

**MINUTES OF THE REGULAR MEETING
OF THE LOMPOC PLANNING COMMISSION
November 9, 2016**

ROLL CALL: Commissioner Federico Cioni
Commissioner Ron Fink
Commissioner Mary Leach
Commissioner Jack Rodenhi
Commissioner Allan Clark – Absent

STAFF: Planning Manager Lucille Breese
Assistant City Attorney Jeff M. Malawy
Assistant Planner Sara Farrell

ORAL COMMUNICATIONS: None

PUBLIC HEARING ITEMS:

Interim Management Plan – Modification to Mining Reclamation Plan (DR 00-18)

A request by Linda Donelson, representing V & J Sand Mine Inc., for Planning Commission consideration of an Interim Management Plan (IMP) /Minor Modification (Amendment) to the Reclamation Plan of V & J Sand Mine (DR 00-18). This IMP amendment would provide measures the mine operator will implement to maintain the site in compliance with the Surface Mining and Reclamation Act (SMARA), allowing the mine to become idle for a period of up to five (5) years. The site is located northwest of the Lompoc Airport (APN: 093-040-020 and 093-450-012).

This Minor Modification of Reclamation Plan DR 00-18 is statutorily exempt from CEQA, (not considered a project) pursuant to the SMARA Public Resource Code Section 2770(h)(1).

Assistant Planner Sara Farrell summarized the written staff report.

OPEN/CLOSE THE PUBLIC HEARING

Commissioner Rodenhi stated the information appeared adequate and complete.

MOTION: It was moved by Commissioner Rodenhi, seconded by Commissioner Leach, that the Commission adopt Resolution No. 846 (16) approving a Minor Modification to the Reclamation Plan for (DR 00-18), based upon the Findings of Fact in the Resolution and subject to the attached Conditions of Approval.

VOTE: The motion passed on a voice vote of 4-0-1, with Commissioner Clark absent.

Modification to Conditional Use Permit (CUP 12-02)

A request from Steve Zotovich, applicant and Managing Member of Santa Rita Hills Wine Center Investors LP, property owner, for Planning Commission review and consideration of a request for a Modification to an approved Conditional Use Permit (CUP 12-02) to allow wine tasting to expand onto an existing 1,350-square foot outdoor deck. The project is located at 300 North Twelfth Street in the *Business Park (BP)* Zoning district (Assessor Parcel Number: 099-144-034). This project is categorically exempt from review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

Planning Manager Lucille Breese summarized the written staff report; advised the Commission the approval would be provisional upon approval of the Zoning Ordinance Update; and, explained Condition of Approval P14 required annual renewal of the modification until the completion of the Zoning Ordinance Update.

OPEN PUBLIC HEARING

Tom Davidson, agent for Zotovich – noted the original plan focused on building improvements; stated that the existing tasting rooms were established and requesting use of the outdoor deck; and, indicated the ABC will allow expansion of the licenses.

Commissioner Fink asked if the applicant had read and agree with the Conditions of Approval? Mr. Davidson responded in the affirmative.

CLOSE PUBLIC HEARING

Commissioner Cioni stated he agrees with the use and the Commissioners concurred.

MOTION: It was moved by Commissioner Fink, seconded by Commissioner Cioni, that the Commission adopt Resolution No. 847 (16) approving a Modification to the Conditional Use Permit (CUP 12-02), based upon the Findings of Fact in the Resolution and subject to the attached Conditions of Approval.

VOTE: The motion passed on a voice vote of 4-0-1, with Commissioner Clark absent

ZC 15-02 – Chapter 17.108 – Sign Regulations
Continued from October 12, 2016 Meeting

Planning Commission will consider a recommendation to the City Council regarding amendment to Zoning Ordinance *Chapter 17.108 Sign Regulations*. The proposed amendment is a comprehensive update to the City's sign regulations, and if adopted, would replace and supersede *Chapter 17.108*, and would be effective Citywide. A negative declaration has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA).

Planning Manager Lucille Breese provided background of the previous hearing and introduced Jennifer Daugherty of Lisa Wise Consulting who presented a power point detailing proposed updates to the proposed Sign Ordinance based upon the October 12, 2016 meeting.

Commissioner Fink asked if any Commissioners had questions and there were none.

Murals:

OPEN PUBLIC HEARING

Vicky Anderson, representing the Lompoc Mural Society (LMS) – stated she has issues with the proposed regulations; noted the LMS has long been associated with the City and has not previously required any type of permits; and, indicated the LMS has internal review of proposed murals which generally represent the history of the community.

Jack Carmean, resident -- stated he appreciated content neutrality in the Ordinance and stated it is reasonable to separate commercial and non-commercial messages; however, expressed concern with regulations as proposed and went through each item to discuss.

Ms. Anderson and Mr. Carmean discussed their belief that all murals should be exempt; asked who would do the review; noted public art, in the form of murals, is not generally permanent; and requested murals be exempted.

CLOSE PUBLIC HEARING

Commissioner Leach asked if the standards the LMS uses had been explored; stated that their murals mostly represent Lompoc history with guidance to individual artists from the LMS; and, expressed concern with graffiti.

Commissioner Cioni asked where the regulations had come from and stated he believed that there should be no regulation to allow artistic expression.

Commissioner Fink expressed concern with the Commission attempting to make policy regarding public art.

Commissioner Rodenhi suggested returning to the exemption language previously proposed and reviewing after a year to see if there had been problems with that approach; he noted there is currently a private mural that has the appearance of graffiti.

Assistant City Attorney Malawy advised the Commission that there is a proposed definition of Murals that might be helpful in the discussion.

The Commission discussed removing the standards for review of a mural; reviewed the proposed definition; indicated a concern with allowing mechanically generated murals; and discussed exempting murals from permit requirements and removing the proposed language requiring City review. The Commission agreed to change the Mural definition and remove part of the definition:

Mural: An original work of visual art which is composed, created or produced firsthand, and that is painted, tiled, or affixed directly to an exterior wall of a structure with the permission of the property owner. Murals do not include any commercial messages. Murals may not be constructed from mechanically produced or computer-generated prints or images, including but not limited to digitally printed vinyl, and shall not have any electrical or mechanical components. A mural is distinguishable from graffiti (see chapter 9.16) based on the property owner's permission to paint or affix the mural on to the property, and compliance with the permit provisions herein.

Banners

Commissioner Leach expressed concern that the proposed Ordinance language would allow banners to be up for 30 days and down for 30 days, thereby allowing them for 6 months of the year. She stated Santa Barbara doesn't allow banners and San Luis Obispo only allows for a temporary use of temporarily for a business awaiting a permanent sign. Additionally, she noted both Santa Barbara and San Luis Obispo have a board to review all sign requests; both have a purpose and intent regarding aesthetics in their Ordinance language where our language revolves around the business owner desire to draw in more people; expressed a major concern that we are allowing more signage with banner signs being allowed 6 months of the year; and suggested that banners only be allowed once or twice a year.

Commissioner Rodenhi agreed that twice a year should be sufficient.

Commissioner Cioni agreed with limiting banners to twice a year and expressed agreement with a board to review signs.

Commissioner Fink agreed with changing the banner language to allow 2 display period per year, separated by 30 days.

The Commission discussed the concept of a sign review board.

Planning Manager Breese advised that years ago, the Commission reviewed all sign requests and the number of requests ended up impacting the Commission agenda and requiring two meetings a year. The Commission had turned the review of signs over to the staff and currently sign requests with new Development Plans and/or sign programs are reviewed by the Commission with other sign review done at staff level. If there is a problem with a staff level sign approval, the applicant has the option to appeal the staff decision of the Planning Commission.

Commissioner Rodenhi suggested staff accumulate a list of problem sign approvals and return to the Planning Commission with a report.

Commissioner Fink directed staff to return in 6 months with a list of sign approvals; any problems with the approval; and, any code enforcement issues with signs. This information would assist the Commission in determining if any changes were necessary to the Sign Ordinance.

MOTION: It was moved by Commissioner Fink, seconded by Commissioner Rodenhi, that the Commission adopt Resolution No. 845 (16) recommending City Council approval of Text Amendment (TA 15-02), based upon the Findings of Fact in the Resolution, including the following changes:

- Modify the definition of Mural;
- Exempt Murals from City review/permit requirements;
- Staff to return in 6 months with a report on Sign approvals;
- Change banner language to allow 2 per business in 30 day increments, separated by 30 days, twice a year;
- Replace the revised sight distance triangle graphic

Commissioner requested a clarification regarding *Section 17.108.060.B Wall Signs* and Ms. Daughtery responded.

VOTE: The motion passed on a voice vote of 4-0-1, with Commissioner Clark absent.

NEW BUSINESS: None

ORAL COMMUNICATIONS: None

WRITTEN COMMUNICATIONS: None

APPROVAL OF MINUTES:

MOTION: It was moved by Commissioner Fink, seconded by Commissioner Rodenhi, that the Commission adopt the minutes of October 12, 2016.

VOTE: The motion passed on a voice vote of 4-0-1, with Commissioner Clark absent.

DIRECTOR/STAFF COMMUNICATIONS: None

Planning Manager Breese advised the Commission:

- There are business items for the December 14 meeting;
- The Council will review the PC recommendation on River Terrace on November 15; and
- A new Principal Planner will begin on November 14.

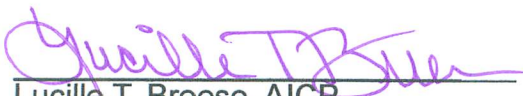
COMMISSION REQUESTS:

- Commissioner Rodenhi asked about his request and was advised it would be addressed in December.


ADJOURNMENT:

MOTION: It was moved by Commissioner Leach, seconded by Commissioner Fink, to adjourn the meeting at 7:57 pm.

VOTE: The motion passed on a voice vote of 4-0-1, with Commissioner Clark absent.



Lucille T. Breese, AICP
Secretary



Ron Fink
Chair

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