

ORDINANCE NO. 1705(23)

**An Ordinance of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Approving Minor Zoning Code Text Amendments Relating to
Certificates of Appropriateness and Streamlining Permitting
Requirements for Small Housing Developments
(Planning Division File No. TA 23-01)**

WHEREAS, the Planning Commission, by Planning Commission Resolution No. 979 (23), following a public hearing on March 8, 2023, in the time and manner prescribed by law, recommended text amendments to Lompoc Municipal Code (LMC) Title 17 (Zoning) described herein; and

WHEREAS, the City Council of the City of Lompoc (City) held a public hearing on June 20, 2023, in the time and manner prescribed by law, and has duly heard and considered the Planning Commission's recommendations; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act (CEQA), the City Council has independently reviewed and analyzed the proposed zoning code text amendments (TA 23-01) and finds that they reflect the independent judgement of the City Council and that the action is exempt from environmental review pursuant to Section 15061(b)(3) (the "common sense" exemption) of the CEQA Guidelines.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The City Council hereby finds and determines that the text amendments to the Zoning Code attached hereto as Exhibit A are consistent with the 2030 General Plan and Title 17 (Zoning), and required for the public necessity, convenience, and general welfare.

SECTION 2: With respect to the text changes to Lompoc Municipal Code sections 17.208.030.A (Residential Zones Allowed Uses), 17.504.020.A (Review Authority), 17.516.020.A (Applicability: When Required), and 17.608.010.A (Noticing) the City Council hereby finds and determines:

- A. The amendments would provide consistency between the Architectural Review Guidelines and Zoning Code;
- B. The code revisions are consistent with the Zoning Code as adopted in Ordinance No. 1670(19);
- C. The amendments are internally consistent with all provisions of the 2030 General Plan and Zoning Code; and
- D. The amendments would better serve the public necessity, convenience, and general welfare by allowing reduced costs and permit streamlining, while accelerating the processing and construction of small residential housing projects.

SECTION 3: The City Council has independently reviewed and analyzed the text amendments to the Zoning Code (TA 23-01) and finds that they reflect the independent judgement of the City Council and finds that the action is exempt from environmental review pursuant to Section 15061(b)(3) (the “common sense” exemption) of the California Environmental Quality Act (CEQA) Guidelines.

SECTION 4: The text amendments to the Lompoc Municipal Code attached hereto as Exhibit A and incorporated herein, are hereby adopted as set forth therein.

SECTION 5: This Ordinance shall be effective 30 days after its adoption. The City Clerk, or her duly appointed deputy, shall attest to the adoption of this ordinance and shall cause this ordinance to be posted in the manner required by law.

The foregoing Ordinance was introduced on June 20, 2023, and duly adopted by the City Council of the City of Lompoc at its duly noticed regular meeting on _____, 2023 by the following electronic vote:

PASSED AND ADOPTED this ___th day of ___ 2023, by the following electronic vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

Jenelle Osborne, Mayor
City of Lompoc

Attest:

Stacey Haddon, City Clerk
City of Lompoc

Attachment: Exhibit A (Code Text Amendments)

Additions are shown underlined and deletions are ~~stricken~~.

17.208.030 Allowed Land Use and Permit Requirements

B. Allowed Uses.

Table 17.208.030.A: Residential Zones Allowed Uses

Use	Requirement by Zone					Specific Use Regulations
	RA	R-1	R-2	R-3	MH	
Agricultural Uses and Animal Keeping Use Types						
Animal Keeping and Production	P	-	-	-	-	Title 6 (Animals)
Animal Raising and Keeping	P ¹	P ¹	P ¹	P ¹	P ¹	17.404.040
Community Garden	P	P	P	P	P	17.404.070
Field and Tree Crop Production	P	-	-	-	-	-
Recreation, Education, and Assembly Use Types						
College/University	CUP	-	-	-	-	-
Community Assembly, Neighborhood	CUP	CUP	CUP	CUP	-	-
Recreation, Outdoor	CUP	P	P	P	-	-
Recreation, Passive	P	P	P	P	-	-
Recreational Vehicle (RV) Park	-	-	-	-	CUP	-
Schools, Public or Private	-	CUP	CUP	CUP	-	-
Residential Use Types						
Accessory Dwelling Unit	P	P	P	P	-	17.404.020
Emergency Shelter	CUP	CUP	CUP	CUP	CUP	17.404.090
Family Day Care Home, Large	AUP	AUP	AUP	AUP	-	17.404.100
Family Day Care Home, Small	P	P	P	P	-	17.404.100
Home Occupation	AUP	AUP	AUP	AUP	AUP	17.404.110
Mobile Home Park	CUP	CUP	CUP	CUP	P	-
Multi-Family Residential: Duplex	-	-	<u>P</u>	<u>P</u>	-	17.404.160
Multi-Family Residential: Triplex & Four-Plex	-	-	MUP ²	<u>P</u>	-	17.404.160
Multi-Family Residential: 2-6 Units	-	-	<u>P</u>	<u>P</u>	-	17.404.160
Multi-Family Residential: ≥ 4 Units	-	-	CUP ²	<u>P</u>	-	17.404.160
Multi-Family Residential: ≥ 7 Units	-	-	-	<u>CUP</u>	-	-
Residential Care Homes <7 Ppl	P	P	P	P	P	17.404.200
Residential Care Homes ≥7 Ppl	CUP	CUP	CUP	CUP	CUP	17.404.200
Single-Family Residential	P	P	P	CUP ³²	-	-
Supportive Housing <7 Ppl	P	P	P	P	P	-
Supportive Housing ≥7 Ppl	CUP	CUP	CUP	CUP	CUP	-
Transitional Housing <7 Ppl	P	P	P	P	P	-
Transitional Housing ≥7 Ppl	CUP	CUP	CUP	CUP	CUP	-
Services Use Types						
Bed & Breakfast	P	MUP	MUP	MUP	-	-
Lodging	CUP	-	-	-	-	-
Public Services, Major	CUP	-	-	-	-	-
Public Services, Minor	MUP	-	CUP	CUP	-	-
Safe Parking Program	AUP	AUP	AUP	AUP	-	17.404.205
Wireless Telecommunications Facility Use Types						

Use	Requirement by Zone					Specific Use Regulations
	RA	R-1	R-2	R-3	MH	
Other Wireless Telecommunications Facility	See Section 17.404.220					
Transportation and Infrastructure Use Types						
Airport	CUP	-	-	-	-	-
Other Use Types						
Metal Storage Container	See Section 17.404.130					
Temporary Use	See Section 17.404.210					

Notes:

1 Permitted use on any lot containing a single-family residence, including a legal nonconforming single-family residence, provided the use complies with Section 17.404.040.

~~2 Permitted use when only one new unit is added to an existing project.~~

3 ~~2~~ Multi-family projects of single-family homes are permitted (e.g., cottage court), but a standalone single-family dwelling requires a CUP.

P = Permitted Use

AUP = Administrative Use Permit (See Chapter 17.508)

MUP = Minor Use Permit required (See Chapter 17.520)

CUP = Conditional Use Permit required (See Chapter 17.520). A conditionally permitted use may be permitted subject to a Minor Use Permit when the use will be in an existing building and all applicable development standards applicable are met.

- = Use not allowed

17.504.020 Authority for Land Use and Zoning Decisions

Table 17.504.020.A (Review Authority) identifies the review authority responsible for reviewing and making decisions on each type of application required by this Code.

Table 17.504.020.A: Review Authority¹

Type of Action	Code Chapter/Section	Director ²	Commission	Council
Amendments				
Zoning Code Amendment	17.604	Recommend	Recommend	Decision
Zoning Map Amendment	17.604	Recommend	Recommend ³	Decision
General Plan Amendment	17.604	Recommend	Recommend	Decision
Planning Permits and Approvals				
Administrative Use Permit	17.508	Decision	Appeal	Appeal
Architectural Design and Site Development Review, Minor	17.512	Decision	Appeal	Appeal
Architectural Design and Site Development Review, Major	17.512	Recommend	Decision	Appeal
Certificate of Appropriateness	17.516	Decision/ Recommend ⁴	Appeal/Decision ⁴	Appeal
<u>Removal of Property or Structure from Cultural Resources Study</u>	<u>17.516</u>	<u>Recommend</u>	<u>Decision</u>	<u>Appeal</u>
Conditional Use Permit	17.520	Recommend	Decision	Appeal
Development Agreement	17.524	Recommend	Recommend	Decision
Minor Modification	17.528	Decision	Appeal	Appeal
Minor Use Permit	17.520	Decision	Appeal	Appeal
Planned Development, Preliminary Development Plan	17.532	Recommend	Decision	Appeal
Reasonable Accommodation	17.536	Decision	Appeal	Appeal
Sign Permit	17.540	Decision ⁵	Appeal	Appeal
Sign Program	17.540	Decision	Appeal	Appeal
Temporary Use Permit	17.544	Decision	Appeal	Appeal
Variance	17.548	Recommend	Decision	Appeal
Other Actions				
Designation of Landmark	17.616	Recommend	Decision	Appeal

Notes:

1 When multiple permits are required for the same project, the applications shall be reviewed, and approved or denied by the highest Review Authority, see Section 17.504.030(E)(2).

2 When the Director finds that a decision is beyond his or her purview of authority, when unique or special circumstances exist, or for any other reason in the Director's discretion, the application may be forwarded to the Commission for its determination. Also, depending on the required environmental review (Section 17.504.070), higher level Review Authority may be required. As defined in Chapter 17.704 (Definitions of Terms), Director includes the Director's designee.

3 If Commission recommends a denial, the application will not proceed to Council unless an appeal is filed (see Chapter 17.612 (Appeals)).

4 Certificates of Appropriateness are separated into Director and Commission review (see Section 17.516.040 (Review, Notice, and Hearing)).

5 Commercial or industrial signs facing residentially-zoned property require Commission approval.

- = Permit not appealable

Chapter 17.516 CERTIFICATE OF APPROPRIATENESS

17.516.010 Purpose

A. To provide various levels of historic protection and review, to preserve existing elements of Landmark and historic resources, and to recognize heritage resources. The City's intent is to be lenient in its judgment of plans for structures which have little or no historic value, or of plans for new construction, unless such plans would impair the historic or architectural value of surrounding structures.

B. Provide for a Certificate of Appropriateness, intended to protect structures, improvements, natural features, and objects of historic significance including, but not limited to, areas of architectural, cultural, historic, economic, political, and social importance from the adverse effects of any alteration, demolition, or removal.

17.516.020 Applicability

A. **When Required.** A Certificate of Appropriateness is required for the following activity:

1. The exterior alteration, demolition, removal or relocation of any individual Landmark or historic resource, or potential historic resource, by the City, any agent of the City, or a private party. A historic resource includes the following:

a. Designated landmarks;

b. A property or structure listed in Table 4 (Historic Structures and Places in Study Area) of the 1988 Cultural Resources Study unless the property is removed from this list in accordance with Subsection A.2; or

c. A property or structure ~~over 50 years of age~~ or potentially eligible for registration on a local, State, or national register.

2. Removal of Property or Structure from Cultural Resources Study.

a. **Application.** The property owner may request that the property or a structure on the property be removed from Table 4 (Historic Structures and Places in Study Area) of the 1988 Cultural Resources Study by filing an application, which shall be submitted and processed in compliance with Chapter 17.504 (Application Processing Procedures).

b. **Public Hearing.** The Commission shall conduct a public hearing on the application in compliance with Chapter 17.608 (Public Hearing and Noticing).

c. **Finding and Decision.** The review authority shall approve the application if it finds that:

i. The property or structure is not registered on a local, State or national register; and

- ii. The property or structure lacks sufficient architectural, cultural, historic, economic, political, and social importance to justify protecting the property or structure through the requirements outlined in this Chapter.
- d. **Effect of Removal.** Removal of a property or structure from Table 4 (Historic Structures and Places in Study Area) of the 1988 Cultural Resources Study shall have no effect on whether the property or structure meets the requirements in Subsections A.1.a or A.1.c of this Section.

17.608.010 Noticing

A. **Purpose.** This Section specifies permit noticing procedures not otherwise specified in this Code.

B. **Applicability.** These procedures apply to permits required by the Code, as identified in Table 17.608.010.A (Noticing). Additional noticing requirements may be specified in Division 5 (Land Use and Development Permit Procedures), and specific requirements for public hearing notices are identified in Section 17.608.020.C (Notice of Hearing).

C. **Relationship to Notices of Public Hearings.** A notice required by this Section may also serve as a notice of public hearing if the notice complies with the requirements of Section 17.608.020.C (Notice of Hearing).

Table 17.608.010.A: Noticing

Permit/Type of Action	Code Chapter/Section	Notice Required? ^{1,2}
Amendments		
Zoning Code Amendment	17.604	Yes
Zoning Map Amendment	17.604	Yes
General Plan Amendment	17.604	Yes
Planning Permits and Approvals		
Administrative Use Permit	17.508	No
Architectural Design and Site Development Review, Minor	17.512	No
Architectural Design and Site Development Review, Major	17.512	Yes
Certificate of Appropriateness	17.516	Yes ³
Removal of Property or Structure from Cultural Resources Study	17.516	Yes
Conditional Use Permit	17.520	Yes
Development Agreement	17.524	Yes
Minor Modification	17.528	No
Minor Use Permit	17.520	Yes ⁴
Planned Development, Preliminary Development Plan	17.532	Yes
Reasonable Accommodation	17.536	No
Sign Permit	17.540	No
Sign Program	17.540	No
Temporary Use Permit	17.544	No
Variance	17.548	Yes
Other Actions		
Appeal to Commission	See 17.612.030	
Appeal to Council	See 17.612.030	
Designation of Landmark	17.616.040	Yes

Notes:

1 Noticing may be required for a permit or action that does not otherwise require noticing if the Director finds that a decision is beyond his or her purview of authority and when unique or special circumstances exist, or when the required environmental review (Section 17.504.070) necessitates a higher review authority.

2 Any application for a permit for the landfill shall require public notice be given to all property owners within 1,000 feet of the landfill boundary.

3 See Section 17.516.040.B for additional noticing requirements.

4 See Section 17.520.040.A for additional noticing requirements.

D. **Additional Notice.** In addition to the types of notice required by Government Code § 65090 et seq., the Director may provide any additional notice with content or using a distribution method (e.g., posting on the City's website) as the Director determines is necessary or desirable.

E. **Failure to Receive Notice.** Failure of any party to receive a notice shall not invalidate the proceedings.