the provisions of Chapter ~~47.092~~ 17.312 of the Zoning Ordinance.

Title of Chapter 16.36. The title of Chapter 16.36 shall be changed from “Residential Condominiums” to “Planned Residential Developments and Residential Condominiums.”

16.36.010 Title.

This Chapter shall be known as the “~~Lempoc~~–Planned Residential Developments and Residential Condominiums Ordinance.”

16.36.020 Purpose.

The City Council finds and determines that residential condominiums and planned residential developments differ from other ~~apartments~~ residential developments in numerous respects and, for the benefit of public health, safety, and welfare, such projects, which are subject to the subdivision regulations of the State of California, should be treated differently from ~~apartment projects~~ other residential developments. The City Council, therefore states its express intent to set such standards and regulations different from other ~~apartments and like structures~~ residential developments.

16.36.040 ~~Planned Residential Developments and Residential Condominiums.~~

Additional Standards.

~~A. Zoning Requirements. Planned residential developments and residential condominiums of 15 units or more shall develop only in a Planned Residential Development District zone.~~

~~B. Procedure. To apply for a Planned Development District, the applicant shall file with the Community Development Department an application for rezoning, together with the required fee and preliminary development plan as hereinafter described. Such application for rezoning shall be processed in accordance with the provisions of Chapter 17.132 of the Zoning Ordinance.~~

~~Following the public hearings by Planning Commission and City Council, the City Council may adopt the preliminary development plan as a rezoning amendment to the Zoning Ordinance incorporating such modifications and conditions as have been recommended by the Planning Commission. Any changes by the City Council, pertinent to the recommendations of the Planning Commission, shall be accomplished in the manner approved by State law for amendments to precise plans. Upon the effective date of the rezoning amendment to the Zoning Ordinance, the zoning map shall be amended to designate the necessary P-D symbol or symbols on the subject property.~~

~~Within two years after the effective date of the amendment, the applicant shall file with the Planning Commission a precise development plan incorporating all buildings and structures proposed to be constructed in the first state of development which precise development shall be substantially in accordance with the preliminary development plan. The Planning Commission and Architectural Review Committee shall review the precise development plan for conformance with requirements of the amendment incorporating the preliminary development plan and no building permit for buildings or structures proposed for construction under this Section shall be issued prior to approval of the precise development plan by the Planning Commission.~~

~~C. Preliminary Development Plan. An application for the establishment of a P-D Planned Development District shall be accompanied by a preliminary development plan, drawn to scale, together with supporting data, and which shall specifically include the following, unless specifically waived by the Planning Commission upon good cause shown by the applicant:~~

- ~~1. Scale, north arrow, and title block.;~~
- ~~2. Name and address of owner, project engineer, and project architect;~~
- ~~3. Vicinity map and legal description;~~
- ~~4. Boundary line and dimensions of the property with an indication of the surrounding land uses and lot configuration;~~
- ~~5. Location of any creeks, streams, existing trees greater than four inches in diameter, and groupings of trees;~~

~~6. Existing topographical information at an appropriate scale, and any other unique natural feature;~~

~~7. Location and dimension of all existing and proposed buildings, vehicle and pedestrian circulation ways, recreational amenities, parking areas, landscaped areas, and any other purposeful uses on the project. If development is to occur in phase construction, such phases shall be identified;~~

~~8. Calculation of area, and percentage of the total devoted to building coverage, parking circulation, and usable open space. An indication of the total number of dwelling units with a breakdown by bedroom count per dwelling unit;~~

~~9. Schematic drawings and renderings depicting architectural design of buildings and structures proposed (See ARC Handbook);~~

~~10. Supplemental written material to include:~~

~~a. A statement of planning objectives to be achieved, and a description of the character of the proposed Planned Development District;~~

~~b. A development scheme, indicating all phasing of construction;~~

~~c. A statement of the applicant's intention with regard to the sale or lease of the units and provisions for maintenance of the common areas and features;~~

~~11. Project applications and the required fees.~~

~~D. Precise Development Plan. Upon approval of the preliminary development plan, the applicant shall submit a precise development plan as described herein:~~

~~1. A development plan, signed by the owner and project engineer or architect in substantial conformance to the approved preliminary development plan;~~

~~2. Information necessary for Architectural Review Committee, including landscape plans and drawings of the building elevations, as described in Chapter 17.104 of the Lompoc Zoning Ordinance;~~

~~3. Project application and required fee.~~

~~E. Development Standards. The following standards are required for any planned residential development or residential condominium as described herein or within the Zoning Ordinance.~~

The following standards shall apply to all planned residential developments and residential condominiums in addition to any other requirements in the Zoning Code. If these standards conflict with the requirements in the Zoning Code, these standards shall govern.

4.A. Amenities.

1. Minimum amenities for a planned residential development or residential condominium shall be provided as follows:

- a. 2—24 dwelling units: one amenity;
- b. 25—49 dwelling units: two amenities;
- c. 50—99 dwelling units: three amenities;
- d. 100+ dwelling units: four amenities, plus an additional amenity for each 50 dwelling units beyond 100.

2. The project developer shall propose the size and type of amenities to be provided in accordance with the requirements of Subsection ~~(E)~~**(A)**(1) of this Section. The Planning Commission and Subdivision Review Board shall review proposed recreational needs of project residents, ~~and make recommendations to the City Council regarding adequacy of amenities.~~ Recreational amenities shall be designated to serve the anticipated inhabitants of the project. Credit for amenities against the requirement of land dedication or payment of fees for park facilities shall be given in accordance with Lompoc Municipal Code Section 16.44.080.

~~3. Lot coverage shall not exceed that prescribed by the underlying zone classification with the exception of a Planning Commission grant of density bonus as described in Subsection F of this Section.~~

4. B. Parking. Required off-street parking shall be provided in accordance with the provisions of the Zoning Ordinance. Additional parking for storage of recreational vehicles, trailers, and other miscellaneous vehicles shall be provided at a rate of one space for each seven dwelling units. If spaces for such vehicles are not provided, then project codes, covenants, and restrictions shall prohibit recreational vehicle parking within the project.

~~5. Minimum open space area required shall be provided at the following rates:~~

- ~~a. R-1 density: 60 percent open space;~~
- ~~b. R-2 density: 50 percent open space;~~
- ~~c. R-3 density: 40 percent open space.~~

~~At least one half of the total open space requirement shall be devoted to open space usable by the residents. Such usable open space shall be suitable in area dimensions, physical surface characteristics, location and physical improvements.~~

~~F. Density Bonus. The Planning Commission may authorize an increase in allowable dwelling unit density for residential project design which is exceptionally beneficial to the residents and users of the project, and to the neighborhood project. Upon the recommendation for density bonus by the Architectural Review Committee~~

~~to the Planning Commission, and approval of said recommendation by the Planning Commission concurrent with approval of the precise development plan, the applicant shall be awarded a density increase. The applicant may be awarded a maximum of five percent bonus residential density in each of the following categories (The density bonus shall not exceed 15 percent of the density normally allowed.):~~

- ~~1. Landscaping, including streetscape, open spaces, plazas, use of existing landscape, pedestrian way treatment and recreation areas;~~
- ~~2. Project siting, including visual focal points, use of existing physical features, such as topography, view, sun and wind orientation, circulation pattern, variation in building setbacks, and building groups;~~
- ~~3. Design features, including architectural styles, harmonious use of materials, treatment of parking areas, and varied use of housing type.~~

16.36.050 Conversion to Condominium.

G. Standards for Conversion to Condominium. The following minimum standards shall be required for conversion to a condominium:

1. **Unit Storage.** At least 100 cubic feet, with a minimum horizontal service area of 25 square feet of enclosed, weatherproofed, lockable storage space shall be provided for each dwelling unit. Such storage space shall be in addition to that ordinarily contained within a unit, such as cabinets, pantry, and clothes closets. Such storage space may be located at or separated from the dwelling unit.
2. **Sound and Energy Insulation.** Walls, floors, and ceilings shall conform to the sound and energy insulation performance criteria in Title 25 of the California Administrative Code, Section 1092, or its successor.
3. **Separate Metering of Utilities.** The consumption of gas and electricity within each unit shall be separately metered. Each unit shall have a water valve shut-off and its own panel board for electric circuits. A master water meter may serve the entire project.
4. **Centralized Waste Refuse Collection.** An area shall be provided for centralized waste refuse collection in a project of seven or more units. Such areas shall be appropriately located and screened.
5. **Parking.** Required off-street parking shall be provided as described in Chapter 17.112 [17.308](#) of the Zoning Ordinance.

16.40.060 Filing and Processing.

A vesting tentative map shall be filed in the same form, and have the same contents, accompanying data and reports and shall be processed in the same manner as set forth in ~~Section 16.20.020~~ Chapter 16.16 of this Title for a tentative map except as hereinafter provided:

A. At the time a vesting tentative map is filed it shall have printed conspicuously on its face the words "Vesting Tentative Map."

B. At the time a vesting tentative map is filed a subdivider shall also submit supply the following information:

~~1. Submittal requirements as set forth in Section 16.16.050 et seq. of this Title.~~

~~2. Development plan requirements as set forth in Section 17.032.040 of the Zoning Ordinance.~~

1. The boundaries of the property, together with the names, location, and width of surrounding streets, and the present use of adjacent properties.

2. A plot plan depicting the location, elevation, and dimensions of all existing and proposed structures, landscaping, parking areas, and other proposed uses on the subject property, supplemented by a narrative description of all improvements proposed to be installed and the types of used on each portion of the property.

3. Schematic drawings and renderings depicting the architectural design of buildings and structures proposed to be constructed.

4. A schedule of time for construction of various portions of the development if the construction is proposed to occur in changes.

5. Any additional information related to a preliminary development plan approved for the property, if any, as deemed necessary by the Community Development Director.