



City Council Agenda Item

City Council Meeting Date: November 16, 2021

TO: Jim Throop, City Manager

FROM: Brian Halvorson, Planning Manager
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SUBJECT: Introduction of Ordinance No. 1686(21) Amending Title 16 of the Lompoc Municipal Code to Streamline Review of Lot Line Adjustments, Remove Certain Development Standards and Application Requirements for Planned Residential Developments and Residential Condominiums, Remove the Requirement for Planned Residential Developments and Residential Condominiums of 15 Units or More to be Developed Only in a Planned Development Overlay Zone, Increase the Initial Duration of Tentative Tract Maps to 24 Months and Allow Discretionary Extension of Tentative Tract Maps for Up to a Total Extension of 6 Years, and Update Outdated or Incorrect Code References (TA 21-03)

Recommendation:

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

- 1) Introduce, for first reading by title only with further reading waived, Ordinance No. 1686(21) amending Lompoc Municipal Code (LMC) Sections 16.04.110 (Expiration of Tentative Map Approval), 16.08.010 (When Maps Are Not Required), 16.36.040 (Planned Residential Developments and Residential Condominiums), and other sections of Title 16 to streamline review of lot line adjustments, remove certain development standards and application processing requirements for Planned Residential Developments and Residential Condominiums, remove the requirement for Planned Residential Developments and Residential Condominiums of 15 units or more to be developed only in a Planned Development Overlay Zone, increase the initial duration of tentative tract maps to 24 months and allow discretionary extension of tentative tract maps for up to a total extension of 6 years, and update outdated or incorrect code references (Attachment 1); or
- 2) Provide other direction.

Background:

Lompoc's Subdivision Code was originally adopted by Ordinance No. 396(51) on April 3, 1951, amended by Ordinance No. 717(63) on November 27, 1963, and most recently by Ordinance No. 1371(92) on May 19, 1992. Since 1992, there have been no substantial amendments to Title 16 (Subdivisions). On the other hand, a recent comprehensive update to Title 17 (Zoning) was adopted on December 17, 2019.

Therefore, there has been a need to complete amendments to the Subdivision Code to address several code sections to streamline, update, and address certain requirements that are outdated. On October 13, 2021, the Planning Commission considered the amendments and did not have any changes and therefore recommended City Council approval of the amendments (Attachment 2). It is worth noting that when staffing and funding are available, it is anticipated that a more comprehensive update to this Title will occur at a later date.

Discussion and Staff Analysis:

The following code analysis is compliant with applicable State laws related to subdivisions. For specific code text amendments discussed below, refer to Exhibit A attached to Ordinance No. 1686(21) (Attachment 1).

Director Approval of Lot Line Adjustments (LMC § 16.08.020)

An application for a lot line adjustment (the process that is used to adjust or remove property lines of existing parcels where no new lots are created) is currently reviewed by the Planning Commission and can take up to four months to process. It is a relatively short application that typically requires no discretion and could be reviewed and decided by City staff through the Subdivision Review Board¹ without the need for Planning Commission review, which would save costs and time. In fact, it is common in most cities that this type of application is reviewed and decided at the staff level. Therefore, staff is recommending that lot line adjustment applications be reviewed and decided by the Community Development Director following review by the Subdivision Review Board (similar to lot combination map applications).

Deletion of Certain Development Standards and Zoning Requirements for Planned Residential Developments and Residential Condominiums (LMC Chapter 16.36)

Chapter 16.36 (Residential Condominiums) includes code requirements that are either out of date, or need amendments to address development standards that are already contained or previously deleted in the Zoning Code (Title 17).

Development standards that are recommended to be deleted or revised include those related to minimum open space requirements and density bonus provisions, which are

¹ The Subdivision Review Board consists of the Fire Marshal, Building Official, Community Development Director, City Engineer, Water Superintendent, Fire Chief, Electric Utility Manager, Park and Recreation Director, City Attorney, and other department heads as requested by the Community Development Director. Its purpose is to act as an advisory board to the Planning Commission. (LMC § 16.04.050)

already covered in Title 17. Currently, Section 16.36.040 requires that Planned Residential Developments and Residential Condominiums of 15 units or more must develop only in a Planned Residential Development District zone (which is now called the Planned Development Overlay zone). This requirement should be optional as not every development applicant needs, or wants, to build in the Planned Development Overlay zone. That requirement adds extra costs (over \$5,000) and substantial time (3-4 months) to re-zone a property that may not benefit from the Planned Development Overlay zone unless a project requests deviation from code requirements. Therefore, this code section is recommended to be deleted. Additionally, a requirement to submit a precise development plan within two years of a rezoning to include a Planned Development Overlay zone on a given property is recommended to be deleted as this requirement was previously deleted in the Zoning Code.

Amendments to the Initial Duration and Length of Discretionary Extensions of Tentative Tract Maps (LMC § 16.04.110)

Currently, Section 16.04.110 (Expiration of Tentative Map Approval) requires that a Tentative Map approval expire after 12 months. In addition, there is a time limit on extensions that shall not exceed an aggregate of 2 years (Subdivision 16.04.110.C).

Staff recommends increasing the initial duration of Tentative Tract Maps approval to 24 months and allow discretionary extensions of Tentative Tract Maps for up to a total of 6 years of extensions (in addition to the original 24 months).. That change is consistent with State law, and is already being implemented by staff due to the fact that State law overrides the LMC on this issue.

Miscellaneous Revisions to Outdated Zoning Code References

There are many old references to the previous zoning code that no longer apply and must be updated for clarity and accuracy when implementing subdivision code requirements. Based on the recent comprehensive zoning code update on December 17, 2019², the correct zoning references have been included in this update.

Definition of Lot Line Adjustment

Staff also recommends including a definition of Lot Line Adjustment. Lot Line Adjustment is already defined by State Law however including it in Title 16 will allow a more user-friendly code for the public and applicants. Therefore, a definition has been added to Exhibit A attached to the Adopting Ordinance.

Environmental Review

The amendments to the Subdivision Code are exempt from environmental review pursuant to Section 15061(b)(3) (the “common sense” exemption) of the California

² Ordinance No. 1670(19)

Environmental Quality Act Guidelines because it can be seen with certainty there is no possibility these code amendments may have a significant effect on the environment.

Fiscal Impact:

The Subdivision Code text amendments were funded through staff salaries and are expected from time to time when ordinances are updated. Therefore, there is no additional fiscal impact to the General Fund as a result of processing the amendments.

Conclusion:

The amendments to Title 16 make necessary amendments to allow administrative review and 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 updates to outdated zoning code references.

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) Ordinance No. 1686(21)
2) Planning Commission Resolution No. 956 (21)