



**Draft Minutes of the Adjourned
Lompoc Planning Commission
Wednesday, June 12, 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
Greg Stones, Principal Planner
Cherridah Weigel, Associate Planner

ORAL COMMUNICATIONS (3 Minutes Maximum): None.

CONSENT CALENDAR:

- **Approval of Minutes** of the Lompoc Planning Commission Regular Meeting of May 8, 2024.

(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.)

Commissioner Bridge inquired if the comment by **Commissioner Gonzales** on page 15, fifth paragraph of minutes had the meaning she intended it to have.

Commissioner Gonzales read the statement and stated it might need clarification.

Brian Halvorson, Planning Manager read the end of the statement from the minutes "...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." and asked **Commissioner Gonzales** to state how she would like the statement to be worded for the minutes.

Commissioner Gonzales stated to leave the statement as is.

- **Approval of Minutes** of the Lompoc Planning Commission Regular Meeting of May 8, 2024.

MOTION: It was moved by **Commissioner Braxton**, seconded by **Commissioner Gonzales** that the **Commission** adopt the Consent Calendar including the May 8, 2024, minutes.

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

PUBLIC HEARING ITEMS:

Public Hearing Item No. 1:

Amendment (AMND 2024-0001) to the Conditions of Approval for an Approved Subdivision Map (LOM 475).

Planning Commission review of proposed amendments relating to the requirement for a minimum residential home size as contained in the previously approved subdivision map conditions of approval for property located at 1301 East Hickory Avenue (APN: 085-260-047) in the Single Family Residential (7R1) zoning district. This action is exempt from environmental review pursuant to Section 15061 (b)(3) (Common Sense 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, noted that while there was quite a bit of background for informational purposes, the only item before the **Commission** this evening is the removal of the minimum home square footage requirement on Lot 1.

Commissioner Bridge requested clarification on the lots and information on the slope percentage of Lot 1 and General Plan requirements for building on slopes.

Ms. Weigel clarified the information on the lots and noted that the original LOM 475 staff report stated the slope for Lot 1 is 27% and **Mr. Halvorson** spoke about the slope requirements.

Open Public Comment for LOM 475 Amendment

Whitney Del Real, project representative, stated that Lori Pearson, the property owner is her client. They have been trying to get a single-family manufactured home on this property for several years. Stated that the slope is substantial at nearly 30% and to minimize grading, maintain slope stability, and not unreasonably financially burden the property owner they are trying to utilize the existing graded pad.

Lori Pearson, the project applicant, stated that she has family in the area and has been working on her retirement home in Lompoc for a couple of years. She emphasized that she does not want to interfere with her neighbors' views or create any problems, but with the existing pad and other requirements a 1,040 square foot house is the maximum that will fit.

Susan Insch, resident of 1320 East Hickory Avenue, stated that she has lived in the area for many years. Stated that she appreciated the applicant's concern, but that the applicant knew what the conditions were and feels that the request for the amendment should be denied because everyone else in the neighborhood has built and met the requirements for the conditions of approval to maintain the integrity of the neighborhood and believed that the lots could be built on and meet the conditions that were approved in 1994.

Carole Burgess, resident, of 1317 East Hickory Avenue, stated that she read the Staff Report, and it was extensive. She brought the photographs of the neighborhood to the **Commission's** attention and noted that the neighborhood is comprised of attractively designed custom homes, and they do not remind me of the proposed dwelling. Mrs. Burgess referenced Attachment 8 of the Staff Report and noted that the square footage of the proposed dwelling is much smaller than the dwellings listed in the attachment. In conclusion, on February 14, 1994, the Lompoc Planning Commission established the minimum dwelling size requirement for 1301 East Hickory and my husband and I were actively involved in that process and would like to see the present home size requirement maintained as it observes the character of our community and neighborhood.

Daryl Burgess, resident of 1317 East Hickory Avenue since 1992 stated that like the applicant he wished to reside and work in Lompoc, and retired here after many years as a physician with Santa Barbara Medical Foundation Clinic. Mr. Burgess stated that after extensive research, he chose this neighborhood to live in and many have lived in this neighborhood for decades. He also stated that the neighborhood is special and the homes in this neighborhood are not modular, 1,040 square foot homes, and that they are custom built homes, and a small home does not fit in the neighborhood or community.

Close Public Comment for LOM 475 Amendment

Commissioner Bridge inquired if there are any state regulations that apply to the **Commission's** ability to implement, amend, or rescind the size of a dwelling unit.

Mr. Halvorson stated that prior to the Comprehensive Zoning Code update in 2019, the Zoning Code did have minimum dwelling unit size requirements based on the number of bedrooms, this requirement was deleted to allow for flexibility in the code. Mr. Halvorson also stated that even though the State has enacted many laws to remove barriers to housing construction, and may frown on requiring a minimum dwelling size, after consultation with the City Attorney's Office, staff concluded that it is within the **Commission's** authority to set a minimum dwelling size. Mr. Halvorson also noted that it is very rare to require an Architectural Review process on a single-family dwelling and extremely rare to require a Planning Commission approval on that Architectural Review.

Commissioner Bridge inquired if the Conditions of Approval would affect the ability to construct an ADU.

Mr. Halvorson explained that as long as there is a primary residential unit on a residentially zoned lot an ADU can be constructed.

Commissioner Cioni noted that this is a complicated issue, and the neighborhood has some substantial houses and a certain feel and stated that he is struggling to reconcile the 1994 decision of requiring a 2,250 square foot dwelling, when looking at the lot, it does not seem as if it would fit.

Commissioner Braxton stated that he is having trouble reconciling 30 year old standards with everything we have gone through updating the Housing Element and with increasing density and looking for lots to place housing on.

Commissioner Cioni stated that it is hard to make a decision on this item without knowing what the proposed dwelling is going to look like and stated that he has seen small homes that were cute and enhanced the neighborhood, and he has seen larger homes that were ugly.

Mr. Halvorson suggested that the **Commission** could ask the applicant to submit the for Architectural Review so the **Commission** could review the amendment and the Architectural Review simultaneously, but this would cost the applicant a significant amount of money and the applicant may or may not have an approval.

Commissioner Gonzales stated that the Commission seems to be getting stuck and forgetting that this item will be coming back to us for Architectural Review. He stated that the proposed home may be smaller, and some might say out of place, but it could be said that the new 5,000 square foot home is out of place since the homes around it are 3,000 square feet.

Commissioner Braxton stated that the **Commission** should move this item forward and then when it gets to Architectural Review we can say it needs to meet the façade of the neighborhood.

Commissioner Bridge inquired if the design review would return to the **Planning Commission** and if there were any historic requirements due to the age of the neighborhood.

Mr. Halvorson stated that yes, the Conditions of Approval require the architectural review to be reviewed by the Planning Commission and that it is a beautiful neighborhood and there are no parcels or structures listed on the City Historic Structures or Landmark lists.

Mr. Halvorson also noted that the **Commission** will have an opportunity to add or remove Conditions of Approval during the architectural review process.

MOTION: It was moved by **Commissioner Bridge** that the **Commission** continue the Amendment (AMDN 2024-0001) for LOM 475 to a later meeting and be brought back with the Architectural Review package.

The **Motion** died due to the lack of a Second.

MOTION: It was moved by **Commissioner Braxton** and seconded by **Commissioner Gonzales** that the **Commission** adopt Resolution No. 1004 (24) approving the Amendment (AMDN 2024-0001) for LOM 475 upon the Findings in the Resolution.

VOTE: The motion failed for a lack of majority on a roll call vote of:

Commissioner Cioni:	No
Commissioner Gonzales:	Yes
Commissioner Bridge:	No
Commissioner Braxton:	Yes

Commissioner Bridge stated that he voted no to exercise caution in an ever-changing landscape of new housing laws that could restrict the **Commission's** ability to Condition the project.

Commissioner Cioni stated that he voted no because he felt that a decision could not be made without Architectural Review.

Commissioner Braxton stated that he felt the Commission was overlooking the intent of tonight's meeting to rescind the minimum home size for lot one, not to hash out the look and feel of the proposed residence. Mr. Braxton stated that he would be doing a disservice to the applicant by delaying this decision.

Mr. Halvorson suggested that the Commission check with the applicant to verify the status of their Architectural Review submittal package.

Re-Open Public Comment for LOM 475 Amendment

Whitney del Real, project representative, stated that the applicant is ready to submit architectural plans, and felt that delaying this decision and not knowing the limitations of the project will significantly delay the project. She also noted that they have been working on the project for a couple of years and this was the first time that the applicant was learning these requirements, and stated she was not notified with the first submittal.

Carole Burgess, resident, stated she was confused and thought that all of this information was public information, but now she is hearing that the square footage requirement was not understood.

Daryl Burgess, resident, stated this is public information and added that Ms. Pearson answered an advertisement to purchase the property and the advertisement stated that the purchaser needed to contact the City of Lompoc for any Conditions on the property. Mr. Burgess stated that's it's her problem, not my problem.

Lori Pearson, project applicant, stated that she did not know the restrictions, and stated that she called the City, and her realtor was not told about the restrictions. Ms. Pearson stated that there is sewer, cable, electrical, and water installed on the lot and the City did not have any of that information for her and she stated that she wanted the smaller lot to build a smaller home.

Joan Johnson, resident at 1313 East Hickory Avenue, mentioned that the easement to get to 1301 East Hickory Avenue runs across the front of her property and stated that she objected to this request for an amendment.

Re-Close Public Comment for LOM 475 Amendment

MOTION: It was moved by **Commissioner Bridge** and seconded by **Commissioner Cioni** that the **Commission** continue the Amendment (AMDN 2024-0001) for LOM 475 to a later meeting and be brought back with the Architectural Review package.

VOTE: The motion failed for a lack of a majority on a roll call vote of:

Commissioner Bridge:	Yes
Commissioner Braxton:	No
Commissioner Cioni:	Yes
Commissioner Gonzales:	No

Commissioner Braxton stated that if the **Commission** were to move forward with requesting the Architectural Review the applicant should not be charged any additional fees.

Commissioner Cioni inquired if the **Commission** could do that.

Mr. Halvorson stated that only the **City Council** has the authority to waive fees, not the **Planning Commission**.

After the **Commission** discussion, the **Commission** asked what the process was if the **Commission** could not come to a decision.

Mr. Halvorson stated that if the **Commission** were to approve the applicant's request for an amendment, the neighbors could file an appeal to the **Commission's** decision.

Commissioner Cioni clarified his inquiry and stated that if the **Commission** is split and cannot come to a consensus, what is the process?

Assistant City Attorney, Joshua Imeri-Garcia stated that generally when you cannot come to a consensus, the motion dies unless you have a tiebreaker. Since the **Commission** has an open seat, it would be when a **Commissioner** is appointed to that seat to re-vote and break the tie, or when a current **Commissioner** changes their vote on the motion. We can see if this item can be forwarded up to the City Council, but generally it would go through the appeals process, whether that be through the applicant or through the neighbors to appeal the decision that is made tonight or at another time.

Commission Bridge clarified that if the **Commission** does not come to a decision tonight the applicant would not be able to process an appeal.

Assistant City Attorney, Joshua Imeri-Garcia stated that this is correct, and stated that if the motion fails, the standard is, this is basically a No, and the item does not move forward.

At 7:55 P.M., the **Commission** took a five-minute break and resumed the Planning Commission Hearing at 8:00 P.M.

Assistant City Attorney, Joshua Imeri-Garcia stated that if the commission wanted to, they could make a motion to have the City Council review the item, or the project could go through the administrative process in the code and have either the applicant or the neighbors appeal the **Commission's** decision.

MOTION: It was moved by **Commissioner Gonzales** and seconded by **Commissioner Braxton** that the **Commission** adopt Resolution No. 1004 (24) approving the Amendment (AMND 2024-0001) for LOM 475 upon the Findings in the Resolution.

VOTE: The motion passed on a roll call vote of 3-1:

Commissioner Bridge:	No
Commissioner Braxton:	Yes
Commissioner Cioni:	Yes
Commissioner Gonzales:	Yes

Public Hearing Item No. 2:

Wolf Tentative Parcel Map (LOM 640).

Planning Commission review of a Tentative Parcel Map to subdivide a 0.69 acre lot into two lots located at 315 East Chestnut Avenue (APN 085-031-003) in the Industrial zoning district. This action is categorically exempt from environmental review pursuant to Section 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA) Guidelines.

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

Commissioner Bridge inquired about the alley easement and if the Industrial Zoning District allowed mixed use including residential uses.

Mr. Stones stated that the alley easement was abandoned years ago and the properties would be divided at the midpoint of the vacated easement, and noted that residential uses are not a permitted use in the Industrial zoning district.

Open Public Comment for LOM 640

Kyle Huerth, Orcutt Survey Company, stated that he prepared the parcel map for Mr. Wolf and was available for any questions.

Close Public Comment for LOM 640

MOTION: It was moved by **Commissioner Bridge** and seconded by **Commissioner Gonzales** that the **Commission** adopt Resolution No. 1005 (24) approving the Tentative Parcel Map (LOM 640) based upon the Findings in the Resolution with the following revision:

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

Public Hearing Item No. 3:

Discussion and Status of the General Plan Environmental Justice Element (GP-2024-0001).

Staff will provide a summary of Planning Commission comments from the May 8, 2024 Commission hearing, receive input from the Commission and provide a timing to address needed revisions associated with the Environmental Justice Element prior to returning the Element to the Commission.

Brian Halvorson, Planning Manager, presented a summary of the changes the Commission wanted to see to the Environmental Justice Element which was summarized by the consultant in a memorandum.

Commissioner Bridge stated that is obvious that you have addressed a lot of our concerns and inquired about the new goals of Safe and Sanitary Housing pertaining to affordable housing.

Mr. Halvorson noted that the **Commission** is welcome to provide suggestions for rewording this when we bring the draft document back to the **Planning Commission**.

Commissioner Braxton inquired on the topics of focus and if the State had any additional topics we should review.

Mr. Halvorson stated that he was not aware of any other topics, but he would confer with the Consultant as they have done many Environmental Justice Elements, and this is his first one.

Open Public Comment for GP 2024-0001

Nicholas Gonzales, resident, stated that he does not agree with any form of rent control, i.e. affordability preservation. He also stated that he feels that the burden of pesticide control should be put on to the polluters and the City residents should not be burdened with compliance for an item they have no control over.

Close Public Comment for GP 2024-0001

Commissioner Cioni stated that he thought staff and consultant listened and incorporated our concerns and have moved in the right direction.

Commissioner Gonzales stated that staff had done a good job and inquired if the wording should be corrected at this time.

Mr. Halvorson recommended that the **Commission** wait to change any wording until they have the complete draft of the document. Mr. Halvorson also verified with the **Commission** that staff can now bring back the EJ element to the **Commission** in August.

Commission Cioni stated yes.

NEW BUSINESS: None.

ORAL COMMUNICATIONS (3 Minutes Maximum):

Nicholas Gonzales, resident, inquired about the RHNA approval.

Commissioner Cioni stated that he believed that item was going to be included in the director/staff communications this evening.

WRITTEN COMMUNICATIONS: None.

DIRECTOR/STAFF COMMUNICATIONS:

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

- General Plan Housing Element Update – staff met with the consultant earlier today to review amendments requested by HCD that have been incorporated into a revised Housing Element and stated that staff has requested another meeting with HCD which should occur within two weeks and if they accept the changes the document will be submitted to HCD. Mr. Halvorson estimated that it will be three months to bring the Housing Element back to the **Commission** for recommendations to the **City Council**.
- **Mr. Halvorson** thanked the Commission for their attendance and participation in the Joint Planning Commission/City Council Meeting held on June 4, 2024.

COMMISSION REQUESTS:

Commissioner Bridge stated that he enjoyed the Joint Planning Commission/City Council Meeting and requested that the **Commission** be updated on the Bodger project in the County during the Director/Staff Communication section of the meeting.

Mr. Halvorson stated that he could add a recurring item to the Director/Staff Communication section for that project and mentioned that there was a meeting held two to three weeks ago with LAFCO, County of Santa Barbara, City of Lompoc, and the applicant. Mr. Halvorson stated that the meeting went well and that the project would need to be annexed into the City of Lompoc prior to a “Can and Will Serve” letter being issued by the City of Lompoc for the project.

ADJOURNMENT:

MOTION: It was moved by **Commissioner Cioni** seconded by **Commissioner Gonzales**, to adjourn the meeting at 8:33 P.M. and adjourn to a Regular Meeting at 6:30 p.m. on Wednesday, July 10, 2024, in the Lompoc Council Chambers.

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

Brian Halvorson, AICP
Secretary

Federico Cioni
Chair

G:\COMDEV\Minutes - PC\2024\2024-06-12.doc.

DRAFT