

## ZONING CODE AMENDMENTS

1. Section 17.208.035 is hereby added to the Lompoc Municipal Code and shall read as follows (added text in **bold underline**):

### **17.208.035 Uses By Right.**

**A. Notwithstanding Section 17.208.030, and in accordance with Government Code Section 65583.2(c) and (h), as may be amended, a housing development project in which at least 20 percent of the units are affordable to lower-income households shall be a use by right on the following sites:**

- 1. Rezone Sites. Any site that was rezoned in order to accommodate the City's share of the regional housing need for units affordable to lower-income households pursuant to the City's 2023-2031 Housing Element.**
- 2. Nonvacant Sites. A nonvacant site that meets the following requirements:**
  - (a) The site is designated in the Sites Inventory of the 2023-2031 Housing Element as accommodating a portion of the regional housing need for lower-income households;**
  - (b) The site was included in the Sites Inventory in a Housing Element for a prior Housing Element planning period; and**
  - (c) The site was not approved to develop a portion of the City's housing need during the previous planning period when the site was in the Sites Inventory.**

**3. Vacant Sites. A vacant site that meets the following requirements:**

- (a) The site is designated in the Sites Inventory of the 2023-2031 Housing Element as accommodating a portion of the regional housing need for lower-income households;**
- (b) The site was included in the Sites Inventory in a Housing Element for two or more consecutive prior Housing Element planning periods; and**
- (c) The site was not approved to develop a portion of the City's housing need during the previous planning periods when the site was in the Sites Inventory.**

**B. The projects described in subsection (A) shall not be required to obtain any discretionary permit, and may directly submit an application for a building permit, which shall be reviewed ministerially. Building permit review will include a design review in which the reviewing authority will determine whether the proposed project complies with the City's objective design standards. The design review will be conducted by the Director of Community Development except that the Director may refer the design review to the Planning Commission, in which case the Planning Commission will consider the design review component of the building permit application at a noticed public hearing, but such review shall still be ministerial and shall not be subject to CEQA.**

**C. For purposes of this section the following terms have the following meanings:**

**1. "Affordable to lower-income households" means that:**

- (a) The units shall only be rented or sold to lower-income households, as defined in Health and Safety Code Section 50079.5;**
- (b) Regardless of whether the applicant is seeking a density bonus, the applicant shall comply with the requirements in Government Code Section 65915(c)(1) for rental units and with the requirements in Government Code Section 65915(c)(2) for for-sale units.**

**2. "Housing development project" shall have the meaning**

given in Government Code Section 65589.5(h)(2).

3. “Sites Inventory” means the inventory of sites in the City suitable for residential development that is included in the City’s Housing Element, as further described in Government Code Section 65583.2. The Sites Inventory in the City’s 2023-2031 Housing Element is in Table H-44 of the Housing Element.
4. “Use by right” means that the project shall not require a conditional use permit, planned unit development permit, or other discretionary review or approval that would constitute a “project” for purposes of the California Environmental Quality Act. However, any subdivision of the site shall be subject to all laws, including, but not limited to, the Subdivision Map Act and Title 16 of this code. Projects that are a use by right shall be subject to design review, but such design review shall not constitute a “project” for purposes of the California Environmental Quality Act.

2. Section 17.208.040 of the Lompoc Municipal Code is hereby revised to add footnotes 7 and 8, as follows (added text in **bold underline**):

**17.208.040 Residential Zones Development Standards**

**Table 17.208.040.A: Residential Zones Development Standards<sup>7</sup>**

Development Feature	Requirement by Zone					
	RA	10-R-1	7-R-1	R-2	R-3	MH
<b>Lot Requirements<sup>1</sup></b>						
Lot Area (min.)	20,000 s.f.	10,000 s.f. <sup>2</sup>	7,000 s.f. <sup>2</sup>	6,000 s.f.	7,000 s.f.	10 acres
Lot Width (min.)	100 ft.	75 ft. interior and corner lots <sup>2</sup>	50 ft. interior and corner lots <sup>2</sup>	50 ft.	50 ft.	-
Lot Depth (min.)	-	90 ft.	90 ft.	-	-	-
<b>Setbacks</b>						
Front (min.)	20 ft.	15 ft.	15 ft.	15 ft.	15 ft.	-
Side - Interior	10% of lot width; min. 5 ft. and max. 10 ft. <sup>3, 4</sup>	5ft. <sup>4</sup>		5ft. <sup>4</sup>	5ft. <sup>4</sup>	
Side - Street (min.)	10 ft.	10 ft.		10 ft.	10 ft.	
Rear (min.)	15 ft. <sup>4</sup>	5 ft. (1-story building); 10 ft. (2-story building) <sup>4, 5</sup>		10 ft. <sup>4</sup>	10 ft. <sup>4</sup>	
<b>Building Form Standards</b>						
Height (max.) - Primary Building	35 ft. or 2 stories, whichever is less	30 ft.		30 ft.	35 ft.	-
Height (max.) - Accessory Building	20 ft.	20 ft.		20 ft.	20 ft.	-
Lot Coverage (max.)	-	40%		50%	60%	-
Landscaped Open Area (min.)	-	-		300 s.f./unit	250 s.f./unit	250 s.f./unit
<b>Density Standards<sup>6</sup></b>						

Development Feature	Requirement by Zone					
	RA	10-R-1	7-R-1	R-2	R-3	MH
Density (max.)	2.2 dwelling units/net acre	2.5 to 6.2 dwelling units/net acre depending on General Plan LDR land use sub-category		14.5 dwelling units/net acre	22 dwelling units/net acre	7 mobile home spaces/gross acre
Density (min.) <sup>8</sup>	-	-		6.2 dwelling units/net acre	14.5 dwelling units/net acre	-
<b>Other Standards</b>						
Accessory Structures	See Section 17.304.020 (Accessory Structures)					
Fences and Walls	See Chapter 17.312 (Landscaping and Screening Standards)					
Landscaping and Screening	See Chapter 17.312 (Landscaping and Screening Standards) & Title 15, Chapter 15.52 (Water Efficient Landscape and Irrigation Standards)					
Parking	See Chapter 17.308 (Parking Standards)					
Performance Standards	See Section 17.304.090 (Performance Standards)					
Signs	See Chapter 17.316 (Sign Standards)					
Additional Requirements	See Section 17.208.050 (Additional Standards and Requirements)					

**Notes:**

- 1 See Section 17.304.060 (Hillside Development) for lot requirements where steep slopes exist.
- 2 Minimum lot sizes and widths for recreation, education, and assembly uses shall be approved by the review authority. Also, see exceptions in Section 17.304.050.B.
- 3 A 10-foot minimum side setback is required for any agricultural building or structure greater than 45 feet in height.
- 4 See Section 17.304.020 (Accessory Structures) for additional setback standards.
- 5 The setback may be reduced to five feet for a two-story building with a garage entrance facing an alley.
- 6 Any resulting fractions shall round up, and only a whole number shall be considered in determining the number of units allowed on a lot, unless required by State density bonus law. However, in no case shall rounding allow density to exceed the maximum densities identified in Table 17.208.040.A.

7 Notwithstanding any other provision herein, and in accordance with Government Code Section 65583.2(h), the development standards for any site that was rezoned in order to accommodate the City's share of the regional housing need for units affordable to lower-income households pursuant to the City's 2023-2031 Housing Element shall allow at least 16 units on the site. The City shall not enforce the existing development standards on any such site to the extent that they would physically preclude the development of at least 16 units on the site.

8 Notwithstanding any other provision herein, and in accordance with Government Code Section 65583.2(h), the minimum density shall be 20 DU/net acre for any site that was rezoned in order to accommodate the City's share of the regional housing need for units affordable to lower-income households pursuant to the City's 2023-2031 Housing Element.

- = No standard

3. Section 17.532.020 of the Lompoc Municipal Code is hereby revised as follows (added text in **bold underline**):

A Preliminary Development Plan may be filed for sites located within the Planned Commercial Development Zone or **Planned Development Overlay Zone, or** filed concurrently with an application for a Zoning Map Amendment that maps the Planned Development Overlay Zone (see Chapter 17.604 (Zoning Code, Zoning Map, and General Plan Amendments)).

4. Section 17.604.030 of the Lompoc Municipal Code is hereby revised as follows (deleted text in ~~strikethrough~~):

A. **Application Filing.** An Amendment request shall be filed in compliance with Chapter 17.504 (Application Processing Procedures).

B. **Public Workshops.** The Director may require public workshops or other forms of public involvement to obtain community feedback prior to completing staff review and scheduling a public hearing on an Amendment request.

C. **Public Hearings Required.** The Commission and Council shall each hold one or more public hearings regarding the Amendment in compliance with Chapter 17.608 (Public Hearings and Noticing).

~~D. **Additional Procedures for Rezoning to Planned Development Overlay Zone.** A Preliminary Development Plan shall be filed with an Amendment application for rezoning to the Planned Development Overlay Zone. The Preliminary Development Plan shall be filed and processed currently with the Amendment in compliance with Chapter 17.532 (Planned Development, Preliminary Development Plan).~~

5. Subsection C of Section 17.604.060 of the Lompoc Municipal Code is hereby revised as follows (added text in **bold underline**; deleted text in ~~strike through~~):

**C. Additional Findings for Zoning Map Amendments.**

1. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, etc.);
2. If located within or adjacent to residential areas, the requested zone change is compatible with the character of the residential neighborhood. ~~;~~ ~~and~~
3. ~~If the proposed amendment is to apply the Planned Development (PD) Overlay Zone, a Preliminary Development Plan will be approved concurrently with the PD Overlay.~~