



City Council Agenda Item

City Council Meeting Date: January 16, 2024

TO: Dean Albro, City Manager

FROM: Brian Halvorson, Planning Manager
b_halvorson@ci.lompoc.ca.us

SUBJECT: General Plan Amendments, Zone Change and Zoning Text Amendments (GP 23-02 & ZC 23-01) for Various Properties in the City Associated With the City of Lompoc 2030 General Plan Housing Element Update (GP 21-02); Approve Addendum to Environmental Impact Report for the 2030 General Plan Update

Recommendation:

The Planning Commission recommends the City Council:

- 1) Receive and consider the Planning Commission recommendations;
- 2) Hold a public hearing;
- 3) Adopt Resolution No. 6629(24) (Attachment 1) approving:
 - a) The Addendum to the Environmental Impact Report for the 2030 General Plan Update (Attachment 2);
 - b) General Plan Amendment of 10 acres located at 1600 East Ocean Avenue (Assessor Parcel Number: 085-360-007) from General Commercial (GC) to Mixed Use (MU) and 2.9 acres located at 917 East Walnut Avenue (APN: 085-110-026) from Business Park (BP) to High Density Residential (HDR);
 - c) Text amendments to the General Plan Land Use Element to implement requirements contained in Government Code Section 65583.2(h); and
- 4) Introduce by first reading, with further reading waived, Ordinance No. 1710(24) (Attachment 3) approving:
 - a) Zone Change of 10 acres located at 1600 East Ocean Avenue (Assessor Parcel Number: 085-360-007) from Planned Commercial Development (PCD) to Mixed Use, Planned Development Overlay (MU/PD), 2.9 acres located at 917 East Walnut Avenue (APN: 085-110-026) from Business Park (BP) to High Density Residential, Planned Development Overlay (R-

3/PD) and the addition of the Planned Development Overlay to be added to 111 properties throughout the City;

- b) Zoning Code Text amendments to implement requirements contained in Government Code sections 65583.2(c), (h) and to remove procedures associated with the Planned Development Overlay Zone;
- 5) Introduce by first reading, with further reading waived, Ordinance No. 1711(24) (Attachment 4) approving the addition of Planned Development Overlay to be added to 13 properties throughout the City; or
- 1) Provide other direction.

Background:

The City Council approved the 2023-2031 Housing Element on November 21, 2023. The final adopted Housing Element is available at <https://envisionlompoc.com/>.

The Housing Element Update commits the City to taking certain actions that will enable the City to accommodate its share of the regional housing need. Among other things, Implementation Program H-A.20 (Available Sites Inventory), Action/Objective (c), in the Housing Element Update, commits the City to taking the following actions by February 15, 2024:

- 1. Rezoning two properties in order to accommodate more housing units; and
- 2. Amending the General Plan Land Use Element and Zoning Code to (a) allow certain proposed housing projects to be a “use by right,” and (b) to establish a specific minimum density for certain sites, as further discussed below.

Furthermore, Implementation Program H-A.12 (Small Sites & Underutilized Parcels) from the Housing Element Update also commits the City to:

- 3. Rezone all sites in the Housing Element Sites Inventory to add a Planned Development (PD) Overlay.

Although the PD Overlay rezone is not required to be done on the same timeline as items (1) and (2), staff felt it was appropriate and efficient to bring all of the items to the City Council at one time.

On December 13, 2023, the Planning Commission recommended approval of the proposed General Plan Amendments, Zone Change and Zoning Text Amendments for the properties described above associated with the General Plan Housing Element Update (Attachment 5). That being said, the Commission requested staff verify if any additional permitting requirements would be applied to those properties that would be rezoned to include a PD Overlay zone. After reviewing the Zoning Code, staff has

confirmed that the PD Overlay would not add additional permitting requirements unless a project proposed development standards that deviated from the Code, the project would then need to be reviewed/approved by the Commission.

Discussion:

Sites to Be Rezoned to Allow for Residential Development

The Housing Element Sites Inventory identifies parcels in the City that have the potential to accommodate the City's share of the regional housing need either because they are vacant or have the potential for additional development (see Housing Element Table H-44, beginning on page 2-133).

A list of those sites was also attached to Planning Commission Resolution No 997 (23) (Attachment 5¹). The Sites Inventory includes two sites that currently do not allow residential uses and therefore must be rezoned in order to accommodate residential uses.

The property located at 1600 East Ocean Avenue is approximately 10 acres and is proposed to be rezoned from the Planned Commercial Development (PCD) zone to the Mixed Use and Planned Development Overlay zone (MU/PD), as shown on the map attached to Ordinance No. 1710(24) as Exhibit A. To ensure consistency with the General Plan, the land use designation for this property in the General Plan Land Use Element must also be changed from General Commercial (GC) to Mixed Use (MU). These changes would allow a 100-percent-residential use of the property where none is currently allowed (with some potential limited exceptions such as a development under AB 2011, which cannot be counted toward the City's RHNA). The new zoning would allow residential development at a density of up to 44 units per acre.

The property located at 917 East Walnut Avenue is approximately 2.9 acres and is proposed to be rezoned from Business Park (BP) to High Density Residential and Planned Development Overlay (R3/PD), as shown on the map attached to the Ordinance No. 1710(24) as Exhibit B. This would also require a change in the land use designation in the General Plan Land Use Element from Business Park (BP) to High Density Residential (HDR). The new zoning would allow residential development at a density of up to 22 units per acre.

Rezone and Text Amendments to Add the Planned Development (PD) Overlay

All 124 properties in the Sites Inventory are proposed to be rezoned to add the Planned Development (PD) Overlay, as shown on Exhibit C attached to Ordinance No. 1710(24) and Exhibit A to Ordinance No. 1711(24). The purpose of the Planned Development Overlay (PD) zone is to allow flexibility in the design approach and development standards applicable to a project. Adding this Overlay would allow properties in the City's housing inventory to develop more easily (such as allowing reduced setbacks, reduced

¹ Exhibits omitted.

lot coverage, landscaping, etc.) and especially those properties that currently have existing structures.

Text amendments to the Zoning Code associated with the Planned Development Overlay zone are also proposed and are shown in Exhibit D attached to Ordinance No. 1710(24). The changes remove the existing requirement for a Preliminary Development Plan to be submitted simultaneously with a request to rezone a property to the PD Overlay.

The intent of these amendments is to streamline housing projects, promote greater flexibility, and remove barriers for housing projects as the current required timing of a Preliminary Development Plan may not necessarily correspond with a request for a PD Overlay rezone. For example, a developer may want to re-zone a property to include a PD Overlay for a future project even though the actual development plan will be deferred in order to develop the design or obtain financing at a later time. In addition, as part of the City's effort to update the Housing Element, it is infeasible to require a Preliminary Development Plan for 124 properties at this time in order to re-zone them with a PD overlay.

Additional Text Amendments to General Plan and Zoning Code

Staff has included additional proposed text amendments to the General Plan Land Use Element and Zoning Code that address the state law requirements in Government Code Sections 65583.2(c), (h), and (i). These changes include the following:

1. As required by state law, all sites in the Sites Inventory that are rezoned to accommodate lower-income residential units will:
 - (a) Have a minimum density of 20 units per acre; and
 - (b) Have development standards that permit at least 16 units per site. The city will not enforce existing development standards to the extent that they would physically prevent the development of at least 16 units on the site.

This will only apply to the 917 East Walnut Avenue site.

2. As required by state law, residential projects on sites in the Sites Inventory that are rezoned to accommodate lower-income residential units will be a "use by right" if they reserve at least 20 percent of the units for lower-income families. "Use by right" means that the use will be permitted without having to obtain a discretionary permit and will not be subject to CEQA. However, these projects will still require design review based on the City's objective design standards.

This will also only apply to the 917 East Walnut Avenue site.

3. Lastly, as required by state law, proposed residential projects that reserve at least 20 percent of the units for lower-income families will be a “use by right” on the following sites:
 - (a) Nonvacant sites that are in the current Sites Inventory and were also included in a prior Housing Element Sites Inventory.
 - (b) Vacant sites that are in the current Sites Inventory and were also included in two or more prior Housing Element Sites Inventories.

The full text of the proposed text amendments has been attached to the Resolution as Exhibit C and to Ordinance No. 1710(24) as Exhibit D.

Conformance with 2030 General Plan

The proposed amendments to the General Plan Land Use Element support the General Plan Land Use Element Policies 1.3, 3.1, 3.2, 8.2, and 8.6, and also implement Programs H-A.12 and H-A.20 of the recently approved Housing Element Update.

Conformance with Zoning Code

The properties proposed to be rezoned would adhere to the development standards identified in LMC section 17.208.040.A and adding a Planned Development Overlay zone to the 124 City wide properties will provide more flexible design approaches to developments which meets the Intent and Purpose of the Zoning Code. The text amendments would also allow the City’s Zoning Code to be compliant with the most current State Housing Laws.

Environmental Review:

This project is covered under the Final Environmental Impact Report (EIR) certified for the 2030 General Plan update (Lompoc General Plan Update EIR, State Clearinghouse Number 2008081032) and an Addendum prepared for this project as part of the Housing Element Focused General Plan Update. No further environmental review is required.

The Environmental Addendum is available upon request from the Community Development Department (Planning Division) and the General Plan EIR is available on the City of Lompoc Planning Division website at:

<https://www.cityoflompoc.com/government/departments/economic-community-development/planning-division/environmental-documents>

Fiscal Impact:

This item was City initiated and was processed utilizing existing budgeted Planning Division staff. No additional fiscal impacts occurred from processing these amendments.

Conclusion:

Approving the General Plan Amendments, Zone Changes and Zoning Text Amendments are necessary in order to comply with State Housing Laws and receive a certified General Plan Housing Element Update from the State Department of Housing and Community Development.

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:

Dean Albro, City Manager

- Attachments: 1) Resolution No. 6629(24)
2) Addendum to 2030 General Plan Update EIR
3) Ordinance No. 1710(24)
4) Ordinance No. 1711(24)
5) Planning Commission Resolution No. 997 (23)