



Adopted June 12, 2024

**Minutes of the Adjourned
Lompoc Planning Commission
Wednesday, May 8, 2024, at 6:30 P.M.
City Hall, 100 Civic Center Plaza, Council Chambers**

ROLL CALL:

Commissioner Federico Cioni (Chair)
Commissioner Brianna Gonzales
Commissioner Steve Bridge
Commissioner Chris Braxton

COUNCIL LIAISON:

Victor Vega

STAFF:

Brian Halvorson, AICP, Planning Manager
Joshua Imeri-Garcia, Assistant City Attorney
Cherridah Weigel, Associate Planner

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.)

- **Approval of Minutes** of the Lompoc Planning Commission Regular Meeting of April 10, 2024.

MOTION: It was moved by **Commissioner Gonzales**, seconded by **Commissioner Bridge** that the **Commission** adopt the Consent Calendar including the April 10, 2024, minutes.

VOTE: The motion passed on a voice vote of 4-0.

PUBLIC HEARING ITEM:

Public Hearing Item No. 1:

1. Sign Permit Review (SGN 2024-0003) for Tractor Supply Company signage in the Mission Plaza Shopping Center.

Planning Commission review of proposed wall and monument signs for the Tractor Supply Company associated with an existing Sign Program in the Mission Plaza Shopping Center located at 1600 North H Street (APN: 093-490-005) in the Planned Commercial Development (PCD) and H Street Overlay (HSO) zoning districts. This action is exempt from environmental review pursuant to Section 15061 (b)3 (Review for Exemption) of the California Environmental Quality Act (CEQA) Guidelines.

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

Brian Halvorson, Planning Manager, informed the **Commission** that there are a total of six sign programs that have Conditions of Approval or Sign Programs that require **Planning Commission** approval. Staff will return at a later date to amend these items to be in conformance with the current Zoning Code for review of sign programs at Staff level.

Commissioner Bridge inquired if the term substantial compliance implied that there is something not in compliance.

Ms. Weigel stated that is standard wording.

Open Public Comment for SGN 2024-0003

Steve Fear, applicant, explained that the wall sign has a day and night application on the face of the letters, and during the day, it will look black, and at night, if you can see it's got little pinholes in it, it looks white. For the monument signs, existing Mervyn's panels would be removed and install new panels that match the stucco color and texture that is currently in place.

Commissioner Braxton inquired if only Mervyn's panels were being replaced and if they would match the existing signs or if the entire monument sign would be refreshed. He stated that he was in the shopping center earlier this week and noted that the monument signs were an eyesore, and he did not feel they would compliment the nice new Tractor Supply store.

Mr. Fear stated that only the Mervyn's panel sections would be replaced. He stated that he does not have control over the entire monument sign, but that would be a good thing to do.

Mr. Halvorson noted that before the sign permit is approved, this could be addressed. He stated there is a stucco finish but if the entire monument sign was to be repainted the whole thing would be refreshed as opposed to just one section looking new.

Mr. Fear stated that he could speak with his applicant and see if they are willing to have him repaint the entire monument sign and noted that the stucco is in pretty good shape and that it just needs a paint job.

Close Public Comment for SGN 2024-0003

MOTION: It was moved by **Commissioner Gonzales** and seconded by **Commissioner Braxton** that the **Commission** adopt Resolution No. 1003 (24) approving the Sign Permit Review (SGN 2024-0003) for the Tractor Supply Signage upon the Findings in the Resolution.

VOTE: The motion passed on a voice vote of 4-0.

Commissioner Bridge inquired why we were being photographed.

Mr. Halvorson noted that the staff was not aware that a photographer was to be present at the meeting.

2. Planning Commission Recommendations to the City Council for the adoption of the General Plan Environmental Justice Element.

Planning Commission review and recommendations to the City Council to consider the adoption of the Environmental Justice Element to the 2030 General Plan. An Addendum to the 2030 General Plan Final Environmental Impact Report (SCH. No. 2008081032) was prepared for the project pursuant to the California Environmental Quality Act (CEQA).

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

Open Public Comment for GP 2024-0001

Nicholas Gonzales, resident, stated that he had been following this subject for several years before it became a policy, and he did not think we should protect people based on class and stated that he thought that we should protect the entire community. **Mr. Gonzales** commented on pesticides, chemical exposure from processing plants, the General Plan and Agriculture Preservation, high density and the correlation to high trash areas, low income, low education, high crime rates, and in-lieu fees causing more exclusion instead of inclusive environments.

Close Public Comment for GP 2024-0001

Brian Halvorson, Planning Manager, stated that an error was found on page 27 of the element and explained that the community of focus has a significantly lower mean income compared to the County with an average of 75,837 dollars across all census tracts versus Santa Barbara County's main income of 120,192 and is proposed to be crossed out, and stated the reason is there was a public comment and staff noticed as well as the document went back and forth between the mean and the median. Those are different terms and we wanted to use the median.

Additional text would also get updated regarding tracks in the community of focus, track 27.05 has the lowest of mean, so, there's that word mean again, income of 37,325 while track 27.10 has the highest percentage of residents living in poverty at 32.7%. So that statement would also be stricken.

Commissioner Bridge stated that there were a lot of comparisons that allowed you to select the tracks you selected with Santa Barbara County and what we were doing or what we are doing is subdividing the city and saying these areas require more attention because these areas are poor compared to Santa Barbara County. Our town is unique. Our city is unique and comparing us to Santa Barbara puts us in comparison with Montecito and Santa Barbara. I don't know if that's a fair discriminator, but I'll put that up at the kind of top level of concern and, and where it jumped out to me the most, if you go back to those four, the risk management plan you indicated we scored high on that because of the cooler, I think that's the Campbell's cooler.

Brian Halvorson stated that one of them was the cooler, and one was the water treatment plant.

Commissioner Bridge stated that when you put the map up there are areas that are much closer to those two operations that would put them at much higher risk of having an environmental injustice. If that's what we're trying to do, then someone sitting over on D street between North and Ocean and so the criteria seem to me by trying to segment based on race or economics, we should be segmenting based on where those inequities occur. So, I would expect, for example, the census tracts of concern for pesticides would be all along Bailey Avenue or whatever that last Floradale or you know, it would be. So, I don't know if the Willows is over there or the Briar Creek area.

Commissioner Braxton stated that if you also take that parcel by Glen Ellen, the Willows, Briar Creek, we're talking about pesticides, but in the risk management plan. We've had several concerned citizens in the community that the chemicals that are used at the cannabis facility over there. Does that fall into the management framework because you're using some harmful chemicals no different than what's being done at the cooling plant?

Commissioner Bridge stated that he is kind of going to the top level down. You've done a yeoman's job of dividing the census tracks. I'm not criticizing. I just think we have a mentality. You know, we see race in here everywhere. When I look at Lompoc, race is not an issue, you could say poverty is an issue. I'll accept that and you could say maybe there's an ethnicity kind of, but I don't see race as a big issue in our town. I see economic development being an issue or living close to pesticides being an issue. So, I have a little trouble with that, number one. Number two, tomorrow night you're having a big meeting. Are there any duplicates in here to the general plan? Because it felt like there were, like the buffer area that seems like we've had that in the general plan forever.

Brian Halvorson: I don't think tonight we have a buffer.

Commissioner Bridge: You don't think there's any duplicates, OK.

Brian Halvorson stated that we can go to that page though and look at the policy goals.

Commissioner Bridge stated that if you've taken that review, then I'll stand corrected on that. I thought I saw one area where we were establishing a goal to create a buffer around community areas.

Brian Halvorson stated that we address healthy food access to community resources.

Commissioner Bridge inquired about page LU8.5, number LU 9, what are those?

Brian Halvorson asked that he refer to a page in the element.

Commissioner Bridge: Page 5.

Brian Halvorson stated that we looked at the existing General Plan elements and, in those elements, we said these are goals, policies, and programs that already are supporting this element.

Brian Halvorson stated that those are in our existing General Plan.

Commissioner Cioni: This says policies in other elements supporting environmental justice efforts, so these are already in our elements, but they support this element.

Commissioner Bridge: OK. Tomorrow there's a meeting by the City Council, it's a special meeting I believe and there's a series of recommendations coming in. Do you have any insight into what's going to happen in that meeting?

Brian Halvorson stated that we passed out to the Planning Commission as well as City Council a while back where two City Council members looked at the General Plan, did some markups and said they wanted to make changes. Staff reviewed the changes and determined we do not have a budget and environmental review was required. This effort was on hold for about two years and then we hired a consultant to do updates to our General Plan, including the Housing Element in which we asked them to scope in at least looking at those comments and then making some suggestions and recommendations. I have done several presentations to the council to keep them updated over the last four years. It's come to a point where we're going to go back to the proposed amendments and see if we have some consensus from the Council. We will also have our environmental consultant at the workshop as well. Our Community Development Director, our City Manager, will also be there to basically hear from the entire Council, not just two members. That's essentially what the workshop will be.

Commissioner Bridge asked if there's a chance that there will be amendments to the General Plan that comes out of that.

Brian Halvorson: Correct. But I don't think it will be this year and I'll tell them that tomorrow night because we already are working on four amendments and we can only do four amendments a year and we don't have a budget for any additional larger projects, especially when it comes to environmental review.

Commissioner Bridge stated that when he read through the list, two things kind of jumped out at me. One was perhaps a movement away from protection of agricultural land. So again, I don't know where that buffer one is, but I think that's on the list to be reviewed and a significant move away from the word shall. But shall is everywhere in this document. So, it would seem to me, at a minimum, we would wait for that meeting to occur to find out if the City Council is moving away from shall. Because I would hate to go through this all and then have to come back in a week and say, well, wait a minute, they don't like that approach anymore and no matter what we do, they have the final vote.

Brian Halvorson stated that pages 63, 64, 65, and 66, and 67 are the proposed new goals policies and programs.

Commissioner Bridge stated that on page 64, EJ2.2, it says we shall identify and address gaps and access to residential and commercial recreational facilities. Is that what we're going to do?

Brian Halvorson stated that it means that we will actively advocate to ensure all community members have access to healthy foods, education, green spaces, and medical services.

Brian Halvorson stated that the City shall identify and address gaps in access to residential, commercial recreation facilities, natural open space areas and physical and mental health resources to help ensure that these resources are equally available to all residents.

Commissioner Bridge noted there is a shall and that says we're going to go do a study or something. Is that how you would read that?

Brian Halvorson: I don't interpret that as a study.

Commissioner Bridge: But what is it then, if I'm going to identify it? What am I going to do?

Brian Halvorson stated it's a very valid question and stated we will get the consultant on the line, to assist. I don't think that means necessarily a study but obviously they're saying, identify and address gaps and access.

Commissioner Braxton stated that Community is not a specific set area but the entirety of Lompoc.

Commissioner Bridge stated that a good proportion of our houses are at risk of lead poisoning and asked why we don't have something in here that says we're going to find out about lead and put a whatever the right words are in a program together that solves that problem instead of making sure we provide healthy food. Mr. Bridge stated that when you look at the food desert charts in there, there's no food desert, there's plenty of access to healthy food in this city.

Michael Gibbons, Mintier Harnish consultants, stated in regard to policy 2.2, that's something called self-mitigating or a self-implementing policy. A shall statement doesn't necessarily require a study. But it is requiring that as the city, as the planning staff go through the application review process, as they are looking at new projects or new businesses coming in that they look at it through an equitable lens, they ensure that if there are multiple mental health or as an example, medical services and there's a cluster of those, looking at and suggesting other locations so that all residents have equal access, not requiring a study. This is something that really already is kind of taking place through the application review process. Now, we just have a policy that actually backs up that process.

Commissioner Bridge stated that when we have a project come in, you're going to have an evaluation done of that project to see whether it addresses gaps in our recreation. That's what we're doing. That's what you're saying, you're going to do, or is this just boilerplate that we put in these things, so we feel good about what we're doing.

Brian Halvorson stated that one of the things the staff would look at is when a project does come in, as our consultant stated, as with any other General Plan policy, is look at if there is equal access and how does would it affect those areas of the community that have inequities as discussed tonight. Remember the General Plan is supposed to be general. If you get too specific, you can get into trouble because then it can be difficult sometimes to apply to everything. So, it's supposed to be general. Sometimes when you get really specific, you can get into some problems. So, we have this document now to look at certain census tracks, certain areas of town that we know have concerns. So if a project comes in, where we know we have concerns because of those factors that I brought up, it will help us to better address those areas, such as the materials that go out, if they are only in English, but they should also be in Spanish, that would be something we would want to take into consideration.

Commissioner Bridge mentioned that on page 66, item A that the next time we do a capital improvement review, which I assume comes up in the budget process, there's going to be a specific criteria that the City Council evaluates their assignment of the capital improvement budget and I will see on a chart some kind of grading because it says I'll prepare a defined set of criteria for equitable distribution of capital improvements. So, the next time the capital improvement budget comes from Dean or wherever they come from, there's going to be a column that says we have ranked this in this criteria because that's what that says.

Commissioner Braxton mentioned they do, but from a breakdown of that, each of you have your core capital improvement but then you have your sub budgets, right? You look at parks and recreation, there's really nothing right? Because they're going off a general fund, right? So, as I read this as your consistent, you know, you're saying here, like you holistically look at a core capital improvement plan or a budget that goes across the city itself. We don't have that, we have a capital where we have like little, you know, we're going to buy these, we're going take it out of the general fund, but we really don't have a true capital improvement plan for the city.

Brian Halvorson stated that we do have a capital improvement plan and stated that he didn't bring anyone from the City Manager's Office or Public Works. The city clearly has a capital improvements plan, without getting into specific subsets and things like that. But, yes, **Commissioner Bridge** is absolutely right. We would have to change it since there is proposed criteria.

Commissioner Bridge stated that those census tracts by this definition would take priority.

Brian Halvorson stated priority is a strong word, but we would be required and I'm almost positive they have a consultant to help with the capital improvements plan. Our City Attorney's Office would help us to make sure that the criteria is in the next capital improvements plan, but I believe it's every seven years.

Commissioner Bridge stated that at the last City Council meeting they said they were going to redo the capital improvements project in the next budget cycle.

Brian Halvorson stated that he thought they recently did, but I apologize if I don't have that information handy. But, yes, it would need to comply. The short answer is, yes, I don't have all the specifics of what that criteria would be, but we certainly would use this element to help put together the criteria. For example, if a new park is going to be built and it might be on the high priority list, especially if it's in those tracts that we spoke of tonight. I don't think it forces them to necessarily build a park in that area, but it does need to be considered.

Commissioner Bridge: OK. Well, if they're going to do it and that's what you're presenting to the City Council, and they understand that that's now being added, OK. And it's going to be done in 2022 to 2025 according to this chart. So, it's done next year, right?

Brian Halvorson stated that we do have the timeline, so, yes.

Commissioner Bridge: OK. And then annually we're going to do something to bring substandard housing into compliance. That's item B, how are we going to do that?

Brian Halvorson: Yes, that one's actually pretty easy and the reason why is they already, have laws that help with substandard housing. I don't know if our attorney wants to elaborate on that, but that's already something that is in place when it comes to substandard housing.

Commissioner Bridge: But you're saying that, what you just described is establishing requirements, it certainly is not bringing it into compliance. That's just establishing the standards. This kind of implies that you're going to go out and you've got people living in houses full of lead, which I'm sure don't meet the compliance and you're going to go get them in compliance, doesn't it say you're going to go establish criteria and create a program to monitor and bring them into compliance.

Brian Halvorson: Correct. And, there are already units that have been identified in the city. I didn't bring a list tonight, but there are units that need improvements. And, if it's often brought up through inspections, especially if it has an affordable covenant or, it's often brought up through complaints from a code enforcement open case. We would have to make sure that they come into compliance and sometimes the City Attorney's Office gets involved. I don't want to say any names, but there are certain slum lords in town and they absolutely need to come into compliance and this would support this effort.

Commissioner Cioni asked who covers the cost of that? Is it kind of the city budget or are you enforcing the owner to take care of it? I mean, who pays for it?

Brian Halvorson: The property owner has to.

Commissioner Cioni: So, this is code enforcement.

Brian Halvorson: Yes.

Brian Halvorson stated that through the California Building Code as well, these issues can be brought up through an inspection.

Commissioner Cioni: So, it is code enforcement literally right there, code enforced.

Brian Halvorson: Yes.

Commissioner Braxton inquired if the consultant is still on and stated we've had a bunch of these come through over time and she answered my question because I felt like an idiot because I've looked over this thing three times. To me when you come to this conclusion, like what were the data sets. There needs to be kind of like a little chart. The data sets, the pulling data, the number of people and if you go back to that map, right, if you go back to that map, what were the numbers, what were the number of people.

Brian Halvorson stated that all the data is in there and that if you look at the CalEnviroScreen 4.0 and the EJ Screen, almost all of the data is coming from these two websites, although they are pulling in other data, such as median incomes, but a lot of the data is straight from these websites.

Commissioner Braxton stated that when you look at D as you go towards H right, where there are four people pulled out of 500 people who live there, where there are two people, right? Because there, there's numbers, that's what's key and that's my concern. I'm bringing this up because like that area, when you look at the political election just in the city. Those numbers, there's no votes going out there. So, it's just as you come down to this conclusion, right? Of these things, right?

Brian Halvorson: I think you're referring to sampling size that I wasn't going to go into that tonight since that's not the city's data but from the consultant.

Commissioner Braxton: I think it's key though, right? Because if you're only polling six people, right. Six people out of 500 that live in that quadrant. It's skewed, it's a skewed view of presenting real data and inputs back.

Brian Halvorson stated that he did not think this is how the data was compiled but mentioned that we could pull the consultant on the line one more time.

Cherridah Weigel mentioned that the City of Lompoc Finance website has the capital improvement program for fiscal year 2017/18 through 2022/23 but stated they are probably in the process of starting to do our next 15-year capital improvement program.

Michael Gibbons, Mintier Harnish consultants, stated that what we're doing is we have data sets that come from two main sources. One is from the State of California, it is called CalEnviroScreen 4.0. It's a state recognized, state provided data set that looks at census tracks and compares them to other census tracks in California specifically. We also then pulled a Federal data set, it's called EJ Screen, that's from the EPA and that's all of those data sets. What you are seeing in your element is kind of twofold. We have the data sets that we've pulled from the State and from the Federal government and then we also have the kind of lived experience if you will, from residents on the ground, from the community engagement. And, you'll see that kind of feedback in the community engagement portion up front in the element. And, so yes, while we wish we would have had more turnout, the statistics, the data sets, the findings. Those aren't taken into consideration by public input. Those are straight from the government. So that's what you're finding. So, I would say that, no, we're not skewing these results based on the amount of input received through the process.

Commissioner Cioni stated that he thinks there are two things here. One is the identification of the areas that are demographically disadvantaged, which are highlighted in green. That one definitely comes from a source that has weight. I don't think we can necessarily dispute those. But then that's the other thing which is like the assessment of what the environmental problems that plague those, those areas have come basically through the polling of probably a pretty low number of people that might have those ideas that, you think that pesticide is an issue or that lead is an issue or that, which might be true. I'm not saying that's not valid, but it is a little bit more questionable, I think than the area where we have again, the most disadvantaged population. So, I mean, are we sure, because I think that's what we were talking about in the beginning, pesticides. I would think pesticide use is more of an issue to the west and that the risk management plan facilities are probably more on the northeast and north.

Commissioner Braxton: Even traffic proximity.

Commissioner Cioni stated that traffic proximity is spread out all over, all over H and all over 246, all over Ocean Avenue.

Brian Halvorson stated to the Chair that they use a measuring distance of 1,700 feet. So that's why you could say it affects a lot more.

Commissioner Cioni stated that he thinks that those issues are probably more spread out throughout the city than just concentrated in those areas. Now, one can make an argument that, ok, those areas are already disadvantaged by themselves because of the population of the demographics and, on top of that, you had those problems but those problems are not concentrated in those areas. They might be felt in those areas because when you interview people in those areas, you could have interviewed people on the north or south of

the area and probably would tell you the same issues. Like we worried about pesticides, we worried about traffic, and we're worried about hazardous materials, and we're worried about.

Commissioner Bridge stated that there is a fallacy in what you've just said. And the fallacy is, they've started with a pre-conceived characterization of who suffers more from environmental injustice and that predetermination is race, ethnicity, and poverty.

Commissioner Bridge stated that when you come to that, you get to that place first. However, if you flipped it around and said, no, what are our environmental problems? And then who is impacted by those the most? If you wanted to then say, OK, well, the green area 1,700 feet from the Bailey Corridor, those people need some attention, and that attention needs to be focused on pesticides. Then, I'd have a plan that I can go address. But what we've done is we said, well, they're poor and they're Hispanic and therefore that's the area we're going to focus on.

Commissioner Cioni stated that what he was saying is that they have determined what areas are disadvantaged which comes from demographics and comes from the data of those two websites. So, OK, we have an area where poverty is higher where education is lower, I agree. Like race, ethnicity. I don't really care. I don't, I still struggle to understand why those are considered, you know, a reason for disadvantage. Although, yes, there might be a historical reason for that, those are disadvantaged but the real reasons are like, there's poverty, there's, there's density, there's low education. But what I was saying, like, the environmental concerns are not necessarily concentrated in those areas. So, I guess the fundamental thing that we struggle to understand here is why are we marrying the two? And, saying these are the areas that need attention. Yes, that need attention, but they need attention for all, probably other issues than necessarily the environmental ones that are more spread out throughout the whole city.

Commissioner Bridge stated that he wants to take it one more step if those are really the areas which I can fully accept and I can even accept if there's a subcategory of those in the green. Well, let's address them, it's just not.

Commissioner Cioni stated it's just that I think it's more of an economic development issue than an environmental issue. It's an economic development justice issue rather than an environmental justice issue in my opinion. But, then again, we also have our hands tied and are kind of tied by the law that wants us to do it. So, I don't know.

Commissioner Braxton stated that he is struggling, I'm severely struggling because when I look at that and living on D street for when I first moved here. For me, like an environmental justice concern that I would have is the aging sewer pipes.

Commissioner Braxton stated that when you start to look at where those things apply I feel that there's so many inconsistencies in this recommendation that's going up to the City Council, right? That needs to be reviewed because like even the risk management plans, there's no industry in those areas. It's the only thing that I think that in my opinion is really the lead exposure. These are all older homes there, so lead exposure is definitely going to apply.

Commissioner Cioni stated that the majority of the houses in Lompoc in general are old and have lead. So again, spread out everywhere. The lead issue is not just concentrated in that area. Now, there's more houses in the area, and, yes, because it's denser.

Commissioner Bridge: Let's just pretend for a minute that it is lead and let's pretend for a minute it's in that green area. Where does this plan address that? I don't see anything that is one of our number one problems now, maybe I'm missing it, but I don't see it.

Brian Halvorson stated that maybe the consultant could make a recommendation to cover lead pipes. I have researched this a little bit and I've seen what other communities do and sometimes what they'll do is apply for grants and federal funding, state funding will come in. There are areas that are a lot worse off than we are in California that are, more to the east. And it's extremely expensive but it is happening in certain communities where they'll get a grant and they'll go in and change out all the lead pipes. We did not put anything in the element but we could, and you can certainly make that recommendation that the city should apply for a grant to remove lead pipes. It is a good point and we don't cover any new goals, policies or programs regarding lead. But, the Element does touch on, specifically lead paint. So that is something that obviously I've mentioned in my presentation that kids can be susceptible to, especially if it's an older home and it hasn't been renovated, and they could be prone to lead paint.

Commissioner Bridge suggested that we wait until the next meeting tomorrow because I have a feeling the shalls are going to be either embraced or discontinued. And, I'd like to have that before we finalize this. Then a harder suggestion is I would like the goals. EJ 1 through EJ 3, to rather than be whatever they are, be the four items that we said were problems. So, we can go back to that four chart.

Brian Halvorson: Yes, absolutely.

Commissioner Bridge stated that EJ 1 would be pesticides, how we're going to have a goal against a set of those.

Commissioner Braxton stated that he agrees. But, in the plan, there's no mitigation. How do we remedy that?

Commissioner Bridge stated that is what the goals are supposed to be is to establish policies for mitigation.

Commissioner Braxton inquired about the risk management plan and who enforces it.

Commissioner Bridge: Well, this is going to sound very cold but that's why we have staff, they're supposed to go off and bring back to us mitigate, goals and policies that are going to mitigate pesticide or risk management. And I think if we had the structure of EJ 1 through 4, we would at least be able to start focusing on the areas that require it. And, if in the process of review, we determine that, that subdivides the green sections or identifies a different tract then that should fall out of that. But, it seems like we said this is the area, here's the problem. We haven't connected those two.

Commissioner Bridge stated a goal should be to work with the three or four organizations that have created this risk for us and to find alternative ways to eliminate the chemicals that cause the risk which might not be possible. But if you're asking me on the fly to come up with a way to do it, that might be one.

Commissioner Braxton asked if we should get down to that level of granularity? For example, am I going to go to Pommerville and fill up my RV with propane. There's a risk, there's a large size propane tank there.

Brian Halvorson stated that he did not think propane is hazardous, but is a flammable material, but real quickly before we get off track. I agree, not everything is covered, but a lot of it is covered. For example, we don't come out and talk about lead, but it does talk about safe and sanitary housing and cities shall establish and enforce standards that promote safe and sanitary housing. We don't come out and talk about the lead, like I said, the one that's the big one is the lead paint. So that's going to be very difficult. I think there's already something in the California Building Code that they may have to do when they're renovating, they have to dispose of it properly when they remove it from the home, but that's a renovation. It's not like unless they come to the city and do a renovation, we're not going to go out and say all these homes, if they have lead paint, need to be removed, I don't think we are going to take that action.

Commissioner Bridge stated no, but stated for example, this is really an environmental justice issue, we could establish a program that investigates or inspects 100 houses a year and that has a program that provides them paint that covers their lead paint. That would be a plan.

Commissioner Cioni: I think the concept here is that we would like to see the goals to be more tied directly tied to the environmental justice concerns that were identified. And, again it's the issue with the green area versus where these problems are or these concerns appear. It's hard to pinpoint that, but at least to have the goals to be more directly tied. I think it would make a lot more sense in terms of having a plan that actually is consistent with what the research has shown.

Brian Halvorson stated that is helpful and that we covered most of it, but I think we're getting into really small details that might be difficult to make into a goal.

Brian Halvorson stated he did bring up safe and sanitary housing. So, the pesticide use is very tricky unless the pesticide is prohibited, it's going to be very difficult. One of the things that the EJ element brings into play is all the agricultural fields are not within the city, its outside the city so that it can be difficult to regulate something that's not within the city limits and the chemicals they bring up in the EJ element, those are all legal.

Commissioner Cioni stated that even if the goals state something like the city should not or shall not, we should proactively engage with the farming community to try. I mean, at least something, but I know it's hard. We know it's not under our control. They're not in the city, but at least there's a goal to at least try and engage with the farming community to regulate or not regulate is a bad word. But you know, to address the situation, the pesticide situation, something like that. It has to be vague in general, but at least one could say, all right, we have answered one of the concerns that was brought up by the population or

some of the population in those areas.

Brian Halvorson: It was brought up already by **Commissioner Bridge**, very good comment. But we do already have a 200 foot buffer. So, if something goes in kind of like the Briar Creek development, they had to build a 200 foot buffer between the urban uses and the AG uses. I can't take credit for it but that project came out really well, there is a very large buffer there, so this does help. We already have that in the General Plan, and it addresses incompatible uses between AG and urban uses.

Commissioner Bridge also made a point that tomorrow night AG is going to be discussed and there has been a pretty strong consensus, but we'll see tomorrow night, not get too involved with, so you're talking about getting involved in ag, so I'm just kind of bringing it to your attention. We'll see what happens but just want to bring it up.

Commissioner Bridge stated that he thinks you're caught between a rock and a hard place, and I understand that, but where we're struggling is we've paid a consultant who's come up with what are the concerns in Lompoc and it seems reasonable to me, and I think to the rest, is that we at least organize our goals around what are the concerns. So, for example, access to health care and healthy foods, which is a big bold goal section, which is not one of the four. And so, if we can at least get them organized around that, even if the solution is that you take the same policies and rework them into the categories that address those items. And perhaps when you're doing that a couple more come up, perhaps a couple go away. That's what I think we're saying we'd like to see.

Joshua Imeri-Garcia, Assistant City Attorney stated that some of these requirements such as food environment are essentially required by SB 1000. So, they're within the statute itself of what the city should be looking into. But I mean, if the Commission wants, I'm sure the consultants can go in and look into how they could fit it into the specific categories, but it is something that the statute itself says this is what the environmental justice element should have.

Commissioner Bridge stated that perhaps you have 4th goal which is meet the State requirements.

Brian Halvorson stated that we could certainly sharpen our pencil and go back. I think we've covered some of them, but I think you have a good point that some of them are so broad but I think it's supposed to be broad. For example, if 100 apartments are within 500 feet of a noisy major arterial. I think based on this element, when the **Commission** is reviewing that project, they may ask if the project has double pane windows. Or, are there any noise buffers and how are you going to mitigate noise and pollution impacts from a project that's only 500 feet from a major arterial? I think we're covered here. I honestly think we're covered without actually saying those exact words. The pesticide use is a tough one, we will try our best, but pesticide uses are really tough when it's not within the city. Regarding the facility's proximity, I think we can look at this again more closely.

Commissioner Cioni stated that you can still make it as vague as you want. You don't have to use the word lead; you can use dangerous metals or dangerous substances. I mean, but just to see some sort of logical correlation between those four concerns and the goals I think would just make the document clearer, more understandable, by the general public. They would probably say, hey, look at that. It took our concerns and our

suggestions, and they actually put them there. Even though it doesn't say traffic proximity exactly. Or pesticide use exactly. But you know, you can be creative, consultants can be creative and just kind of like by using the broadest language possible but organize them 1, 2, 3, 4 and then 5, whatever is required item 6 maybe whatever is required by SB 1000 as well, because those, you know, have to be a given. But I think it would be better received, I think, from the public, by the Council, you know, it just makes more sense. I agree with Commissioner Bridge.

Commissioner Gonzales stated that we have a systemic problem of poverty in our community and that we can't just pinpoint it to that specific area because you can go down the street from LVMS. We all know the impoverished people in the community. And, we just cannot pinpoint it to a geographic area because it's a community wide thing. I really think I don't know what your guys' take on that is, but that map really needs to reflect it, it should be citywide.

Commissioner Cioni stated that he thinks the scope of the law requires us to correct it and asked the Attorney for his input regarding if the law requires us to identify specific problem areas and if we cannot just apply to the whole city.

Brian Halvorson stated that we have to rely on the data and stated that even though I agree, poverty is a problem and poverty is in a larger area, the data is stating that those are the areas that have the lowest income based on the median income in Lompoc. We also compare it to the median income in the County where those particular tracks are low. So, we have to address the data in that area. We don't have the budget to go out and do a new study or get our own data, we have to use the data that's already there.

Commissioner Braxton stated that it's concerning to me because then there's just another layer of skewness because we based it upon ethnicity and that really upsets me, that truly upsets me because that should not count in this, in this poll in this data.

Commissioner Gonzales stated that essentially environmental justice according to SB 1000, it's making us look at the numbers, those certain numbers from, in our case, the community of focus, that's where we're supposed to be making sure that there's the same equity as the rest of the city. But what we've come to see is our four major problems are addressed to the whole city in general and not necessarily just that area.

Joshua Imeri-Garcia, Assistant City Attorney stated that it might be a State legislature issue when it came to drafting this language and every city is different. For example, in the City of Los Angeles where ethnicity might come into play, such as communities next to LAX. But our community might be a bit different.

Commissioner Bridge stated that he would suggest one other thing when you're going back because you're correct in what you're saying. We can identify what the problems are, and we can even say these communities are experiencing poverty, but we can take city wide solutions. From what I've read it doesn't say that the solution can't go citywide. For example, Nick is correct. I have been adamantly opposed to in lieu of fees because I believe in lieu fees causes poverty to coalesce around specific lower price spots. If we wanted and I don't think we do, but if we wanted, one of our policies could be to eliminate in lieu fees. That would be to create some environmental justice in that area. It would be a citywide policy. I don't think it will fly but I'm just saying if there's solutions, the solutions

don't have to just reside in that area. And that might be a way to address some of the issues you're talking about.

Commissioner Braxton stated that it's not listed, household income and poverty status and all these things, we have no business, people leave, right? And when they have to cover the cost of their house and this stuff and gas, right? We're not bringing businesses into the community, right? So, when we have people leave, that's where that real struggle comes from. It's a real struggle for them and how do we allure and bring in business? This should be a goal.

Commissioner Cioni agreed, the scope of this element is not necessarily to limit the action to the problem area, but to make sure that whatever action is applied to the city doesn't exclude those areas from accessing them, that we make sure that, that those areas are not forgotten, businesses, whatever, parks, whatever improvements, you know, we give into the area, includes those, those problem areas. I think probably not very well stated in the law. I think we need a motion.

Commissioner Bridge made a motion that we table this and bring it back at the next meeting with input from the staff as to the general consensus that comes out of tomorrow's meeting.

Commissioner Cioni asked if we should add the reorganization of the goals around the four problems.

Commissioner Cioni asked if there was a second.

Brian Halvorson clarified that staff would bring the element back at the next meeting and inquired if we should address the issues that were brought up this evening or do you just want us to bring it back?

Commissioner Bridge: I do, but I don't want that to be part of this motion.

Commissioner Cioni stated that maybe it's to strike out those.

Commissioner Bridge agreed to include the strike out.

Brian Halvorson confirmed that the staff is bringing the Element back for a discussion, including what happens at the workshop.

Commissioner Bridge agreed.

Commissioner Cioni requested a 2nd motion.

Commissioner Braxton: 2nd.

Commissioner Cioni: All in favor say aye.

Commissioner Bridge, Braxton, Cioni, and Gonzales: Aye.

Commissioner Bridge made a motion that in the next draft it includes a review for

reorganizing around the four specific identified concerns.

Commissioner Cioni asked if there was a 2nd.

Commissioner Gonzales: 1 2nd.

Commissioner Cioni: All in favor say aye.

Commissioner Bridge, Braxton, Cioni, and Gonzales: Aye

MOTION: It was moved by **Commissioner Bridge** and seconded by **Commissioner Braxton** that the **Commission** accept changes as shown on the handout of page 27 of the Environmental Justice Element presented to the **Commission** and requested that staff bring back the Environmental Justice Element at a later meeting.

VOTE: The motion passed on a voice vote of 4-0.

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Gonzales**, that the **Commission** direct staff to reorganize the Goals and Policies of the Environmental Justice Element (GP 2024-0001) around the four specific identified concerns.

VOTE: The motion passed on a voice vote of 4-0

NEW BUSINESS: None.

ORAL COMMUNICATIONS (3 Minutes Maximum):

Nicholas Gonzales, resident, stated that he agreed with the Commission's decision and thanked them for taking the time to look through it.

WRITTEN COMMUNICATIONS: None.

DIRECTOR/STAFF COMMUNICATIONS:

Brian Halvorson, Planning Manager, provided information on the following items:

- Staff and the consultant are currently reviewing comments received from CalFire and the Bureau of Forestry Department on the General Plan Safety Element Update.
- Staff and the consultant are preparing the General Plan Housing Element Update to return to HCD for what we hope is the final review before bringing it back to the **Commission** in June or July.
- General Plan Circulation Element Update is behind on its original timeline. The roadways map and pedestrian paths for the Bodger Builder's Remedy project in Santa Barbara County may need to be incorporated in the Circulation Update. There is currently not an estimated timeline on when it will be brought back to the **Commission**.

- If there are items for the regularly scheduled November 13, 2024, Planning Commission Hearing, it will be held at the Dick DeWeese Community Center on West Ocean Avenue as the City Hall Council Chambers will not be available due to technical upgrades.
- **Mr. Halvorson** informed the **Commission** of the Joint City Council/Planning Commission Meeting that will be held on Tuesday, June 4, 2024 at 6 pm. After the **Commission** discussion, it was decided that a joint meeting was not needed.

COMMISSION REQUESTS:

Commissioner Bridge stated that he wanted to make sure that staff was aware that he recognized the amount of work that went into the Environmental Justice Element while being short-staffed.

ADJOURNMENT:

MOTION: It was moved by **Commissioner Cioni** seconded by **Commissioner Bridge**, to adjourn the meeting at 8:22 P.M. and adjourn to a Regular Meeting at 6:30 p.m. on Wednesday, June 12, 2024, in the Lompoc Council Chambers.

VOTE: The motion passed on a voice vote of 4-0.



Brian Halvorson, AICP
Secretary



Federico Cioni
Chair