



**Minutes of the Regular Meeting of the Lompoc Planning Commission
Wednesday, October 14, 2020, at 6:30 p.m.
City Hall, 100 Civic Center Plaza, Council Chambers**

ROLL CALL:

Commissioner Federico Cioni (Acting Chair)
Commissioner Steve Bridge
Commissioner Sasha Keller
Commissioner Ken Ostini – Absent

STAFF:

Assistant City Attorney Brian Wright-Bushman
Planning Manager Brian Halvorson

ORAL COMMUNICATIONS (3 Minutes Maximum): None

CONSENT CALENDAR:

Consent Item No. 1:

2021 Planning Commission Calendar

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Keller** that the **Commission** adopt the Consent Calendar,

VOTE: The motion passed on a voice vote of 3-0-1, with **Commissioner Ostini** absent.

PUBLIC HEARING ITEMS:

Public Hearing Item No. 1:

Presentation of the Coastal Meadows project (DR 05-39) by Andrew Hanna representing Global Premier Development

Planning Manager Brian Halvorson provided a brief history of the original Coastal Meadows project approved in 2006 which comprised of 40 townhomes, a community center, parking, and landscaping. The project is for sale and the prospective buyer has proposed changes to the project. The Conditions of Approval (COA) for the project allows the Commission to review changes they deem significant at a public hearing. Staff reviewed the proposed changes and determined that the changes could be reviewed administratively.

Andrew Hanna representing Global Premier Development (GPD) presented the proposed changes to the approved Coastal Meadows project which includes the following:

- 39 of the 40 units will be affordable housing for income levels ranging from 30% to 80% AMI
- 1 unit will be reserved for the property manager (rent is included in the property manager compensation package)
- GPD contracts with LifeSTEPS to provide service amenities to all residents which includes:
 - Minimum eighty-four (84) hours per year of Adult Educational classes
 - Minimum seventy-one (71) hours per year of Health and Wellness service and programs
- The architectural style of homes is proposed to change from a Tudor design to a contemporary modern design with flat roofs which will accommodate State solar requirements
- A swimming pool will not be constructed but there will be an on-site spa
- The landscaping and parking will remain as approved

Open/Close Public Comment for Coastal Meadows presentation

Commissioner Keller inquired about the reduction of 170 square feet in the Unit A floor plan.

Project Architect Michael Mathews noted that the paths throughout the project have increased due to ADA accessibility laws which encroached into the building footprint.

The Commission consensus is that the proposed changes to the approved project are not significant enough to warrant review by the Planning Commission at a public hearing and therefore these minor changes may be processed administratively by staff.

Public Hearing Item No. 2:

Presentation of California Post-Construction Storm Water Requirements (PCRs) by Senior Environmental Coordinator Stacy Lawson

Senior Environmental Coordinator Stacy Lawson presented an overview of the regulatory framework and history of Post-Construction Storm Water Requirements (PCRs) in the City of Lompoc including the infiltration methods allowed by the Central Coast Regional Water Quality Control Board (CCRWQCB), Storm Water Chambers, Storm Water Concrete Vaults, Engineered Bio-swales, and Pervious Pavement.

Open/Close Public Comment for PCR presentation

Public Hearing Item No. 3:

DR 19-07 – Human Bean Drive-Through Coffee Shop

A request for an Architectural Design and Site Development Review Permit (DR 19-07) from Pat Mitchell (applicant) for Planning Commission consideration of a 600 square foot drive-through coffee shop (and walk-up window) with parking and landscaping located at 401 North H Street (APN: 087-241-007) within the Central Business (CB) zone and the H Street Overlay (HSO) zone. This action is categorically exempt pursuant to Section 15332 (In-fill Development Projects) of the California Environmental Quality Act (CEQA).

Chair Cioni noted that the project has been delayed for further studies and will be presented at a future Planning Commission meeting.

Open/Close Public Comment for DR 19-07 Human Bean Coffee

MOTION: It was moved by **Chair Cioni**, seconded by **Commissioner Bridge** that the Commission continue the project (DR 19-07) to a date uncertain.

VOTE: The motion passed on a voice vote of 3-0-1, with **Commissioner Ostini** absent.

Public Hearing Item No. 4:

Consideration of Recommendations to the City Council for Approval of Minor Zoning Code (Title 17) Text Amendments and Minor Revisions to the City’s Architectural Review Guidelines.

Review of minor Zoning Code Text amendments related to restaurant uses serving alcohol in the Convenience Center zone, streamlining permit requirements for sidewalk and mobile vendors, revisions to architectural design/site development review procedures and flexibility in permitting requirements for small housing projects (6 or less units), revised height requirements for permanent outdoor storage in Industrial and Business Park zones, bicycle parking exemptions for multi-family housing projects (4 or less units), revision to the residential street side yard setback fence height, edits to outdated or incorrect terminology and code references, minor amendments to the City’s Architectural Review Guidelines for consistency with said Zoning Code Text amendments related to architectural design/site development review, and minor revisions to sign standards related to temporary signs. The Planning Commission’s act of recommending adoption of the Zoning Code Text Amendment is not subject to the California Environmental Quality Act (CEQA) review because it is not an “approval” of the Zoning Code Text Amendment, as defined in CEQA Guidelines Section 15352, but is rather a recommendation of approval, and therefore does not commit the City to any definite course of action regarding the Zoning Code Amendment. Alternately, this action is exempt from CEQA review pursuant to Section 15061b(3) of CEQA.

Brian Halvorson presented the staff report with a PowerPoint presentation and summarized amendments as shown below:

Amendment Item I.

Staff mentioned that on September 9, 2020 the Planning Commission recommended maintaining the requirement for a Vendors Permit by streamlining the permitting process and removing any regulations that may be duplicative. Staff has reviewed the code requirements (with input from the City Attorney's Office) for Sidewalk Vendors and Mobile Vendors in order to eliminate and/or streamline these regulations. All revisions recommend by the **Commission** to Sidewalk Vendors and Mobile Vendors sections of the code would be added to Exhibit A to Resolution 935 (20) (in addition to the other revisions recommended by the Commission) and forwarded to the Council.

OPEN/CLOSE Public Comment for Zoning Code Amendment TA 20-02 (Item I).

Commissioner Bridge complimented Staff for their efforts on this item and stated that item number 2 should be deleted and agrees with the 3-year time frame.

After **Commission** discussion, **Assistant City Attorney Brian Wright-Bushman** stated that deleting all ten of the items listed will accomplish **Commissioner Bridge's** request for the City to receive a copy of the Health Permit issued by the County of Santa Barbara but not the detailed information required in Health & Safety Code Section 114315 (i.e. availability of toilet) as these are items reported to the County of Santa Barbara Health Department.

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Keller** that the Commission recommend to the City Council Zoning Code Text Amendments (TA 20-02) to update Lompoc Municipal Code Section 17.404.210.C.4 (Sidewalk Vendors) and 17.404.210.C.5 (Mobile Vendors) by revising the following sections as noted:

1. Delete the requirement to provide the California Department of Tax and Fee Administration sales tax number (Sidewalk Vendor)
2. Delete requirement for proof of an insurance policy (Sidewalk and Mobile Vendor)
3. Reduce permit application processing time from 30 days to 15 business days (Sidewalk and Mobile Vendor)
4. Increase initial permit term and subsequent renewal terms from 1 year to 3 years, but Business Tax Certificates are still required to be renewed annually (Sidewalk and Mobile Vendor)
5. Delete annual inspection requirement for heating/cooking equipment (Sidewalk and Mobile Vendor)
6. Delete the 10% (or greater) financial interest list signed under penalty of perjury for each person who has a conviction (Mobile Vendor)
7. Remove requirement to provide the name and address of all legal and registered owner(s) of the mobile vendor vehicle, and each person with a financial interest in the business that operates the mobile vendor vehicle (Mobile Vendor)

8. Delete requirement for vendor to provide evidence of compliance with Health & Safety Code Section 114315 (availability of toilet) as this is regulated by the County Health Department (Mobile Vendor)
9. Delete requirement for providing evidence of property owner's written authorization for operating on private property or on a City-owned parking lot, plaza, or other City-owned area (other than a public sidewalk or park)
10. Delete requirement that vendor provide authorization to operate in State right-of-way, but provide that a City vendor's permit does not authorize a vendor to operate in Santa Barbara County's or State's right-of-way must obtain separate authorization from the County or State, as applicable (Sidewalk and Mobile Vendor)

VOTE: The motion passed on a voice vote of 3-0-1, with **Commissioner Ostini** absent.

Amendment Item II.

Minor revisions to sign standards related to temporary signs

As discussed at the September 15, 2020 City Council meeting, Council requested Staff provide more flexibility for temporary signs (section 17.316.070) specifically banner and yard signs.

A banner sign is "a temporary sign composed of cloth, canvas, plastic, fabric, or similar lightweight, non-rigid material that can be mounted to a structure with cord, rope, cable, or similar method." Banner signs are limited to 30 square feet or 10% of business frontage on which the banner is placed, whichever is greater. All banner signs currently require a sign permit.

A yard sign is "any temporary sign placed in the ground or attached to a supporting structure, posts, or poles, which is not attached to any building, not including banners." Yard signs are limited to 12 square feet and a height of 6 feet on lots that less than one acre, and to 32 square feet and a height of 8 feet on lots that are one acre or larger. Yard signs that are equal to or greater than 12 square feet require a permit.

Staff recommended the Planning Commission review the following recommended changes to address this Council request:

- Banner signs that are 32 square feet or less would not require a sign permit. Banner signs greater than 32 square feet would require a no-fee sign permit. The maximum size of a banner sign would be changed to 36 square feet or 10% of business frontage on which the banner is placed, whichever is greater.
- Yard signs may be up to 32 square feet regardless of lot size and do not require a permit. Maximum height requirements would still apply.
- The maximum number of banner and yard signs shall remain at one each per business frontage, but vacant non-residential lots (regardless of size) may have up to 5 temporary signs.

In regards to the recommended sign area of 32 square feet, most sheets of wood are sold in this dimension and this dimension is commonly used for temporary signs (including political signs). If the Planning Commission agrees with these sign recommendations, revised code text will be added to Resolution 935 (20) and forwarded to the Council along with the entire zoning code text amendments discussed in this report and previously approved by the Planning Commission.

OPEN Public Comment for Zoning Code Amendment TA 20-02 (Item II).

Nicholas Gonzales, resident, does not want Lompoc to be known as the town that has nothing but banners on its storefronts. The more aesthetically pleasing cities that you visit have stringent sign controls. He further stated that businesses should be afforded the opportunity to have a temporary banner for their businesses while they are in the process of opening and obtaining the appropriate sign and building permits for their business.

CLOSE Public Comment for Zoning Code Amendment TA 20-02 (Item II).

8:00 P.M. **Commission** took a ten-minute break

8:10 P.M. **Commission** reconvened

Commissioner Bridge inquired on the enforcement of vacant lots and inquired if the property owner was responsible.

Brian Wright-Bushman responded that generally a code enforcement action would be taken against the property owner.

Chair Cioni inquired if a category could be created for “political” or campaign signs.

Brian Wright-Bushman noted that federal law prohibits the City from regulating the message or content of the sign, therefore we cannot create separate signs by category.

Chair Cioni noted that he does not feel that that the City has had an issue with campaign signs and real estate signs. Campaign signs are typically put up prior to the election and removed after the election and expressed major concerns regarding the lack of enforcement for banner signs. He also noted that banner signs should be removed as soon as their allotted time frame has passed. He also stated that if banner signs are left up, then enforcement to have signs removed should be started immediately.

Chair Cioni noted that during the break **Council member Mosby** mentioned that the time frame for banners was to be extended from thirty (30) days to sixty (60) days.

Brian Halvorson stated that the extended time frame was unintentionally omitted from the staff report. The **Commission** has the option of considering extending the time frame from thirty (30) to sixty (60) days if they would like to.

Chair Cioni stated he understands that there is a lack of staffing but would like to see some form of enforcement on banner signs especially those that are tattered, degraded, and detracting from the aesthetics of the City and inquired if dates were required to be printed on banners so enforcement individuals could easily see when they should be removed.

Brian Halvorson read footnote number 2 from table 17.316.070.A for the **Commission**:

Table 17.316.070.A: Temporary Sign Standards for Non-Residential Zones

Notes:

- 2 No permit (or fee) is required for banners in all commercial zones and in the Public Facilities and Institutional Zone as long as the banner contains a date for the event and a responsible party written on it and the banner is up for no more than 30 days. Any banner without a date or which is left up for one or more days past the 30-day period allowed may be taken down (but not left on the ground) by City staff (with appropriate noticing) and stored at the City's Fleet Yard.

Chair Cioni stated that allowing a banner to stay up for sixty (60) days will be fine but stresses that these banners need to be removed immediately after sixty (60) days have passed.

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Keller** that the Commission recommend to City Council Zoning Code Text Amendment (TA 20-02) to update Lompoc Municipal Code Section 17.316.070 (Temporary Signs) as summarized in the table below and within the associated text as reflected below.

Table 17.316.070.A: Temporary Sign Standards for Non-Residential Zones

Sign Type	Maximum Number	Maximum Area	Maximum Height	Lighting Allowed?	Sign Permit Required?	Additional Requirements
Banner Sign	1 per business frontage	30 36 s.f. or 10% of business frontage on which banner is placed, whichever is greater ¹	n/a	no	yes² no (signs ≤ 32 s.f) yes² (signs > 32 s.f.)	17.316.070.D.1
Bus Bench Sign	1 sign per bus bench	8 s.f. and not to extend beyond the exterior limits of the bench backrest, whichever is smaller	n/a	no	yes	17.316.070.D.2
Portable Sign	1 per business	6 s.f.	3 ft.	no	no	17.316.070.D.3
Window Sign	n/a	50% of window area ³	n/a	no	no	17.316.070.D.4
Yard Sign	4 10 per business frontage; 10 per vacant lot	12 s.f. (lots < 1 acre) 32 s.f. (lots ≥ 1 acre) 32 s.f.	6ft (lots < 1 acre) 8ft (lots ≥ 1 acre)	no	no (signs < 12 s.f.) yes (signs ≥ 12 s.f.)	17.316.070.D.5

Notes:

¹ For the purposes of calculating allowed banner sign area, the height of a business frontage shall be eight feet regardless of existing conditions.

² ~~The permit will not require a fee. No permit (or fee) is required for banners in all commercial zones and in the Public Facilities and Institutional Zone as long as the banner contains a date for the event and a responsible party written on it and the banner is up for no more than 30 days. Any banner without a date or which is left up for one or more days past the 30-day period allowed may be taken down (but not left on the ground) by City staff (with appropriate noticing) and stored at the City's Fleet Yard.~~

The following revised standards would apply to banner signs:

- a. **Maximum number.** One per business frontage.
- b. **Maximum area.** ~~30~~ 36 square feet or 10% of business frontage on which the banner is placed, whichever is greater. **For the purposes of calculating allowed banner sign area, the height of a business frontage shall be eight feet regardless of existing conditions.**
- c. **Maximum height.** Not applicable.
- d. **Illumination.** Not allowed.
- e. **Permit required.** ~~A Sign Permit is required in compliance with Chapter 17.540 (Sign Permit and Sign Program)~~ **If sign is less than or equal to 32 square feet: no. If sign is greater than 32 square feet: yes, provided that there shall be no fee for the permit.**
- f. **Additional requirements.**
 - (i) Banners shall be affixed to a permanent structure (i.e., cannot be freestanding, such as mounted on temporary posts).
 - (ii) A banner may be displayed for no longer than ~~30~~ 60 consecutive days, twice per calendar year. A minimum of ~~30~~ 60 days is required between the two ~~30~~ 60-day display periods. A new business is allowed to have one banner for up to 90 consecutive days to allow time for a permanent sign to be installed.

The following revised standards would apply to yard signs (see Figures 17.316.070.4, 17.316.070.5, and 17.316.070.6):

- a. **Maximum number.** ~~One~~ Ten per business frontage. **Ten per vacant lot.**
- b. **Maximum area.** ~~If lot size is less than one acre: 12 square feet; if lot size is greater than or equal to one acre: 32 square feet.~~
- c. **Maximum height.** If lot size is less than one acre: six feet; if lot size is greater than or equal than or equal to one acre: eight feet.
- d. **Illumination.** Not allowed.
- e. **Permit required.** ~~If sign is less than 12 square feet: no; if sign is greater than or equal to 12 square feet: yes.~~ **No.**

VOTE: The motion passed on a voice vote of 3-0-1, with **Commissioner Ostini** absent.

NEW BUSINESS: None

ORAL COMMUNICATIONS (3 Minutes Maximum): None

WRITTEN COMMUNICATIONS: None

APPROVAL OF MINUTES:

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Keller**, that the **Commission** adopt the September 9, 2020 minutes.

VOTE: The motion passed on a voice vote of 3-0-1, with **Commissioner Ostini** absent.

DIRECTOR/STAFF COMMUNICATIONS:

- **Brian Halvorson** reminded the **Commission** that the November Planning Commission meeting will be held on the 3rd Wednesday of the month, November 18th due to the Veteran's Day Holiday falling on the 2nd Wednesday, November 11th.
- **Brian Halvorson** stated he will be giving a presentation on Overlay Zones at the November 18th Planning Commission meeting.

COMMISSION REQUESTS:

- **Commissioner Bridge** provided an update on the RHNA meeting(s) he attended. SBCAG considering a two-step process dividing Northern and Southern sections of the County, then separating into local jurisdictions.
- **Commissioner Bridge** requested clarification be made on the Planning Commission Request log by removing policy items as they do not have a completion date. **Commissioner Bridge** also inquired on the status of item number 5 on the Planning Commission Request log which is the Confidential Biotherapy project. He asked if they were open for business yet.

ADJOURNMENT:

MOTION: It was moved by **Chair Cioni**, seconded by **Commissioner Bridge** to adjourn the meeting at 8:45 P.M. to a regular meeting to be held on Wednesday, November 18, 2020, at 6:30 P.M. in the City of Lompoc Council Chambers.

VOTE: The motion passed on a voice vote of 3-0-1, with **Commissioner Ostini** absent.



Brian Halvorson
Secretary



Federico Cioni
Acting Chair