



**Adopted Minutes of the Adjourned
of the Lompoc Planning Commission
Wednesday, October 12, 2022, at 6:30 P.M.
City Hall, 100 Civic Center Plaza, Council Chambers**

ROLL CALL:

Commissioner Federico Cioni – Chair
Commissioner Augusto Caudillo
Commissioner Dan Badertscher (Absent)
Commissioner Brianna Gonzales (Absent)
Commissioner Steve Bridge

STAFF:

Brian Halvorson, Planning Manager
Brian Wright-Bushman, Assistant City Attorney
Greg Stones, Principal Planner
Cherridah Weigel, Assistant Planner
Camri Smith, Development Services Assistant
Lori Speer, Engineering Division

ORAL COMMUNICATIONS (3 Minutes Maximum): None

CONSENT CALENDAR:

All items listed under Consent Calendar are considered to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the time the Commission votes on the motion to adopt

- 2023 Planning Commission Calendar

MOTION: It was moved by **Commissioner Cioni**, seconded by **Commissioner Bridge** that the **Commission** adopt the 2023 Planning Commission Calendar.

VOTE: The motion passed on a voice vote of 3-0-2, with **Commissioner Badertscher** and **Commissioner Gonzales** being absent.

PUBLIC HEARING ITEMS:

Public Hearing Item No. 1:

1. Vesting Tentative Parcel Map & Waiver Request for the CoastHills Credit Union (LOM 635)

Planning Commission consideration of a Vesting Tentative Parcel Map and Map Waiver request (LOM 635) to subdivide one 2.5-acre lot into two (2) lots (1.57 acres and 0.93 acres) located at 1320 North H Street (APN: 087-011-057) in the Planned Commercial Development (PCD) and H Street Overlay (HSO) zones. This action is categorically exempt from environmental review pursuant to Section 15315 (Minor Land Division) of the California Environmental Quality Act (CEQA) Guidelines.

Brian Halvorson, Planning Manager, presented the staff report in a PowerPoint presentation.

Lori Speer, Engineer, stated that the lot was developed as a single parcel. Access would be bisected if the parcel was split into two so, an easement would allow access through both lots. She stated that drainage from the north side of the lot drains into the south side drain. An easement would help with this issue. With a parcel map these easements would be reordered versus with the waiver, no easements would be recorded.

Commissioner Bridge inquired if it is a requirement to have two entrances.

Ms. Speer stated that it is not required.

Commissioner Bridge asked if CoastHills would still meet parking requirements if this lot had a fence put up to separate the parcel into two.

Mr. Halvorson stated that they would still meet parking requirements.

Ms. Speer stated the amount of parking is not an issue but without an easement the parking would not be able to be accessed without entering through parcel 1 and parcel 2.

Open Public Comment for LOM 635

Dave Salm, Executive Vice President of CoastHills Credit Union, stated that their sole intent is to create the second parcel, so they could market it for a ground lease. They believe it will be a complimentary use to CoastHills and the H Street Corridor.

Morgen Benevedo, applicant, stated this is an underutilized parcel that would be a great project for Lompoc. CoastHills feels that this parcel meets the minimum requirements to have a waiver. Mr. Benevedo stated that having the waiver will allow a shorter process to get this parcel marketed.

Robert Winslow, Civil Engineer, commenting by phone, stated there are conditions and provisions within California Law Statue that require a downstream user to accept water from an upstream user. This would address Staff's issue of water draining from parcel one into parcel two's drain.

Close Public Comment for LOM 635

Mr. Halvorson stated that the easement would not affect the current drainage, it would not go against state laws.

Commissioner Caudillo, stated that he is for expediting processes however he asked if the waiver was approved, would this be permanent down the line if it was leased to another entity, then sold, leased again, then sold and so forth.

Mr. Halvorson stated that this is not a current condition of the map, it is a note, a private agreement.

Re-open Public Comment for LOM 635

Mr. Benevedo stated that the easement would be recorded on the permanent title, it cannot be taken away by one party.

Commissioner Bridge inquired if a fire lane would be in the conditions.

Mr. Halvorson stated since there is no development, there are no fire conditions yet.

Commissioner Bridge stated his two main concerns are the fire lane and the drainage.

Ms. Speer stated the minimum fire lane requirements would be 20 feet, and right now there is 15 feet on one side, 10 feet on the other, so this would not meet fire lane requirements if a fence were to be put up.

Commissioner Cioni stated the current lot is unusable due to these requirements. He inquired if upon new development, would this come to the Planning Commission to make sure conditions are in place.

Brian Wright-Busman, Assistant City Attorney, stated that new development of this site would need to be brought to the Planning Commission.

Close for Public Comment

Commissioner Bridge inquired if there is no easement, would the City be at risk.

Mr. Wright-Bushman stated that the purpose of the easement is to make sure the City is aware that no matter what happens in the future, they can guarantee that the drive aisles will have sufficient access for cars and other emergency vehicles and that water can get from the northern parcel to the southern drainage.

MOTION: It was moved by **Commissioner Cioni**, seconded by **Commissioner Bridge** that the Commission adopt Resolution No. 972 (22) approving a Vesting Tentative Parcel Map Waiver (LOM 635) for CoastHills Credit Union based upon the Findings in the Resolution.

VOTE: The motion passed on a voice vote of 3-0-2, with **Commissioner Badertscher** and **Commissioner Gonzales** being absent.

Public Hearing Item No. 2:

2. Architectural Design and Site Development Review for the KFC Remodel Project (DR 22-03)

Planning Commission consideration of Architectural Design and Site Development Review for a proposed remodel of the existing KFC fast food restaurant building on approximately 0.51 acres of developed land located at 1401 North H Street (APN: 093-450-028) in the Planned Commercial Development (PCD) and H Street Overlay (HSO) zones. This action is categorically exempt from environmental review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

Greg Stones, Principal Planner, presented the staff report in a PowerPoint presentation.

Open Public Comment for DR 22-03

Phil Atteberry, applicant, stated that an upgrade would be beneficial to the City, and upgrades are being made to both the exterior and interior of the KFC building.

Close Public Comment for DR 22-03

Commissioner Bridge inquired if the distance between the parking and the new tree addition meets the minimum requirements.

Mr. Halvorson stated that the drive aisles are not being reduced in size, the landscaping area is being reduced, the tree is being added to an already established area.

Commissioner Caudillo stated that as someone who works in the food industry and retail, any remodel to these facilities is much needed.

MOTION: It was moved by **Commissioner Caudillo** seconded by **Commissioner Bridge**, that the Commission adopt Resolution No. 973 (22) approving Architectural Design and Site Development Review (DR 22-03) for the KFC Remodel based upon the Findings in the Resolution.

VOTE: The motion passed on a voice vote of 3-0-2, with **Commissioner Badertscher** and **Commissioner Gonzales** being absent.

Public Hearing Item No. 3:

3. Conditional Use Permit (Modification) for ORGN Cannabis Facility (CUP 19-06)

Planning Commission consideration of a permit modification to an approved Conditional Use Permit (CUP 19-06) for ORGN Cannabis Facility to allow the operation of a non-storefront retail cannabis dispensary (delivery service, not open to the public), processing (drying, curing, trimming, and packaging of pre-rolls and

flower cannabis for distribution), non-volatile manufacturing (vape pen cartridge filling only), and distribution facility within an existing building located in the Industrial (I) zone on approximately 0.72 acres at 1551 East Laurel Avenue (APN: 099-500-003). This action is categorically exempt from environmental review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

Cherridah Weigel, Assistant Planner, presented the staff report in a PowerPoint presentation.

Open Public Comment for CUP 19-06

Karen Streeter, Applicant, stated that staff has been very helpful through this process, and feels like it has been thoroughly explained and will be available for questions.

Commissioner Bridge inquired if the Odor Abatement system was added since the dispensary was put in.

Ms. Streeter stated that it was a part of the original application and is a part of their business application as well.

Close Public Comment for CUP 19-06

Commissioner Bridge inquired if a CUP was required because ORGN is a dispensary but if it was not a dispensary, would a CUP not be needed.

Ms. Weigel stated that since ORGN will have a non-store front dispensary, (delivery only) a CUP is required. If there was no dispensary, ORGN would not need a CUP for their other activities, as they are permitted by Council Ordinance.

Commissioner Bridge inquired who looks over the Odor Abatement Plan.

Mr. Halvorson stated that the Planning Division looks over this plan, but it is reviewed by an expert who has knowledge in this field.

Mr. Wright-Bushman stated that the Commercial Cannabis application is reviewed by a third-party company, HDL, that the City contracts with.

Mr. Halvorson stated that the original applicant, Monnex, never finished their process, the new tenant, ORGN has re-submitted these applications and documents.

Ms. Weigel stated that ORGN has submitted two new Cannabis Use License applications with the City Clerk's office with a new Odor Abatement Plan.

Commissioner Bridge expressed his concerns of the community having these types of smells.

Mr. Halvorson stated that the City Council has established an Ad Hoc Committee, and the Council will present their findings and make recommendations on any amendments to the

Cannabis Ordinance.

Re-Open Public Comment for CUP 19-06

Mrs. Streeter, stated that odor is the biggest concern for the County as a whole, being an applicant and a representative for multiple cannabis facilities, they take this issue very seriously. The Odor Abatement Plan is a large part of their application. HDL has already reviewed this plan and approved it through their Cannabis Use License with the City.

Close Public Comment for CUP 19-06

Commissioner Bridge inquired if Odor Abatement processes were required for all previous Cannabis facilities in the City.

Mr. Halvorson stated that this process was required, and the City is aware there is a smell issue. The City Council will ultimately decide what decision will need to be made to address these issues. All Cannabis License complaints are processed with the City Clerk's office.

Commissioner Caudillo stated that he feels there are not smell issues with the dispensaries, and feels the issues are within the cultivation process which is held outside the City limits.

MOTION: It was moved by **Commissioner Cioni** seconded by **Commissioner Caudillo**, that the Commission adopt Resolution No. 970 (22) approving a permit modification to a previously approved Conditional Use Permit (CUP 19-06) for the ORGN Cannabis Facility based upon the Findings in the Resolution and the following additional Condition of Approval:

- Planning Special Condition of Approval P35.

VOTE: The motion passed on a voice vote of 3-0-2, with **Commissioner Badertscher** and **Commissioner Gonzales** being absent.

NEW BUSINESS: none.

ORAL COMMUNICATIONS (3 Minutes Maximum): none.

WRITTEN COMMUNICATIONS: none.

APPROVAL OF MINUTES:

MOTION: It was moved by **Commissioner Cioni**, seconded by **Commissioner Caudillo**, that the Commission adopt the May 25, 2022 minutes.

VOTE: The motion passed on a voice vote of 3-0-2, with **Commissioner Badertscher** and **Commissioner Gonzales** being absent.

MOTION: It was moved by **Commissioner Cioni**, seconded by **Commissioner Bridge**, that the Commission adopt the August 10, 2022 minutes.

VOTE: The motion passed on a voice vote of 3-0-2, with **Commissioner Badertscher** and **Commissioner Gonzales** being absent

DIRECTOR/STAFF COMMUNICATIONS:

Brian Halvorson, Planning Manager, provided updates to **Commission** on the following items:


- Summary of results of General Plan Housing Element Update Public Workshop and Next Public Workshop being held on Thursday, October 13, 2022.
- Schedule of General Plan Updates (per Commission Request). An Administrative Draft will be ready by early November 2022, and a Public Review Draft between November and December 2022. A presentation will be brought to the next Regular Planning Commission meeting on November 9, 2022, regarding fulfilling the shortage of additional dwelling units. The General Plan will tentatively be certified by April 2023, unless additional time is required.
- Information on Cannabis Odors and Complaints. All complaints that are related to Cannabis are directed to the City Clerk's Office. The City Clerk works in conjunction with Staff and HDL. Ad Hoc Committee will work on making amendments to Title 9 to address these issues.

COMMISSION REQUESTS:

ADJOURNMENT:

MOTION: It was moved by **Commissioner Cioni**, seconded by **Commissioner Bridge**, to adjourn the meeting at 8:21 p.m. and adjourn to a Regular Meeting at 6:30 p.m. on Wednesday, November 9, 2022.

VOTE: The motion passed on a voice vote of 3-0-2, with **Commissioner Badertscher** and **Commissioner Gonzales** being absent.



Brian Halvorson
Secretary



Federico Cioni
Chair