Attachment No. 2 City Council Staff Report Appeal ZC 06-05— Zone Change Citywide Map Consistency January 16, 2007

CITY OF LOMPOC PLANNING COMMISSION STAFF REPORT



MEETING DATE: NOVEMBER 30, 2006

TO: MEMBERS OF THE PLANNING COMMISSION

FROM: LUCILLE T. BREESE, AICP, CITY PLANNER

RE: ZONE CHANGE – ZC 06-05

AGENDA ITEM NO. 1

Planning Commission will consider a comprehensive revision of the City's Zoning Map to rezone approximately 600 designated parcels of land located throughout the City of Lompoc. This rezoning would make the Zoning Map consistent with the Land Use Element Map of the General Plan, as required by State law (California Government Code Section 65860). A map identifying the properties to be rezoned is available at the Planning Division at City Hall. A Negative Declaration has been prepared pursuant to the provisions of the California Environmental Quality Act (CEQA).

AUTHORITY:

The Planning Commission has the authority to recommend approval or denial of an amendment to the Zoning Ordinance to the City Council (Government Code Section 65855, Lompoc City Code Section 8887).

BACKGROUND:

The Planning Division prepared a comprehensive update to the Zoning Map to achieve consistency between the General Plan Land Use Element Map and City's Zoning Map as required by state law. There are 606 parcels consisting of 401.80-acres located throughout the City of Lompoc. This action was Specific Objective No. 5 in the Biennial Budget for Fiscal Years 2005-2007 for the Planning Division.

September 11, 2006 – the Commission held a duly noticed public hearing, took public testimony, considered the staff report, and adopted Resolution No. 518 (06) recommending that the City Council certify the Negative Declaration and approve the Zone Change ZC 06-05. Copies of the PC staff report (Attachment No. 1), meeting minute excerpts (Attachment No. 2), and the adopted Resolution (Attachment No. 3) are included for Commission review.

October 3, 2006 – by a unanimous vote, the Council approved a motion from Councilmember Siminski to send the item back to the Commission to reconsider ZC 06-05. The motion was stated as follows:

"To require the Planning Commission to reconsider the matter of Zone Change -- ZC 06-05 which was heard by the Commission on September 11, 2006, to allow for clarification of the proposal, additional staff input, supplemental legal information, and an expanded opportunity for members of the public to provide comments to the Planning Commission."

ANALYSIS:

The analysis prepared for the Planning Commission staff report dated September 11, 2006 regarding the proposed Zone Change remains unchanged. There has been confusion in the community regarding the proposal and its effect, therefore the Council has asked that the Commission hold another hearing to allow additional public input and further clarification from staff. Staff will present an oral report and a PowerPoint presentation at the November 30th meeting.

One issue that seems to be of great concern for property owners is the change from Commercial Industrial (C-M) to Planned Manufacturing (P-M). Zoning Ordinance Article 11 lists the Purpose, Use Permitted, and Development Standards for the C-M Commercial Industrial District (Attachment No. 4) and Article 12 lists the Purpose, Uses Permitted, and Development Standards for the P-M Planned Manufacturing District (Attachment No. 5). The following table summarizes the differences in the zones:

	C-M Commercial Industrial	P-M Planned Manufacturing
Purpose	This zone is intended to provide for light industrial and limited commercial uses, wherein operations are such that they will be compatible with adjacent residential and commercial environs of the community	This zone is intended to provide a district which will insure an environment conducive to the development and protection of modern industry, research institutions, and administrative facilities in a well-designed and properly-landscaped environment.
Definition	Of Limited Commercial Uses	None
Uses Permitted	Extensive list of Allowed Uses Under 1) Manufacturing; 2) Processing; 3) Wholesaling, warehousing, and storage; 4) Utilities; 5) Commercial services; 6) Other	All categories of industrial and manufacturing uses conducted entirely within an enclosed building, subject to the prescribed performance standards in this zone.
Uses with CUP	List of Specific Uses, allows PC to find similar uses within intent of zone	List of Specific Uses, allows PC to find similar uses within intent of zone, and uses conducted outdoors.
Property Development Standards		
Minimum Lot Area	7,000 sq. ft.	7,000 sq. ft.
Frontage Width	50 feet	50 feet

	C-M Commercial Industrial	P-M Planned Manufacturing
Max. Height	35 feet	35 feet
Yards - front	None, except when adjacent to an "R" zone	None, except when adjacent to an "R" zone
Yards – side & rear	None, except when adjacent to an "R" zone	None, except when adjacent to an "R" zone
Fences, Hedges & Walls	Same Language	Same Language
Signs	Same Language	Same Language
Parking	Same Language	Same Language
Performance Standards	Same Language	Same Language

It should be noted that the majority of the parcels in question have already been developed. so retention of the Commercial Industrial (C-M) District will not likely affect the built environment in the community. The Commission may recommend a change in the General Plan to combine the General Industrial and Light Industrial categories, with a like action in the Zoning Ordinance to combine the Commercial Industrial (C-M) and Planned Manufacturing (P-M) Districts.

ENVIRONMENTAL DETERMINATION:

Based upon the results of the attached Initial Environmental Study, a Negative Declaration has been prepared for Planning Commission review and recommendation to the Council for certification pursuant to the provisions of the California Environmental Quality Act (CEQA).

NOTICING:

- 1) November 10, 2006 -- Notice of Public Hearing was published in the Lompoc Record in a display ad on page A5; and
- 2) November 20, 2006 Owners of the affected properties were notified by U.S. Mail.

APPEAL RIGHTS:

The Planning Commission action will be a recommendation and not the final decision on these zoning changes, therefore the Commission action cannot be appealed. The recommendation will be heard by the City Council at a duly noticed public hearing.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Receive public input; and
- 2) Provide direction to staff regarding recommendation to Council.

ATTACHMENTS:

- 1. PC September 11, 2006 Staff Report
- 2. Minute Excerpts for September 11, 2006 Meeting
- 3. PC Resolution No. 518 (06)
- 4. Zoning Ordinance Article 11 C-M Commercial Industrial
- 5. Zoning Ordinance Article 12 P-M Planned Manufacturing

Staff Report has been review	wed and approve	d for submission to the Plan	ning Commission
a. Pubtu	11-27-06	478 Duse	11-27-06
Arleen T. Pelster, AICP Community Development Director	Date	Lucille T. Breese, AICP City Planner	Date

CITY OF LOMPOC PLANNING COMMISSION STAFF REPORT



MEETING DATE: SEPTEMBER 11, 2006

TO: MEMBERS OF THE PLANNING COMMISSION

FROM PUCILLE T. BREESE, AICP, CITY PLANNER GINA LOPEZ. PLANNING TECHNICIAN

RE: () ZONE CHANGE – ZC 06-05

AGENDA ITEM NO. 8

Planning Commission consideration of a comprehensive revision to the City's Zoning Map affecting various parcels throughout the City of Lompoc. The City proposes to achieve consistency between the General Plan Land Use Element Map and Zoning Map. If adopted, the proposed Zone Change will be effective on designated properties to conform to the General Plan. A Negative Declaration has been prepared pursuant to the provisions of the California Environmental Quality Act (CEQA).

There are 606 parcels affected located throughout the City of Lompoc (See Attached Maps).

AUTHORITY:

The Planning Commission has the authority to recommend approval or denial of an amendment to the Zoning Ordinance to the City Council (Government Code Section 65855, Lompoc City Code Section 8887).

PROPOSAL:

The Planning Division has prepared a comprehensive update to the Zoning Map to achieve consistency between the General Plan Land Use Element Map and City's Zoning Map (see attached maps). There will be no change to the existing use of the designated properties. The use that is in place will be allowed to remain. Future development will be required to be consistent with the development standards of the revised Zoning District.

ANALYSIS:

In October of 1997, the City of Lompoc adopted the current General Plan Land Use Element Map. Some properties were assigned a Land Use designation, which differs from the existing Zoning Map designation. State law requires that the General Plan Land Use Element Map and the Zoning Map be consistent.

When the City Council adopted the General Plan, the resolution included language requiring property owners to develop within the approved General Plan Land Use designation, even though the Zoning map showed conflicting designations.

Since the adoption of the General Plan, property owners with development plans were required to process individual Zone Changes for their properties to insure conformance with the General Plan. This additional requirement added expense and lengthened the processing time of the development applications. When proposing development on their property consistent with the General Plan, applicants will no longer be required to incur this additional expense of amending the Zoning Map.

The proposed Zone Changes will establish consistency with the existing General Plan designation. The Planning Commission would continue to review specific future development plans as they are proposed to ensure compatibility with adjacent uses.

ENVIRONMENTAL DETERMINATION:

Based upon the results of the attached Initial Environmental Study, a Negative Declaration has been prepared for Planning Commission review and recommendation to the Council for certification pursuant to the provisions of the California Environmental Quality Act (CEQA).

NOTICING:

Notice of Public Hearing was published in the Lompoc Record on August 23, 2006 and owners of affected properties were notified by U.S. Mail on September 01, 2006.

APPEAL RIGHTS:

Any person has the right to appeal the Planning Commission action to the City Council within ten days of the action. Contact a Planning Division staff member for the required appeal form. The fee for appeal is \$36.70.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt PC Resolution No. 518 (06) recommending that the City Council:

- 1) Certify the Negative Declaration and,
- 2) Approve Zone Change ZC 06-05.

ATTACHMENTS:

- 1. Draft Planning Commission Resolution No. 518 (06)
- 2. Initial Environmental Study and Negative Declaration
- 3. Map showing Locations of Zone Change in the City of Lompoc
- 4. Maps 1 48 showing existing and proposed zone change parcels

Staff Report has been reviewed and approved for submission to the Planning Commission							
a. Ruhtu	9.6.06	OT Breeze	9-6-DCe				
Arleen T. Pelster, AICP Community Development Director	Date	Lucille T. Breese, AICP City Planner	Date				

DRAFT RESOLUTION NO. 518 (06)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CHANGE ZC 06-05.

WHEREAS, the Planning Commission has reviewed and considered a comprehensive revision to the City's Zoning Map affecting various parcels throughout the City of Lompoc. The City proposes to achieve consistency between the General Plan Land Use designations and Zoning Map; and

WHEREAS, the request was considered by the Planning Commission at a duly-noticed public meeting on September 11, 2006; and

WHEREAS, at the meeting of September 11, 2006. City staff was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of September 11, 2006,	spoke	in favor	of,	and
spoke in opposition to, the proposal.				

NOW, THEREFORE, THE LOMPOC PLANNING COMMISSION RESOLVES AS FOLLOWS:

SECTION 1: After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that:

- A. The proposed Zone Change (ZC 06-05) recommended in this Resolution will bring the City Zoning Map into conformance with the provisions of the General Plan Land Use Element Map of the City of Lompoc adopted in October 1997 as required by State law.
- B. There will be no change to the existing use of the designated properties.

The proposed Zone Change requires future development to be consistent with the development standards of the revised Zoning District:

C. The proposed modification is required for the public necessity, convenience, general welfare and consistency with the General Plan.

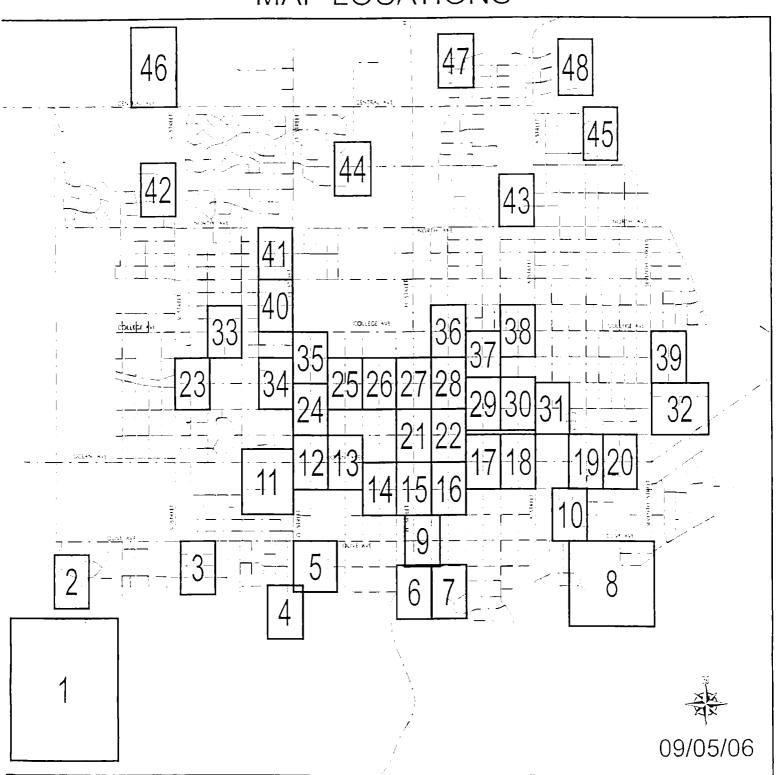
- SECTION 2: Pursuant to Public Resources Code Section 21089 and Section 15074 of the California Environmental Quality Act Guidelines, the Initial Environmental Study and Negative Declaration which have been prepared for the proposed Zone Change show that there is no substantial evidence that the project may have a significant effect on the environment, and therefore it can be found that:
 - A. The proposed Zone Change will not result in an adverse impact on the environment; and
 - B. Any effects of the proposed Zone Change will be <u>de minimis</u> and therefore no filing fee is required pursuant to Fish and Game Code Section 711.4 and Public Resources Code Section 21089.
- SECTION 3: The Planning Commission resolves that this resolution shall be forwarded to the City Council, pursuant to Section 8887.3c of the Lompoc City Code, with the Commission recommendation that the Council approve ZC 06-05, establishing consistency between the General Plan Land Use Element Map and the Zoning Map.

The foregoing Resolution, on motion by Commissioner, was adopted at September 11, 2006 by the following roll ca	the regular Planning Commission meeting of
AYES:	
NOES:	
Arleen T. Pelster, AICP, Secretary	Jack Rodenhi, Chair

Attachment: Exhibit A – Map of Zone Change Locations in the City of Lompoc

Exhibit B- Map 1 – 48 of Existing and Proposed Zone Change by Parcel

MAP LOCATIONS





Zone Change - ZC 06-05

Title:

CITY OF LOMPOC NEGATIVE DECLARATION

Pursuant to the State of California Public Resources Co	ode and the California Environmental Quality Act, as
amended to date, a Negative Declaration is hereby ma	ide on the following project:

Location:	Various parcels throughout the City of Lompoc

Description: Planning commission consideration of a comprehensive revision to the City's Zoning

Map affecting various parcels throughout the City of Lompoc. The City proposes consistency between the General Plan Land Use Element Map and Zoning Map.

There will be no change to the existing use of the designated properties. The use that is in place will be allowed to remain. Future development will be required to be

consistent with the development standards of the revised Zoning District.

The Planning Division of the City of Lompoc has determined that:

X There are no significant adverse environmental impacts created by this project.

There are no significant adverse environmental impacts associated with this project if the following conditions/mitigation measures are met.

August 18, 2006

Date

Gina Lopez, Planning Technician for Planning Division

CITY OF LOMPOC ENVIRONMENTAL CHECKLIST-FORM

A. PROJECT INFORMATION:

Project Title:	Project No:
Zone Change	ZC 06-05
Lead Agency Name and Address:	Contact Person and Phone Number:
City of Lompoc	Gina Lopez
100 Civic Center Plaza, Lompoc, CA 93436	Planning Technician
P.O. Box 8001, Lompoc, CA 93438-8001	(805) 875-8288
PROJECT DESCRIPTION / LOCATION:	
parcels throughout the City of Lompoc. The City Land Use Element Map and City Zoning Map. (See There will be no change to the existing use of the	proposes consistency between the General Plane Attached Map) designated properties. The use that is in place will be required to be consistent with the development
Public Agencies with Approval Authority (Including	permits funding or participation agreements):
None	pennita, randing, or participation agreements).
None	
Project Applicant, Name and Address:	Project Consultant:
	N/A
City of Lompoc	
General Plan Designation:	City Zoning Designation:
Various locations Citywide. (See attached Map)	july and so gradient
, , , , , , , , , , , , , , , , , , ,	
Surrounding Land Use Designation:	
Various locations Citywide.	
Various locations citywide.	
Surrounding Land Uses/Zoning:	
Various locations Citywide.	
Environmental Setting: Existing urbanized area.	

TI	ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact", as indicated by the checklist on the following pages.						
[[] Aesthetics [] Agriculture Resources [] Air Quality						
[] Biological Resources	[] Cultural Resources	[] Geology / Soils		
ſ] Hazards & Hazardous Materials	[] Hydrology / Water Quality	[] Land Use / Planning		
Į] Mineral Resources	[] Noise	[] Population / Housing		
[]Public Services	[] Recreation	[] Transportation / Traffic		
]]Utilities / Service Systems [] Mandatory Findings of Significance						

B. ENVIRONMENTAL IMPACTS:

Identify the potential for significant adverse impacts below. Note mitigation measures, if available, for significant adverse impacts.

I. AESTHETICS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	
a) Have a substantial adverse effect on a scenic vista?				Х
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				Х
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				Х
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			-	х

- a) There is no development proposed and therefore, no substantial adverse impact on a scenic vista.
- All future development consistent with the proposed Zone Change will be subject to the City's Architectural Review Guidelines.
- b) The properties will not substantially damage scenic resources as no development is proposed.
- c) Planning Commission review of future projects will assure compliance with established City Architectural Review Guidelines.
- d) The City will review development proposals on a project specific basis and condition all projects to assure that no substantial light and/or glare will adversely affect day or nighttime views in the area.

II. AGRICULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				x
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				Х
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				х

- a) The properties do not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The properties are within the existing City limits surrounded by existing development.
- b) The proposed Zone Change will not conflict with existing zoning for agricultural use, or a Williamson Act contract as no development is proposed.
- c) The proposed project will not involve changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use. The properties are within the existing City limits and are not currently being used for agricultural purposes.

III AIR QUALITY Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	1 4
Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				Х
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing				Х
emissions which exceed quantitative thresholds for ozone precursors)?				
d) Expose sensitive receptors to substantial pollutant concentrations?				Х
e) Create objectionable odors affecting a substantial number of people?				Х

a-e) The proposed Zone Change will not obstruct the implementation of any applicable air quality plan; violate any air quality standard; result in a cumulatively net increase in any criteria pollutant for which the City is in non-attainment; expose sensitive receptors to substantial pollutant concentrations or create objectionable odors affecting a substantial number of people. The existing buildings will remain on the properties. There is no new development proposed at this time and any future development plan will be reviewed to assure conformance with Air Quality standards.

	In		r:	
IV DIOLOGICAL DESCUIDCES	Potentially	Less than	Less Than	
IV. BIOLOGICAL RESOURCES	Significant	significant	Significant	Impact
Mould the project:	Impact	with	Impact	
Would the project:		Mitigation		
		Incorporated	<u> </u>	
a) Have a substantial adverse effect, either directly or				
through habitat modifications, on any species identified				
as a candidate, sensitive, or special status species in				X
local or regional plans, policies, or regulations, or by the				
California Department of Fish and Game or U.S. Fish and Wildlife Service?			,	
b) Have a substantial adverse effect on any riparian				
habitat or other sensitive natural community identified in				
local or regional plans, policies, regulations or by the				x
California Department of Fish and Game or U.S. Fish				^
and Wildlife Service?				
c) Have a substantial adverse effect on federally				
protected wetlands as defined by Section 404 of the				
Clean Water Act (including, but not limited to, marsh,				x
vernal pool, coastal, etc.) through direct removal, filling,				
hydrological interruption, or other means?				
d) Interfere substantially with the movement of any				
native resident or migratory fish or wildlife species or				X
with established native resident or migratory wildlife				l l
corridors, or impede the use of native wildlife nursery				
sites?				·
e) Conflict with any local policies or ordinances				
protecting biological resources, such as a tree				Х
preservation policy or ordinance?				
f) Conflict with the provisions of an adopted Habitat	İ			1
Conservation Plan, Natural Community Conservation				X
Plan, or other approved local, regional, or state habitat				
conservation plan?				

- a-d) The proposed Zone Change will not have a substantial adverse effect on any species identified as a sensitive species in local or regional plans or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, nor will it affect federally protected wetlands, nor will it affect migratory wildlife corridors, nor will it affect biological resources, because the site is in an urbanized area and no development is proposed.
- e) There will be no change to the existing use of the designated properties and no conflict with any local policies or ordinances protecting biological resources.
- f) The parcels are within an urbanized area with existing development on site. Future development will be evaluated on a case-by-case basis for potential impact.

V. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				Х
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				Х
d) Disturb any human remains, including those interred outside of formal cemeteries?				Х

a-d) There will be no change to the existing use of the designated properties and therefore cause no substantial adverse change in the significance of a historical resource or archaeological resource as identified in the City of Lompoc Cultural Resource Study and "Archeological Sensitivity Zones" Map located in the City of Lompoc General Plan adopted October 1997. Future development will be evaluated on a case-by-case basis for potential impact.

VI. GEOLOGY AND SOILS	Potentially Significant	Less than significant with	Less Than Significant	No Impact
Would the project:	Impact	Mitigation Incorporated	Impact	mpsct
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				. X
ii) Strong seismic ground shaking?				Х
iii) Seismic-related ground failure, including liquefaction?				Х
iv) Landslides?				Х
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				х

d) Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Х
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Х

a) The properties are not identified on the City of Lompoc General Plan "Geologic and Soils Hazards" Map as being located in an area subject to liquefaction, landslides, or seismic activity, and will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death. b-e) Future development will be evaluated on a case-by-case basis for potential impact.

VII. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		!		Х
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				Х
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				х
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				. X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				х
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				Х
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				Х
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

- a-c) There is no development proposed to the Zone Change and therefore, no creation of significant hazard to the public or the environment.
- d) No development is proposed. Future development will be evaluated on a case-by-case basis for potential impact.
- e-f) The properties are located within the Lompoc Municipal Airport land use plan and within the vicinity of a private airstrip, based on a review of the Lompoc Airport Master Plan and the Lompoc General Plan. The Lompoc Municipal Airport is the closest airfield to the project site. However, no development is proposed. Future development will be evaluated on a case-by-case basis for potential impact.
- g) The proposed Zone Change will not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- h) The proposed Zone Change will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, because the properties are located in the urbanized area of the City of Lompoc.

VIII. HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?				Х
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				х
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X .
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.				х
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				х
f) Otherwise substantially degrade water quality?				Х
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				х
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				Х

I) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Х
j) Inundation by seiche, tsunami, or mudflow?	Х

- a-e) The Zone Change will not violate any water quality standards or waste discharge requirements; the project will not substantially deplete groundwater supplies or interfere with groundwater recharge; the project will not substantially alter the existing drainage pattern of the site or area; the project will not create or contribute run-off water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off.
- f) The Zone Change will not violate any water quality standards or waste discharge requirements, nor place a greater demand on water supply or quality than the existing land use designation. g) No development is proposed. Future development will be evaluated on a case-by-case basis for potential impact.
- h) The Zone Change will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- i-j) The Zone Change will not create a threat of inundation by seiche, tsunami, or mudflow. The properties are not located near a water body or a significant slope or volcano, so mudflows, tsunamis, and seiches are very unlikely.

IX. LAND USE AND PLANNING Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X -
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				Х

- a) The properties are in an urbanized area and have no development proposed in the Zone Change.
- b) The purpose of the Zone Change is to not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. Further, the Zone Change will create consistency with the existing General Plan Land Use Element Map. More in depth environmental evaluation will occur during specific project review for any future development.
- c) There is not a habitat conservation plan or natural community conservation plan, which applies to the properties, therefore, there will be no conflict with such a plan.

X MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				Х
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				Х

a-b) The proposed Zone Change will not result in a loss of availability of a known mineral resource that would be of value to the region and the residents of the state as the "Mineral Resources" Map in the Lompoc General Plan, adopted October 1997. No development is proposed. Future development will be evaluated on a case-by-case basis for potential impact.

XI. NOISE Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				Х
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				·×
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				×
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				×

- a-d) There is no development in the proposed Zone Change and will not expose persons to, or generate, noise levels in excess of standards established in the local general plan or noise ordinance, and it will not expose persons to excessive groundborne noise levels or result in a substantial permanent increase in ambient noise levels.
- e-f) The proposed Zone Change is located within an airport land use plan and within the vicinity of a private air strip. No development is proposed. Future development will be evaluated on a case-by-case basis for potential impact.

XII. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and other infrastructure)?				Х
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				×
 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? 				X

a-c) The proposed Zone Change will not induce population growth as there is no development proposed. The Zone Change will not displace any housing or people, or require any replacement housing. Future development will be evaluated on a case-by-case basis for potential impact.

XIII. PUBLIC SERVICES Would the project result in:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				×
b) Fire Protection?				X
c) Police protection?				Х
d) Schools?				Х
e) Parks?				Х
f) Other public facilities?				X

a-f) The proposed Zone Change will not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Fire, Police, Schools, Parks, or other public services, because the properties are currently within an urbanized area that is already adequately served by City services. The City has sufficient resources to provide required services.

XIV. RECREATION Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	1 1
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				Х
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				х

Comments

a-b) The Zone Change does not include any development and would not accelerate substantial physical deterioration to existing neighborhood and regional parks and other recreational facilities.

XV. TRANSPORTATION/CIRCULATION Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				. X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				х
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				х
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				Х
e) Result in inadequate emergency access?				Х
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

- a-b) The properties would not generate more traffic than the existing zoning designation. Future development of the site may require traffic analysis to assure conformance with existing City standards for Level of Service.
- c) The proposed project will not result in a change in air traffic patterns.
- d-g) Future development will be reviewed by the Planning Commission to assure safe design of specific projects; adequate emergency access; on-site parking capacity; and support of alternative transportation.

XVI. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	
a) Exceed wastewater treatment requirements of the Central Coast Region of the Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				×
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				Х
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				Х
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				x
Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				. X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				Х

- a-c) The proposed Zone Change will not exceed wastewater treatment requirements of the Central Coast Region of the Regional Water Quality Control Board and not require the construction of new water or wastewater treatment facilities, or expansion of existing facilities.
- d-e) The project is located within the City of Lompoc city limits, and the City has sufficient resources to service the site with water and wastewater facilities.
- f-g) The City of Lompoc landfill has sufficient capacity to service the proposed use. The project will conform to regulations regarding solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE Does the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				×
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				х
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				х

DETER	MINATION:
On the	pasis of this initial evaluation:
Х	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION, pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Excerpt from the Lompoc Planning Commission Meeting of September 11, 2006

Attachment No. 2 PC Staff Report ZC 06-05 November 30, 2006

PUBLIC HEARING ITEMS:

8. ZONE CHANGE – ZC 06-05

Planning Commission consideration of a comprehensive revision to the City's Zoning Map affecting parcels throughout the City of Lompoc. The City proposes to achieve consistency between the Land Use Element Map of the General Plan and Zoning Map for conformance with the General Plan.

If adopted, the proposed Zone Change will be effective on designated properties to conform to the General Plan. A Negative Declaration has been prepared for this project in accordance with the California Environmental Quality Act (CEQA).

Planning Intern Gina Lopez summarized the written staff report.

<u>Commissioner Fink</u> asked if the zone change would change any use of current property owners. Ms. Breese clarified that since the adoption of the General Plan Land Use Element in 1997, all property had to be developed in conformance with the General Plan designation. She indicated that applicants had to process a Zone Change and incur the cost and time involved. This action by the City would make the Zoning Map consistent as required by State law and simplify the development process for future applicants.

PUBLIC HEARING OPEN

Public Hearing opened at 8:02 p.m.

Public Hearing closed at 8:44 p.m.

Morris Sobhani, business owner – requested that the Planning Commission continue the item until the General Plan can be revisited. Mr. Sobhani provided the Commission a history of his property and expressed concern over tenant limitations which could result in increased vacancy rates.

<u>John Linn, resident</u> – presented a written document, stated that the notice was legally inadequate, stated he felt that a new or supplemental Environmental Impact Review was necessary for the Zone Change, stated that the bulk of tenants will be required to obtain Conditional Use Permit, and that the General Plan is too far out of date to rely on.

<u>Tom King, resident</u> – indicated that he has recently developed two industrial properties and that he was not advised of zone changes.

<u>Archie Nogle, resident</u> – asked how the zone change will affect his property and stated his disapproval of any changes affecting his property.

<u>Martha Barajas, resident</u> – stated her opposition to the proposed change and stated that the proposed change is inconsistent with conditions in her neighborhood.

Excerpt from the Lompoc Planning Commission Meeting of September 11, 2006

PUBLIC HEARING ITEMS:

8. <u>ZONE CHANGE – ZC 06-05</u>

Page 2 of 3

<u>Jonatha Linn, resident</u> – indicated her opposition to the zone change, referring specifically to property she owns on Riverside Drive.

<u>Nicholas Gonzales, resident</u> – indicated opposition to and confusion with the zone change, expressed concern with the number of parcels involved and the potential reduction of use, and concurs with Mr. Sobhani that the General Plan should be revisited. Mr. Gonzales stated that the Planning Commission works to increase affordable housing and the zone change would result in reduction in the number of future units.

Mary Leach, resident – indicated she was on the Planning Commission in the 1980's and on the General Plan Advisory Committee (GPAC) when the Land Use changes were recommended. She noted that the life of a General Plan is approximately 20 years. Ms. Leach stated that she did not receive the notice of proposed zone change, requested the Planning Commission revisit the General Plan, and noted that the proposed changes should have occurred years ago.

<u>Jim Dixon, resident</u> – concurred with Ms. Leach and Mr. Sobhani, citing that to make changes nine years after the General Plan approval is not prudent. Mr. Dixon indicated that the Zoning Ordinance is over 30 years old and its application to new development is not acceptable.

<u>Darrell Tullis, local business owner</u> – asked that the Planning Commission recommend updating the General Plan and insure that property owners are not economically impacted.

<u>Charles Eckert, resident</u> – stated confusion with the proposal and is concerned that potential value is being taken away from property owners.

Ray Leslie, resident – indicated his agreement with all prior speakers regarding this issue.

<u>Joe Barto, resident and business owner</u> – indicated concern with future property value and ability to sell, and requested the Planning Commission reconsider the proposal.

<u>Kimberly Smith, business owner</u> – indicated opposition to the proposal and stated that she had specifically looked for industrial land when purchasing property.

PUBLIC HEARING CLOSED

Excerpt from the Lompoc Planning Commission Meeting of September 11, 2006

PUBLIC HEARING ITEMS:

8. **ZONE CHANGE – ZC 06-05**

Page 3 of 3

<u>Commissioner Grames-Lyra</u> expressed concern with the public comments heard and controversy expressed.

<u>Commissioner Rodenhi</u> asked Mr. Granger about the process of adopting the Zoning Ordinance and the General Plan. Mr. Granger indicated that the General Plan was adopted in 1997 and that projects are reviewed on a case-by-case basis. Mr. Granger clarified that the recommendation the Planning Commission is making to the City Council is to make the Zoning Map consistent with the General Plan Land Use Element. He noted that complaints could be appropriately addressed to the City Council at the future Public Hearing.

<u>Commissioner Fink</u> asked if the Commission is obligated to take action on this agenda item and asked Mr. Granger if the Planning Commission has the legal authority to proceed. Mr. Granger responded that it is the Commission's charge to make a recommendation on the Zone Change to the City Council. The Council can consider directing an update to the General Plan or the Environmental Impact Report (EIR).

<u>Commissioner Ruhge</u> expressed concern with the amount of time that has elapsed since the adoption of the General Plan.

It was moved by <u>Commissioner Fink</u> and seconded by <u>Commissioner Rodenhi</u> that the Planning Commission certify the Negative Declaration, approve Planning Commission Resolution No. 518 (06) recommending that the Council approve Zone Change ZC 06-05, and recommend that the City Council consider updating the General Plan based on the amount of public interest and the amount of time that has elapsed since the General Plan was adopted.

<u>Commissioner Harman</u> asked about State guidelines for General Plan updates. Ms. Pelster noted that the Housing Element must be updated every five (5) years and advised that the City has a current, certified Housing Element in place. <u>Commissioner Rodenhi</u> commented that this action was to make the Zoning Map consistent with the General Plan Land Use Map.

The motion passed on a roll call vote of 3-2 with <u>Commissioner Grames-Lyra</u> and <u>Commissioner Ruhge</u> voting no.

<u>Commissioner Fink</u> encouraged those citizens who spoke opposition to this agenda item to express their opinions at the next City Council meeting.

RESOLUTION NO. 518 (06)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CHANGE ZC 06-05.

WHEREAS, the Planning Commission has reviewed and considered a comprehensive revision to the City's Zoning Map affecting various parcels throughout the City of Lompos. The City proposes to achieve consistency between the General Plan Land Use designations and Zoning Map; and

WHEREAS, the request was considered by the Planning Commission at a duly-noticed public meeting on September 11, 2006, and

WHEREAS, at the meeting of September 11, 2006, City staff was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of September 11, 2006, no one spoke in favor of the Zone Change and Morris Sobhani, John Linn, Martha Barajas, Tom King, Archie Nogle, Jonatha Linn, Nicholas Gonzales, Mary Leach, James Dixon, Darrell Tullis, Charles Eckert, Ray Leslie, J.R. Barto, Kimberly Smith spoke in opposition to, the proposal.

NOW, THEREFORE, THE LOMPOC PLANNING COMMISSION RESOLVES AS FOLLOWS:

SECTION 1: After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that:

- A. The proposed Zone Change (ZC 06-05) recommended in this Resolution will bring the City Zoning Map into conformance with the provisions of the General Plan Land Use Element Map of the City of Lompoc adopted in October 1997 as required by State law.
- B. There will be no change to the existing use of the designated properties.

The proposed Zone Change requires future development to be consistent with the development standards of the revised Zoning District:

C. The proposed modification is required for the public necessity, convenience, general welfare and consistency with the General Plan.

- SECTION 2: Pursuant to Public Resources Code Section 21089 and Section 15074 of the California Environmental Quality Act Guidelines, the Initial Environmental Study and Negative Declaration which have been prepared for the proposed Zone Change show that there is no substantial evidence that the project may have a significant effect on the environment, and therefore it can be found that:
 - D. The proposed Zone Change will not result in an adverse impact on the environment; and
 - E. Any effects of the proposed Zone Change will be <u>de minimis</u> and therefore no filing fee is required pursuant to Fish and Game Code Section 711.4 and Public Resources Code Section 21089.
- SECTION 3: The Planning Commission resolves that this resolution shall be forwarded to the City Council, pursuant to Section 8887.3c of the Lompoc City Code, with the Commission recommendation that the Council approve ZC 06-05, establishing consistency between the General Plan Land Use Element Map and the Zoning Map.

The foregoing Resolution, on motion by Commissioner Fink, seconded by Commissioner Rodenhi, was adopted at the regular Planning Commission meeting of September 11, 2006 by the following roll call vote:

AYES: Commissioners Rodenhi, Fink, Harmon

NOES: Commissioners Grames-Lyra, Ruhge

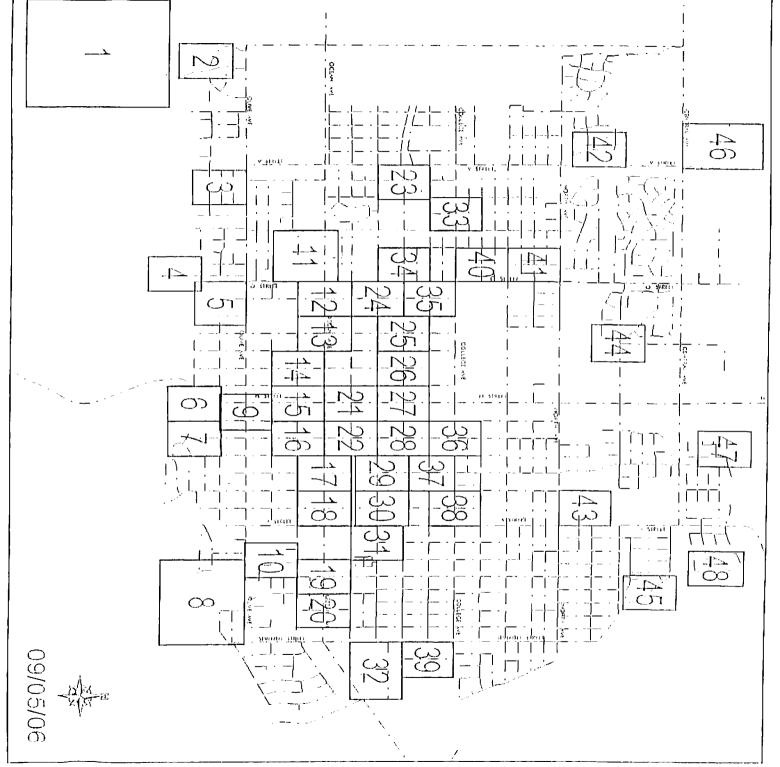
Arleen T. Pelster, AICP, Secretary

adu T. Petta

Jack Rodenhi, Chair

Attachment: Exhibit A – Map of Zone Change Locations in the City of Lompoc

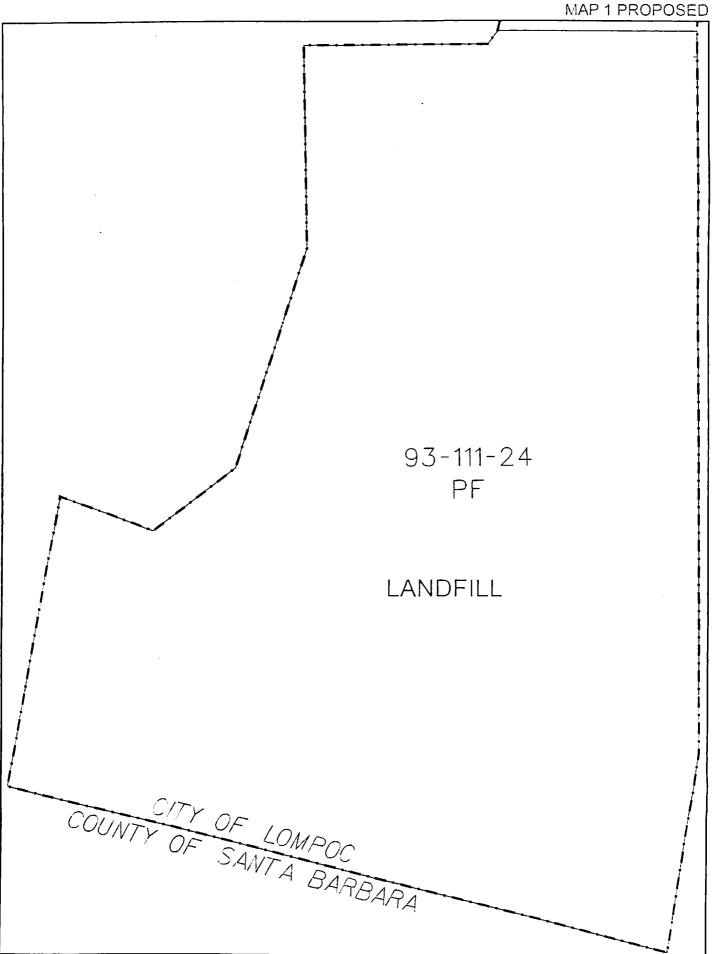
Exhibit B- Map 1 – 48 of Existing and Proposed Zone Change by Parcel

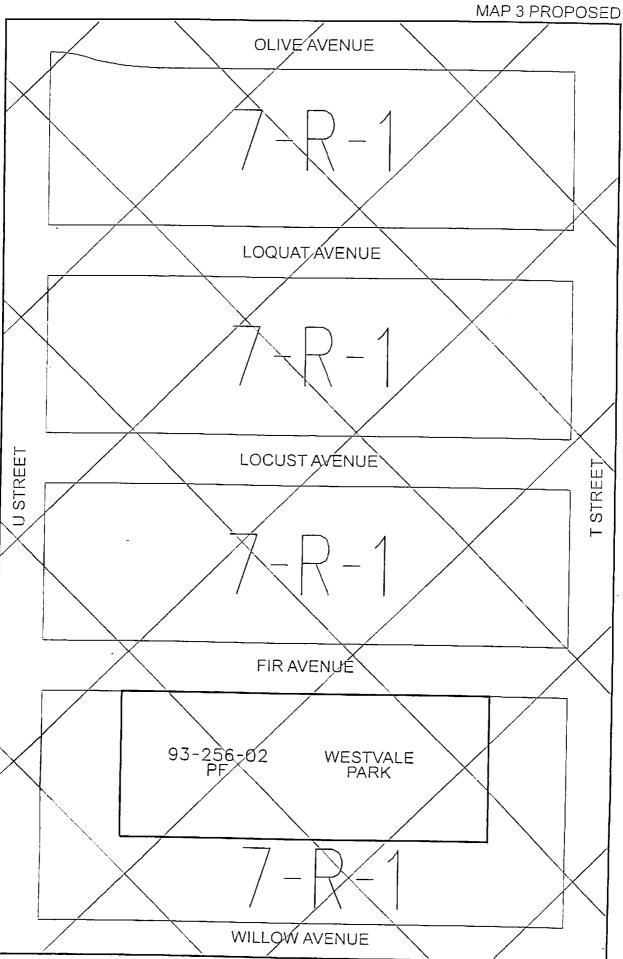


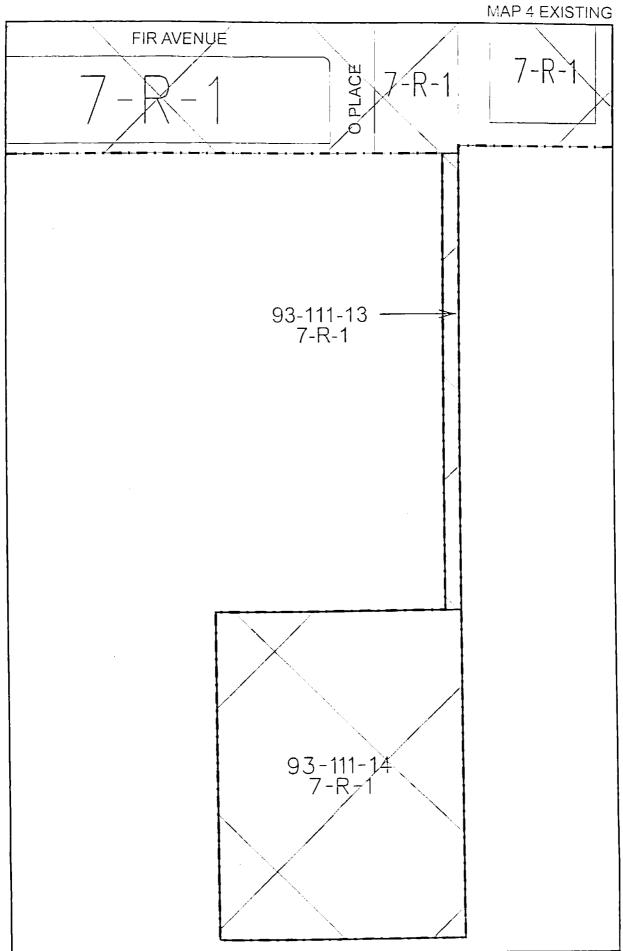
MAP LOCATIONS

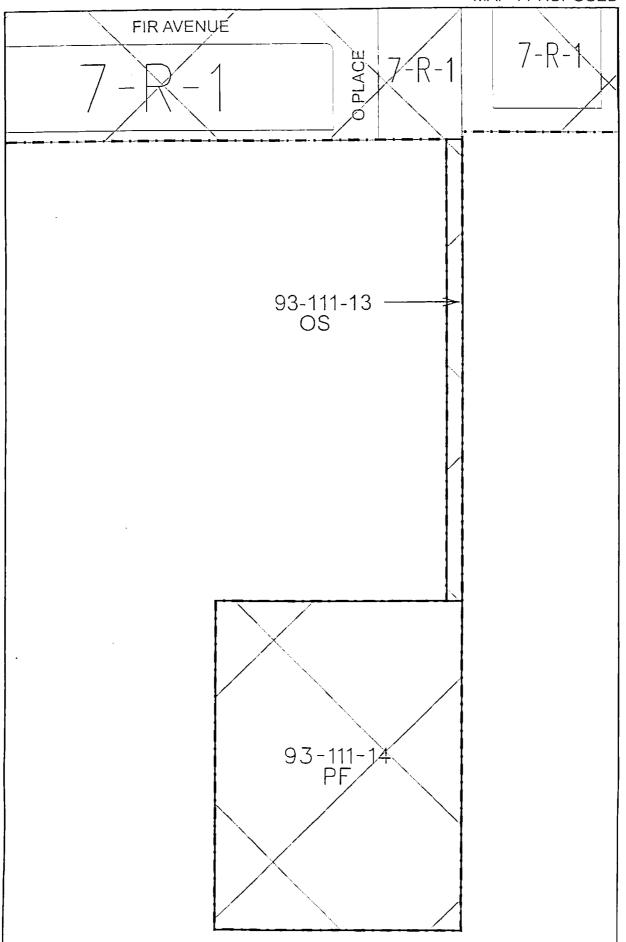


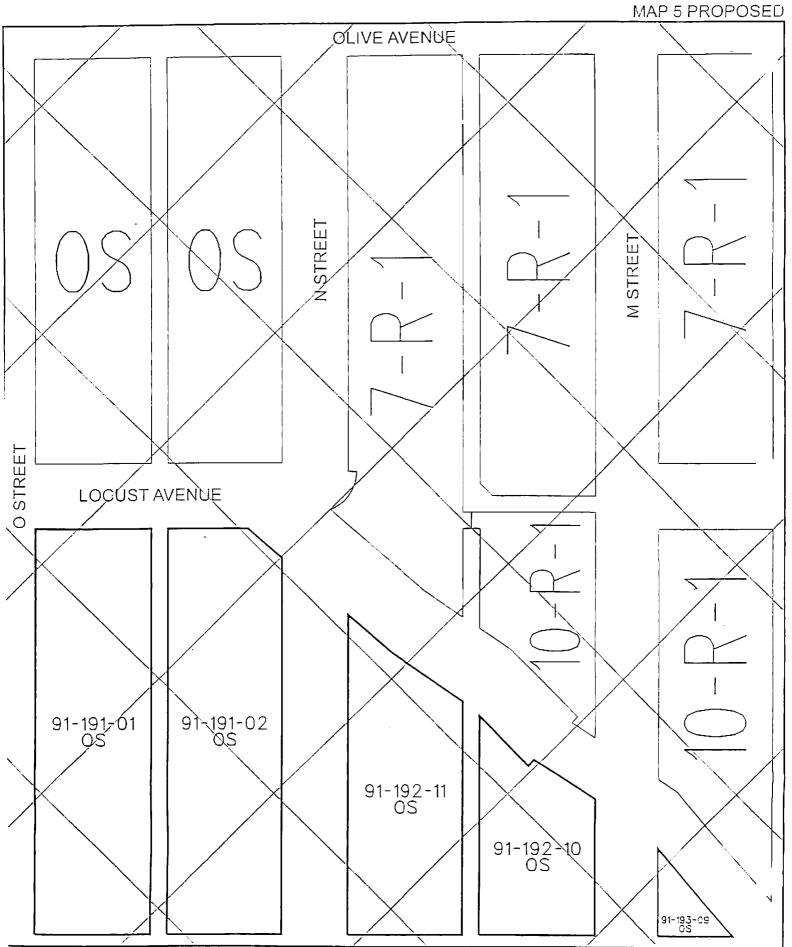
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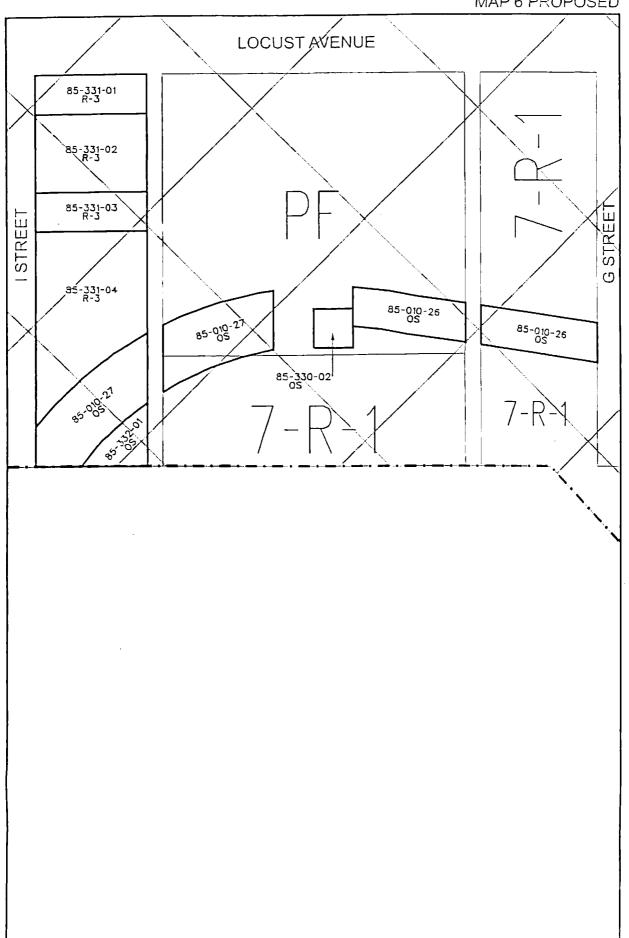


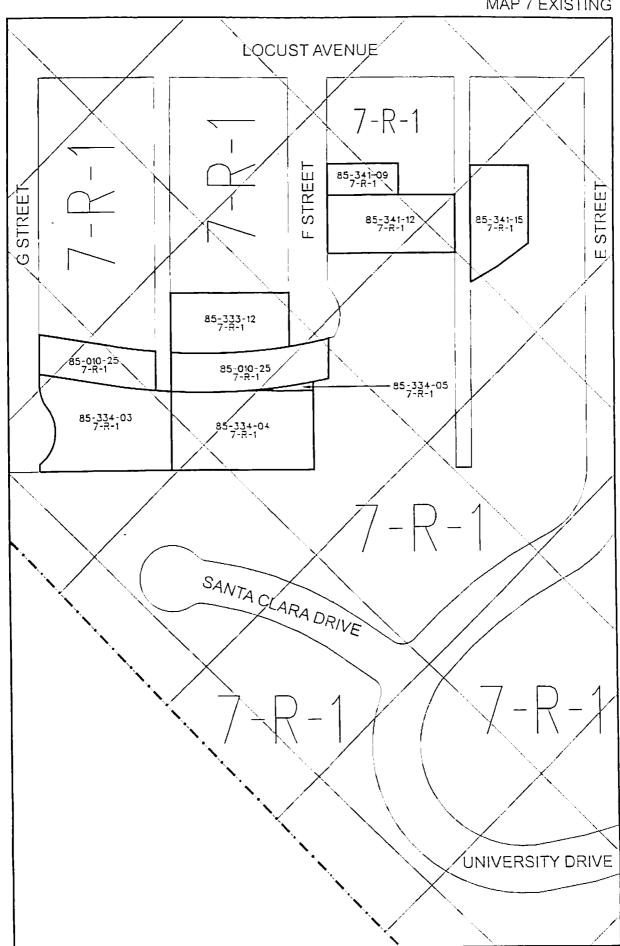


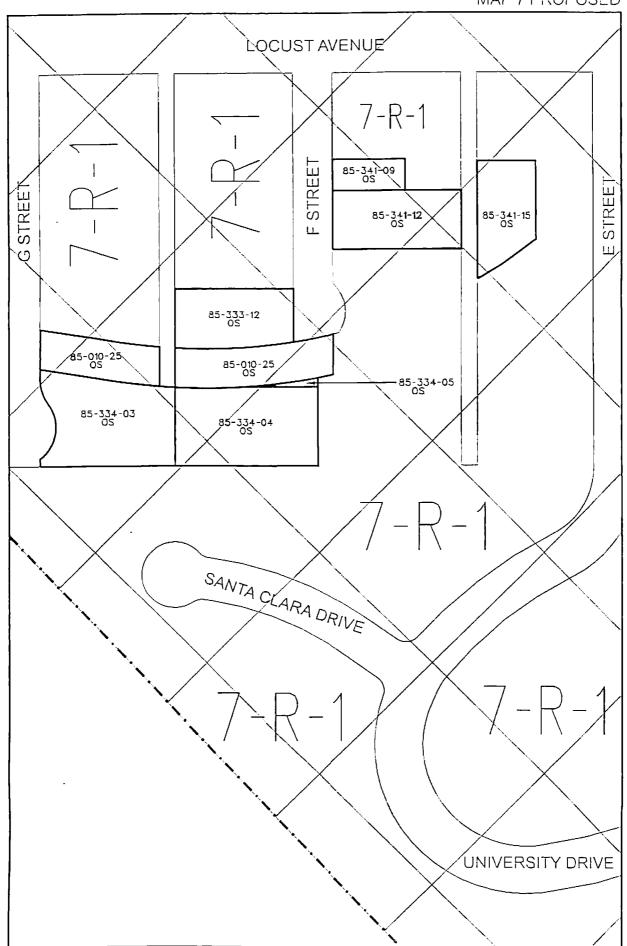


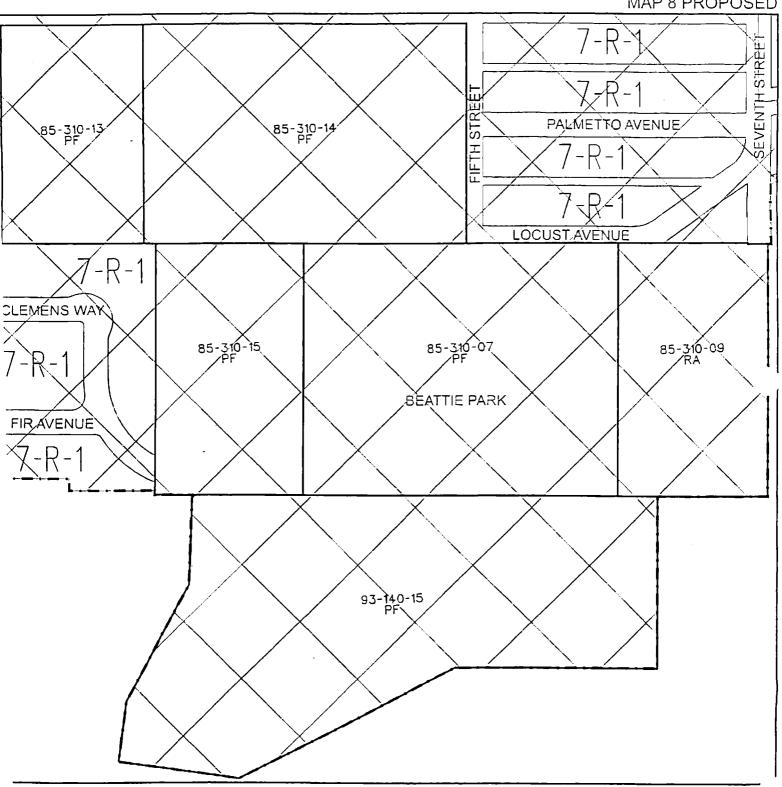


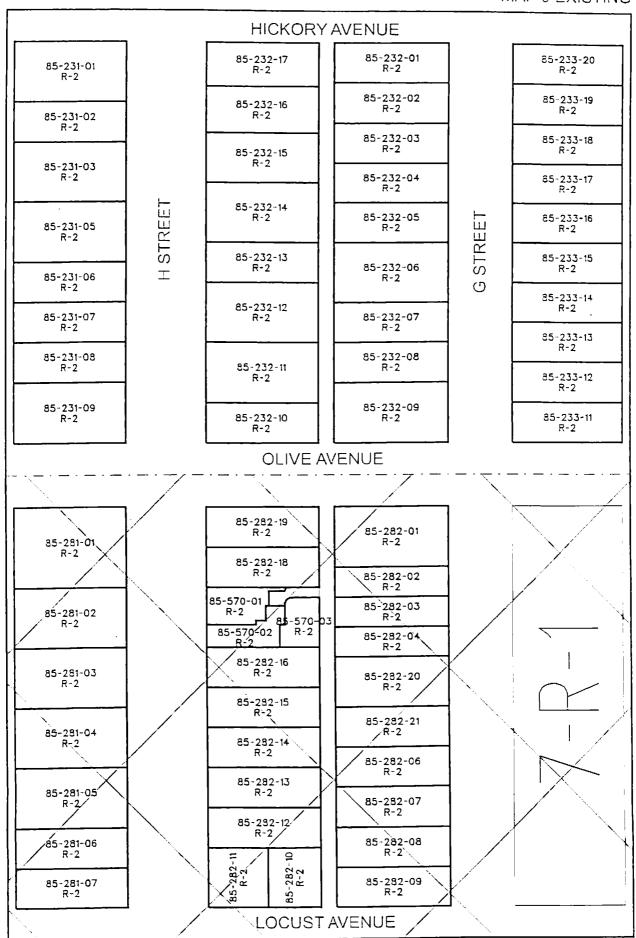




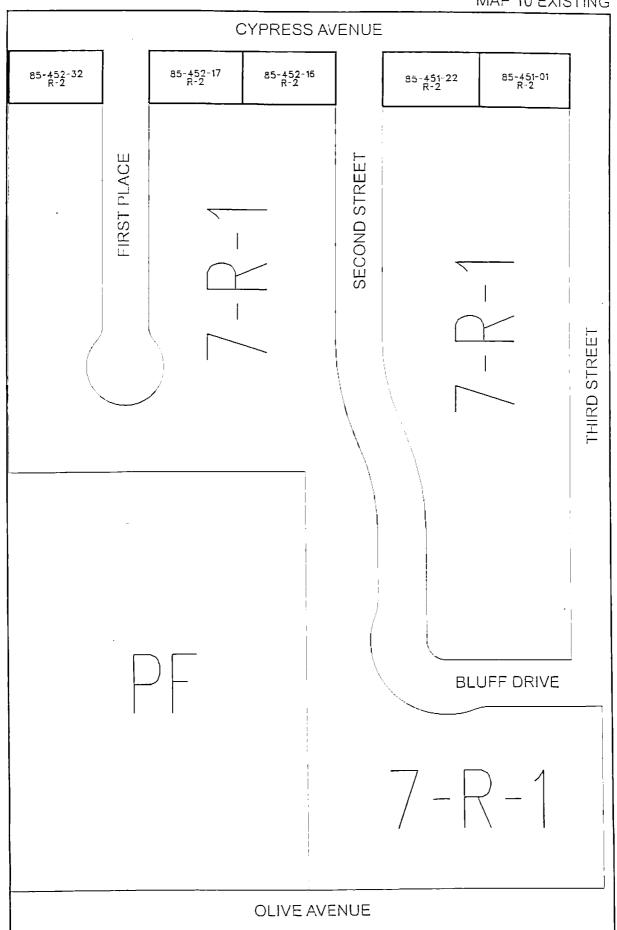




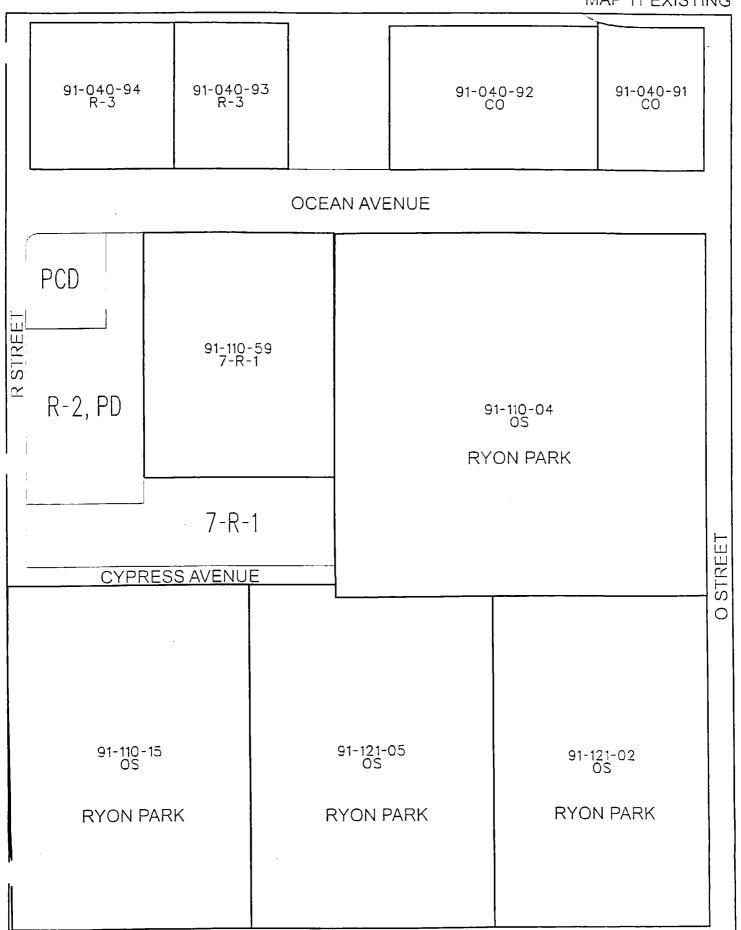


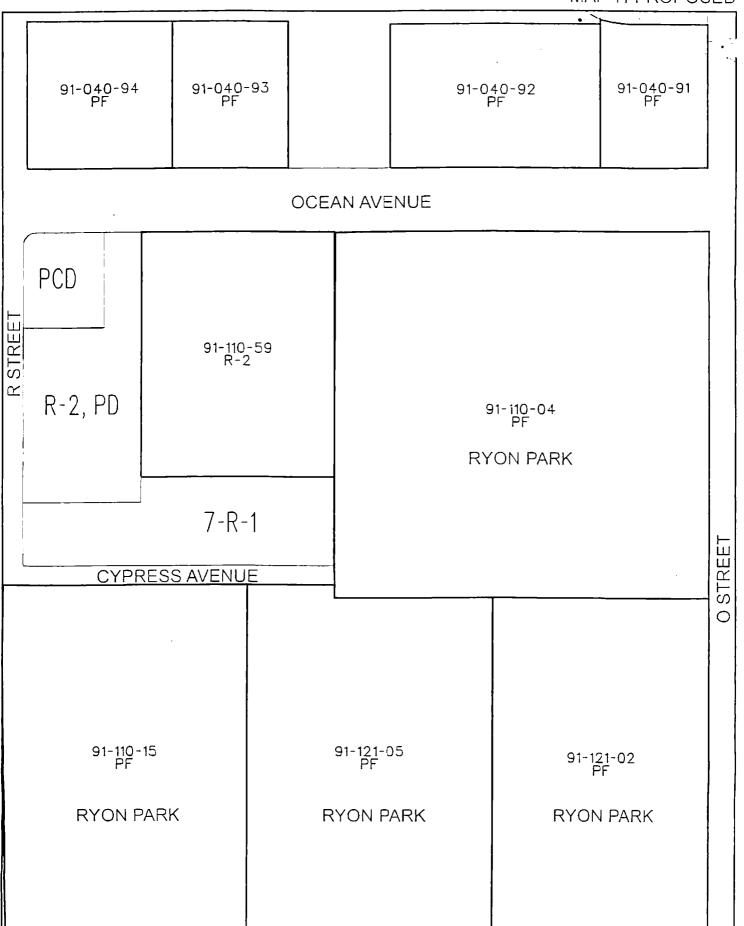


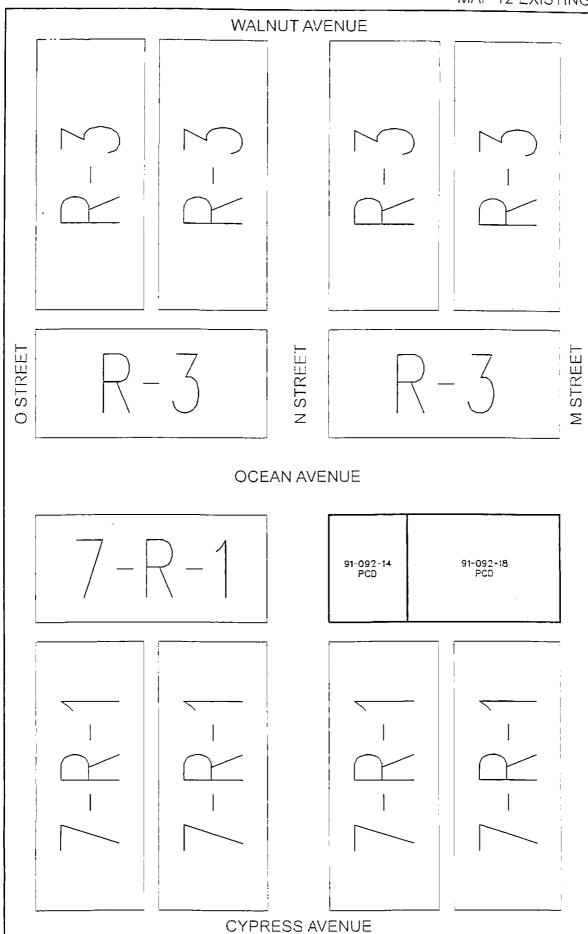
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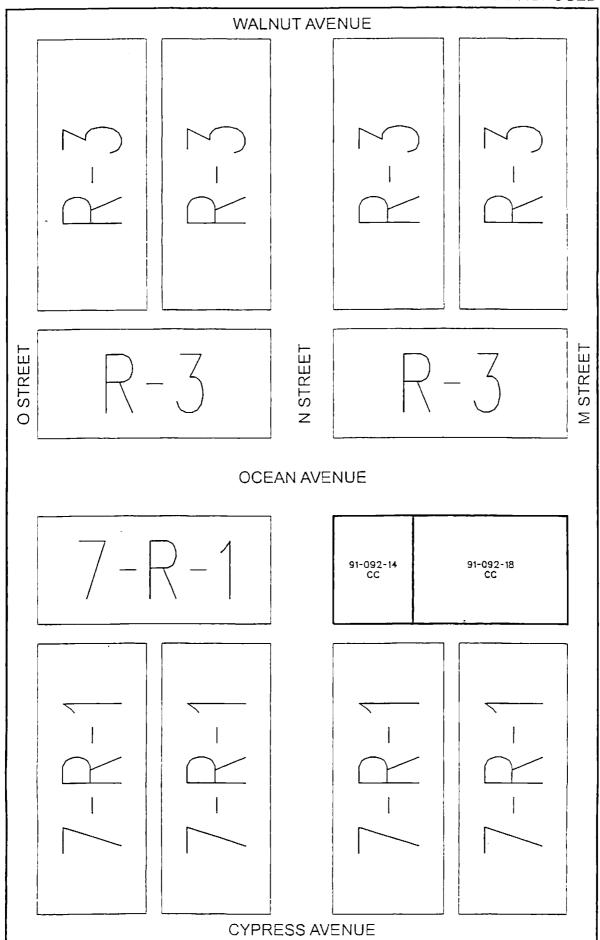


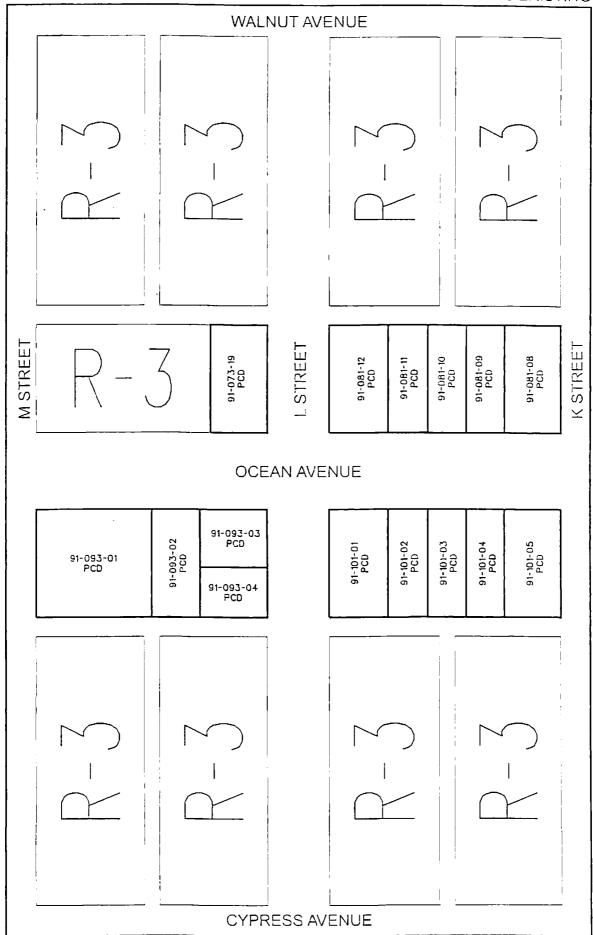
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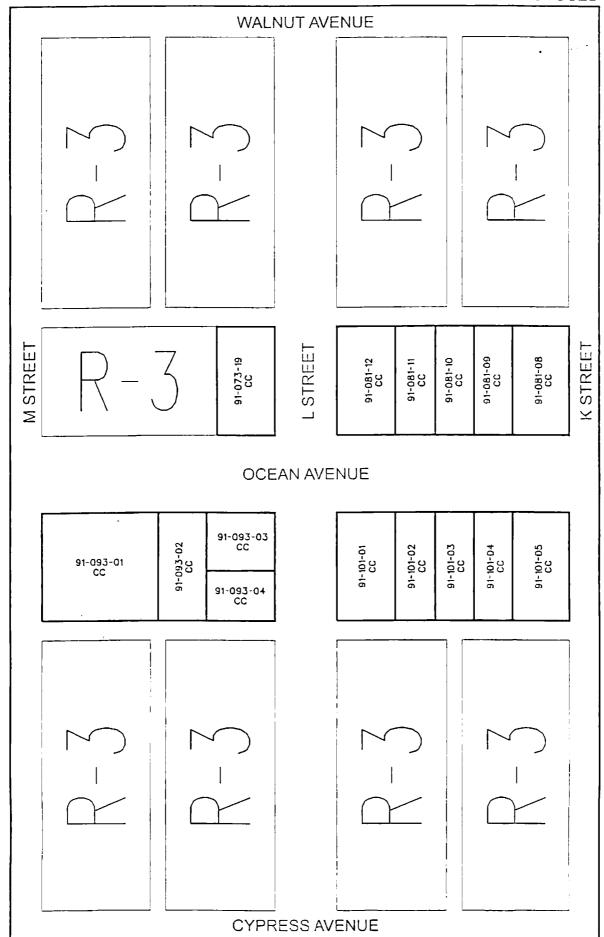


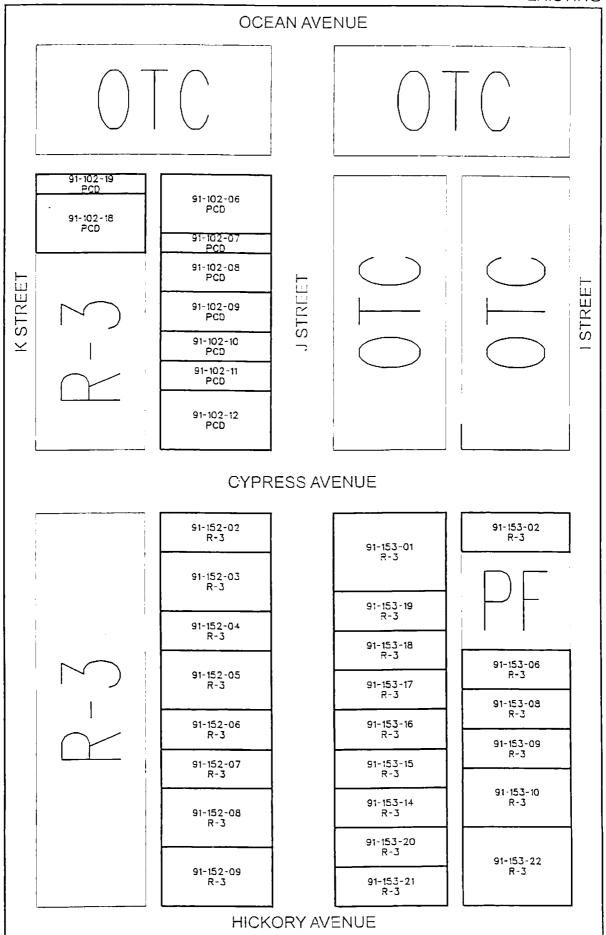


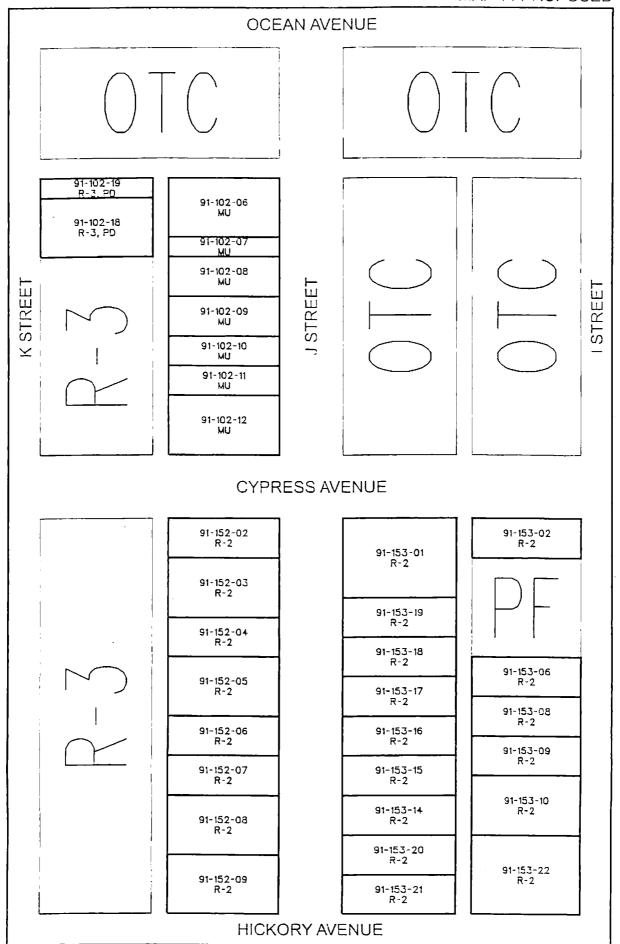


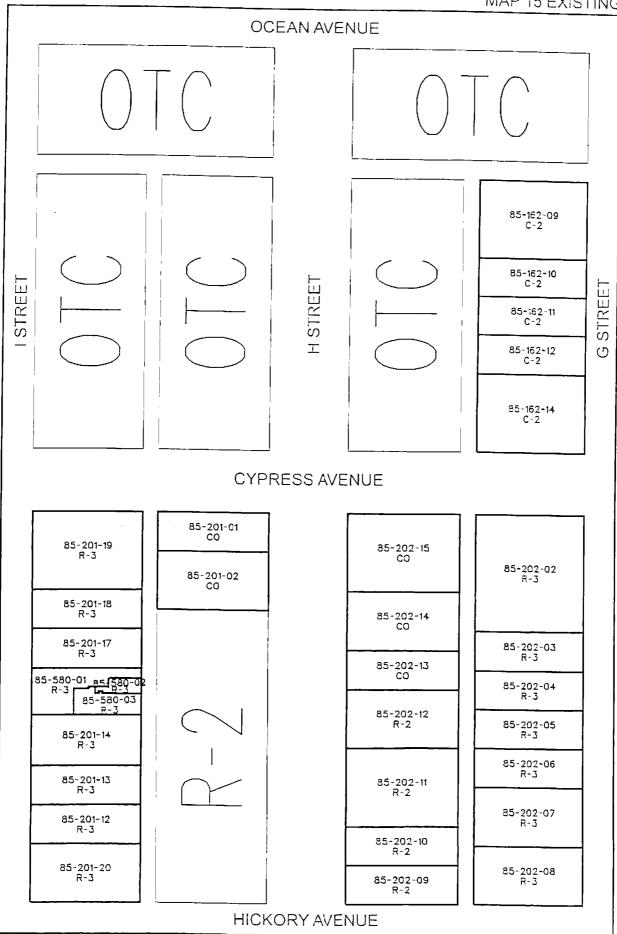


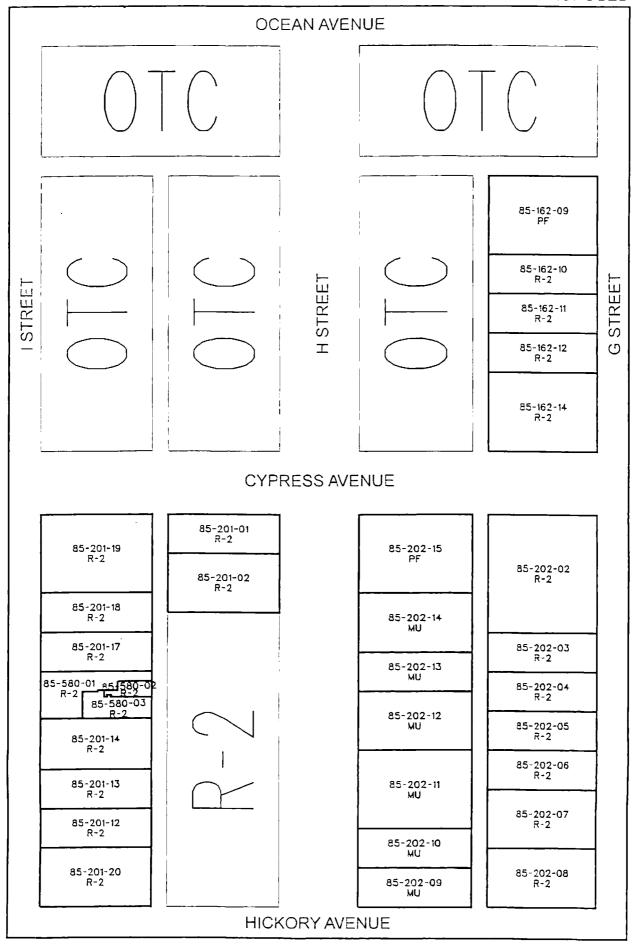


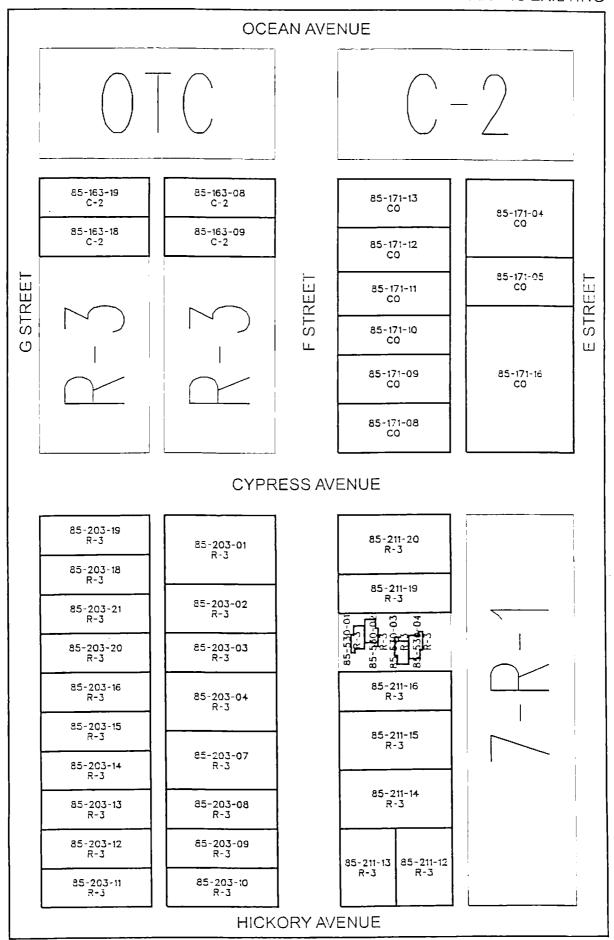


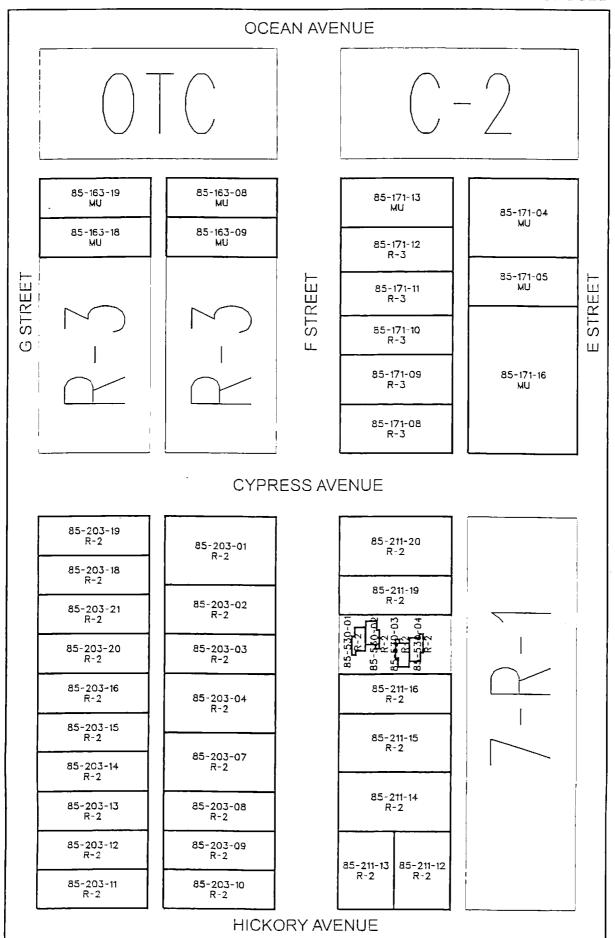


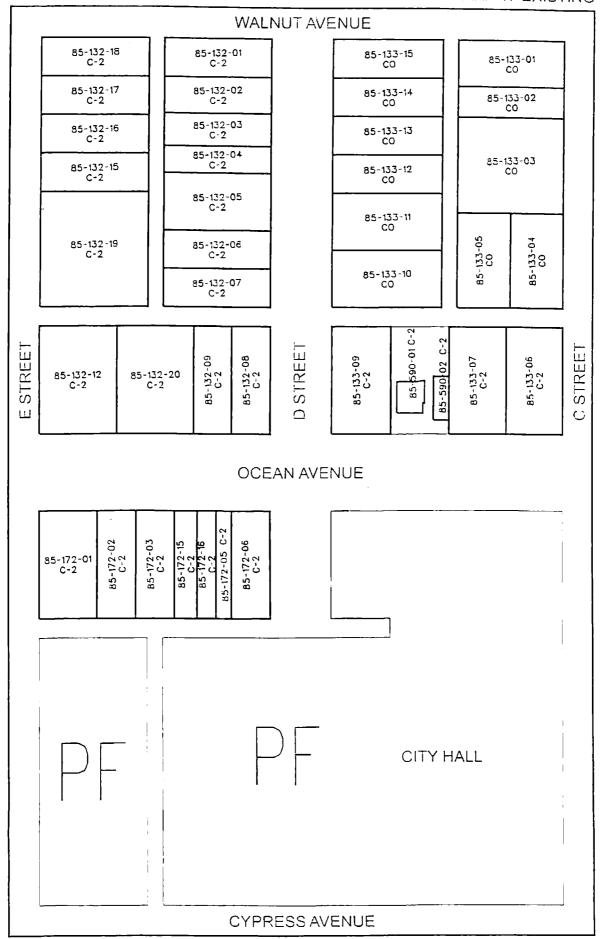




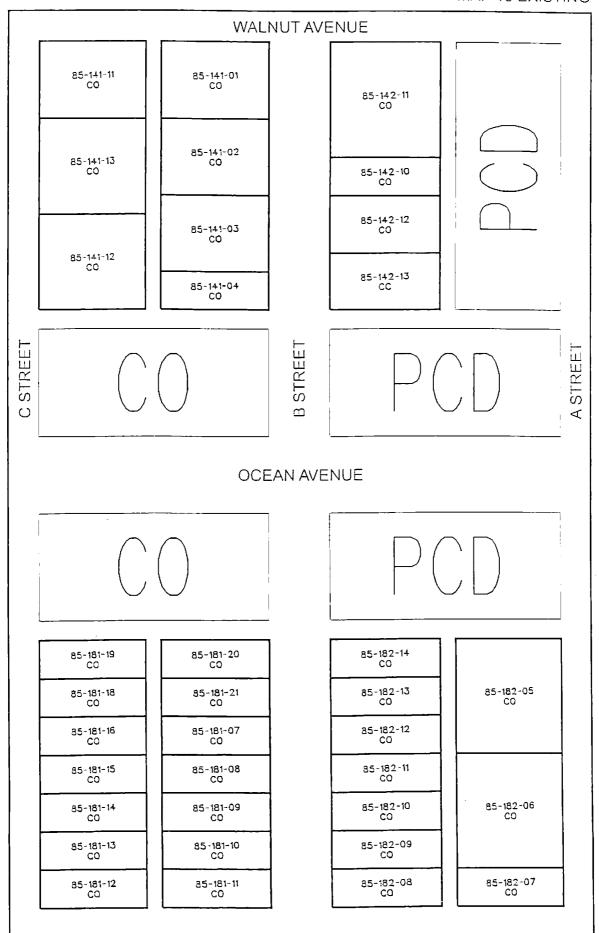




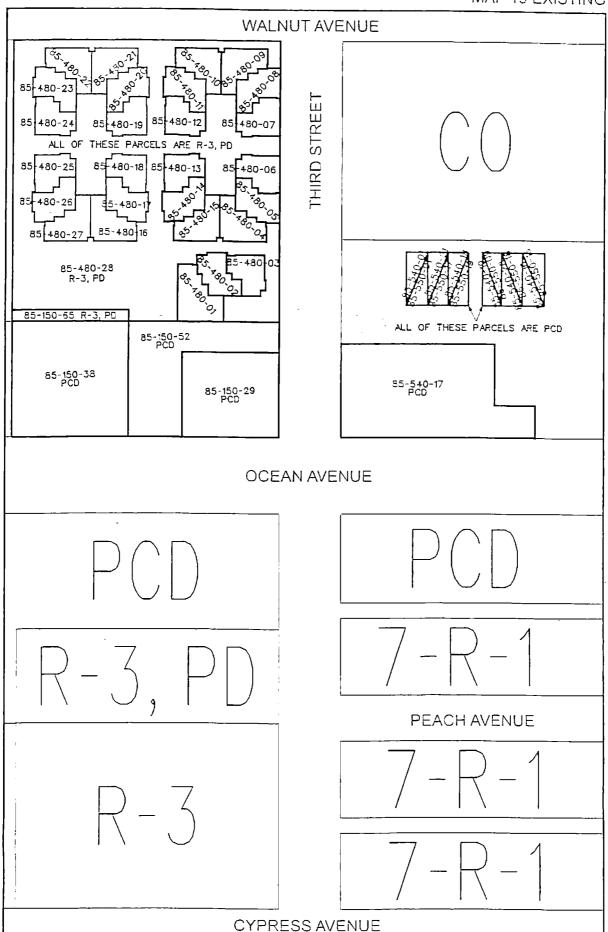


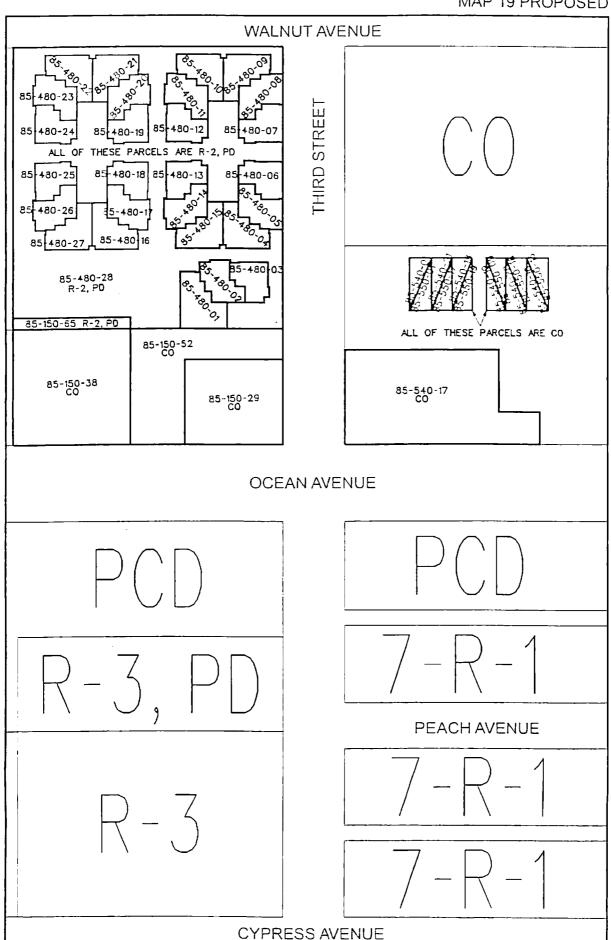


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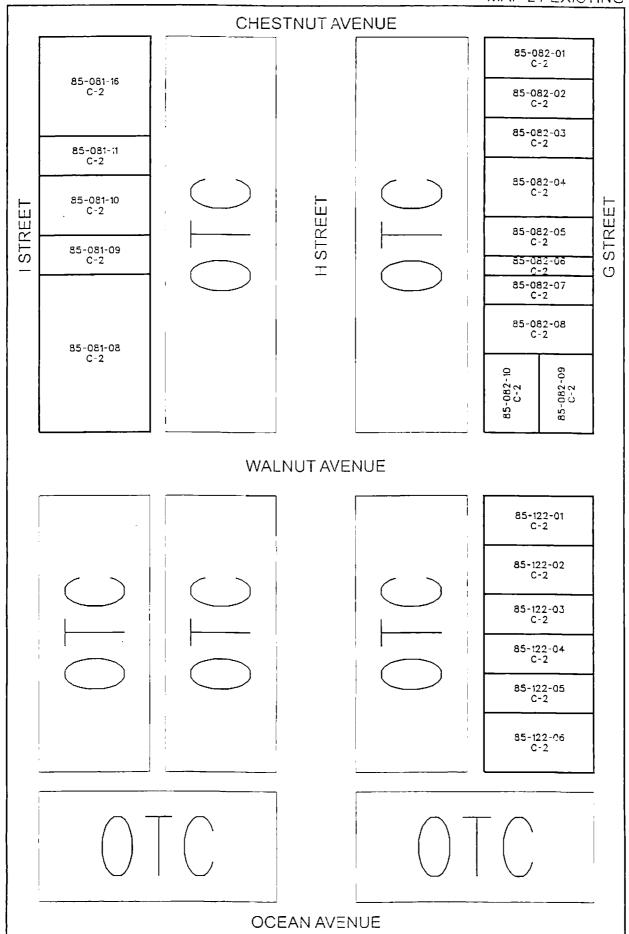
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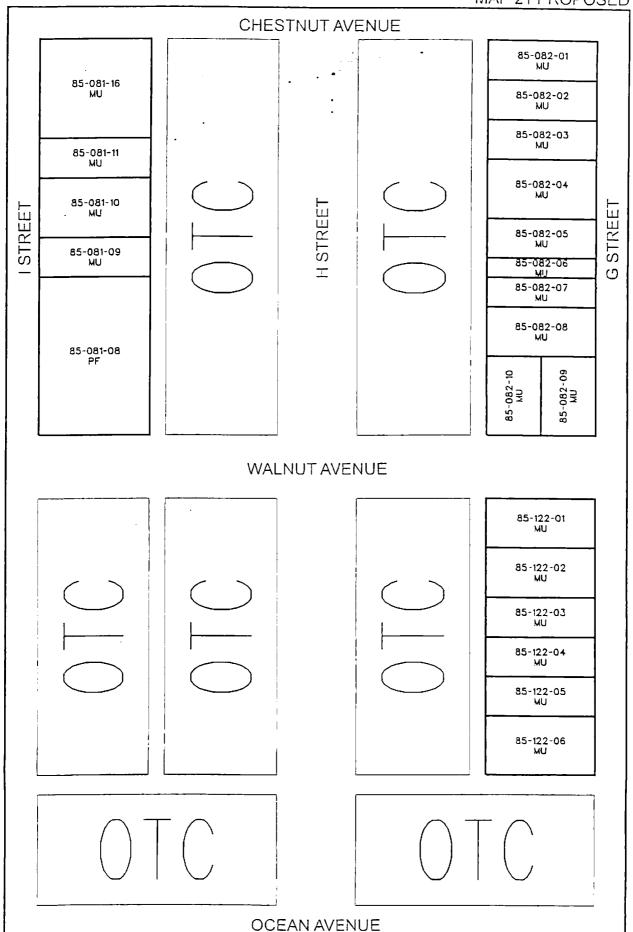


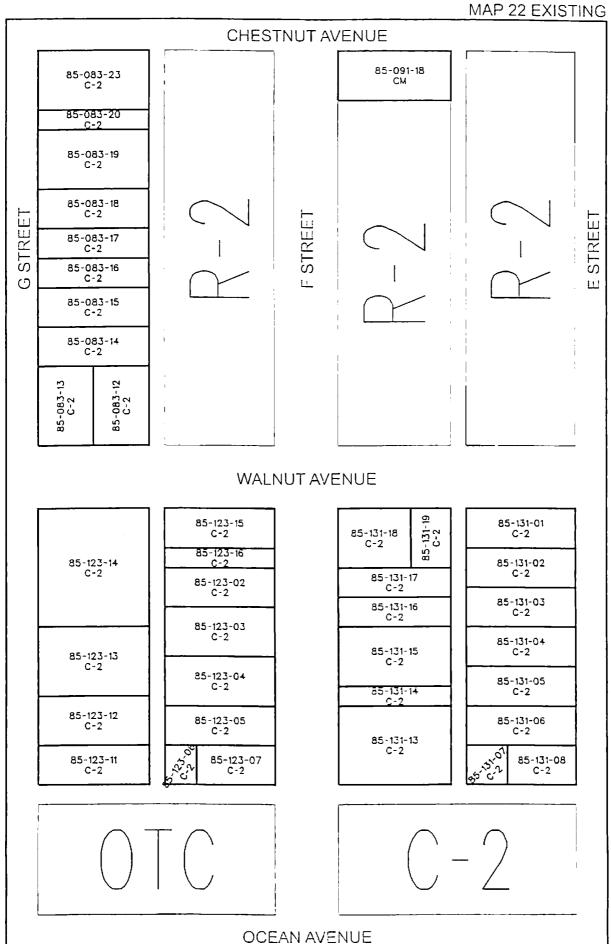


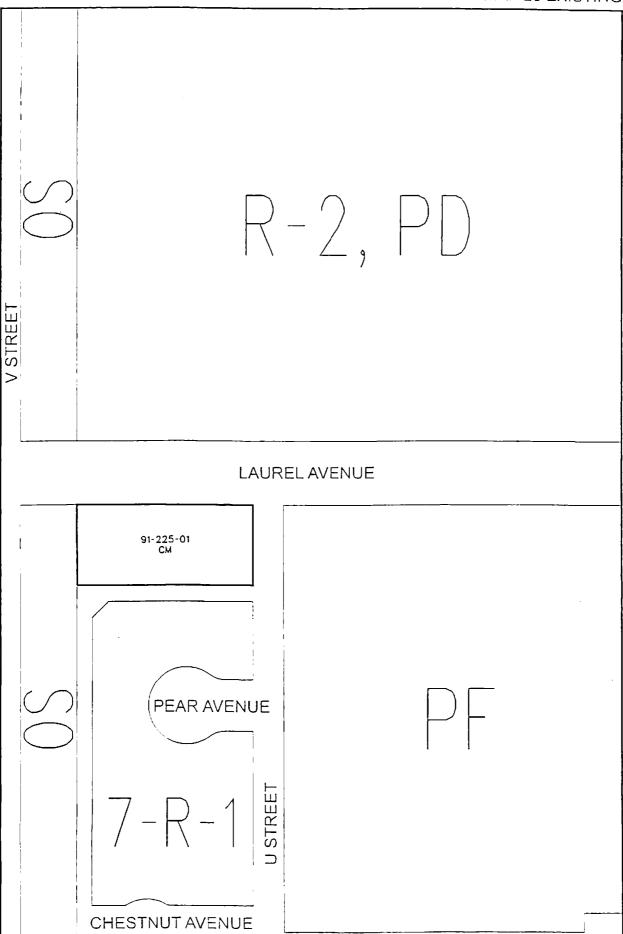
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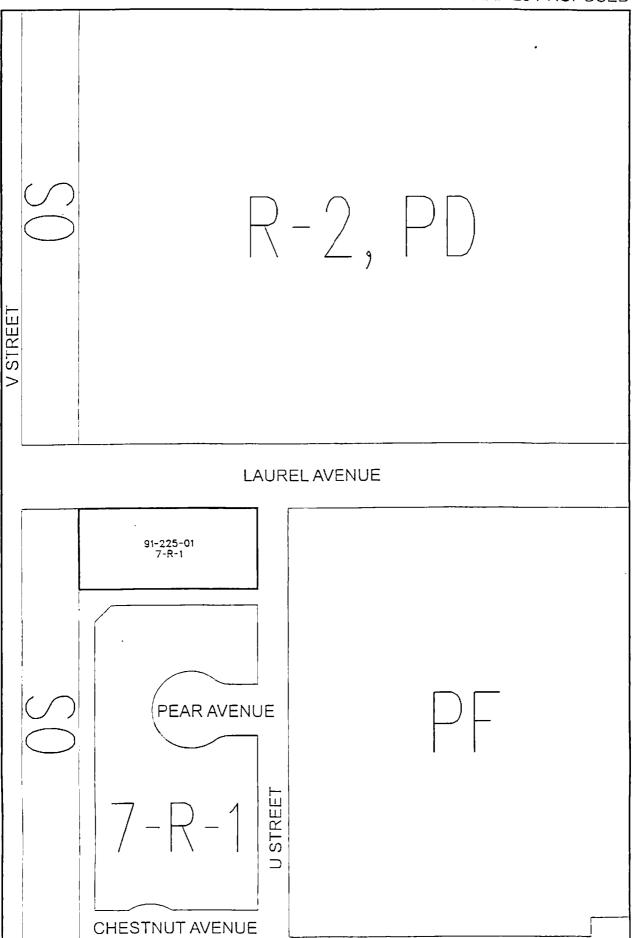
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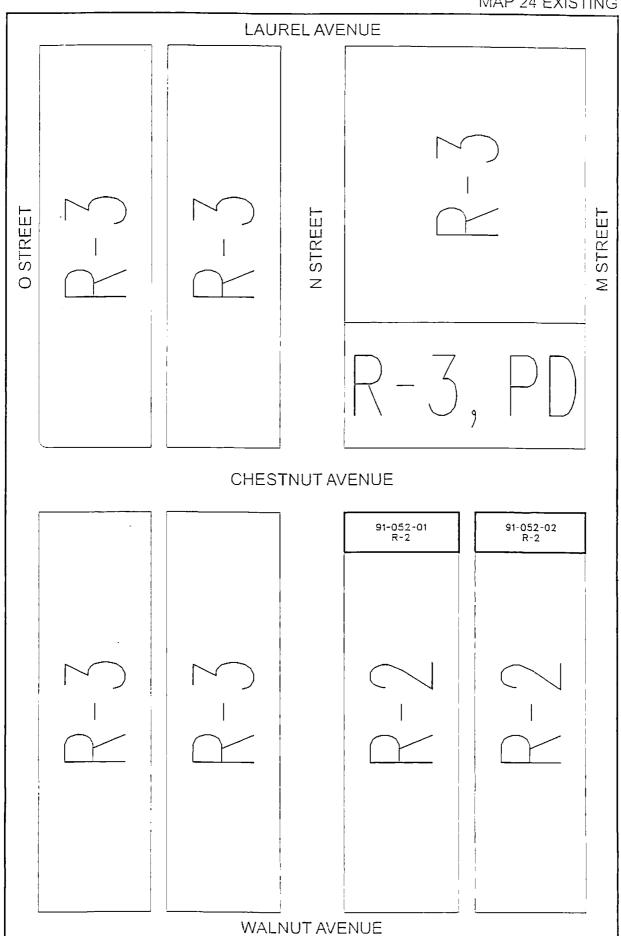


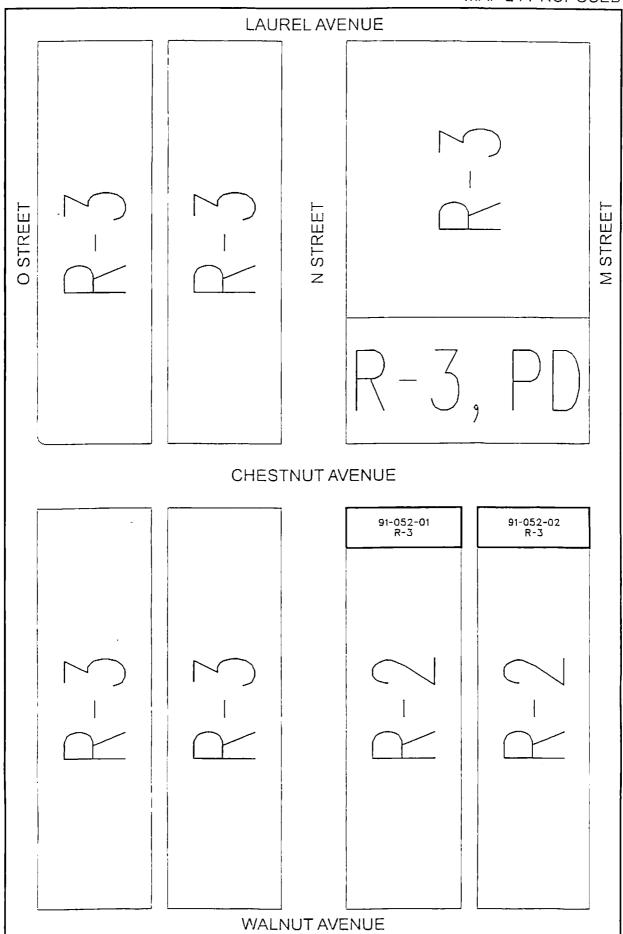


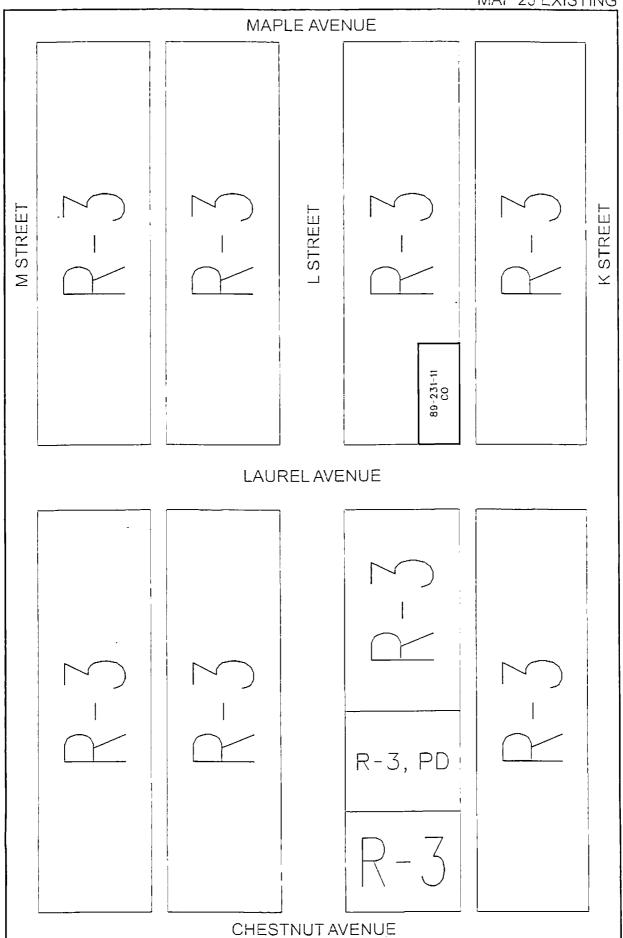


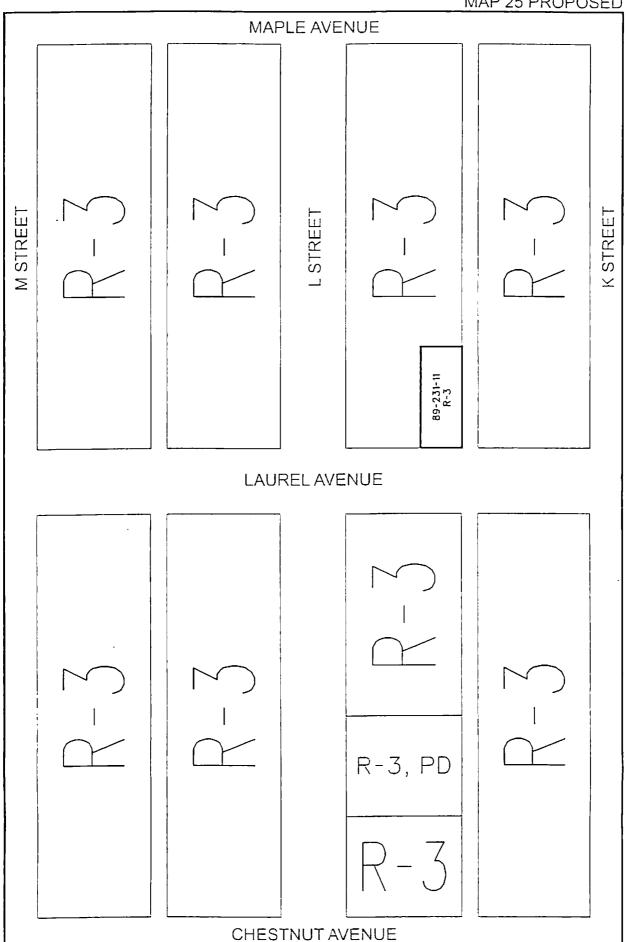


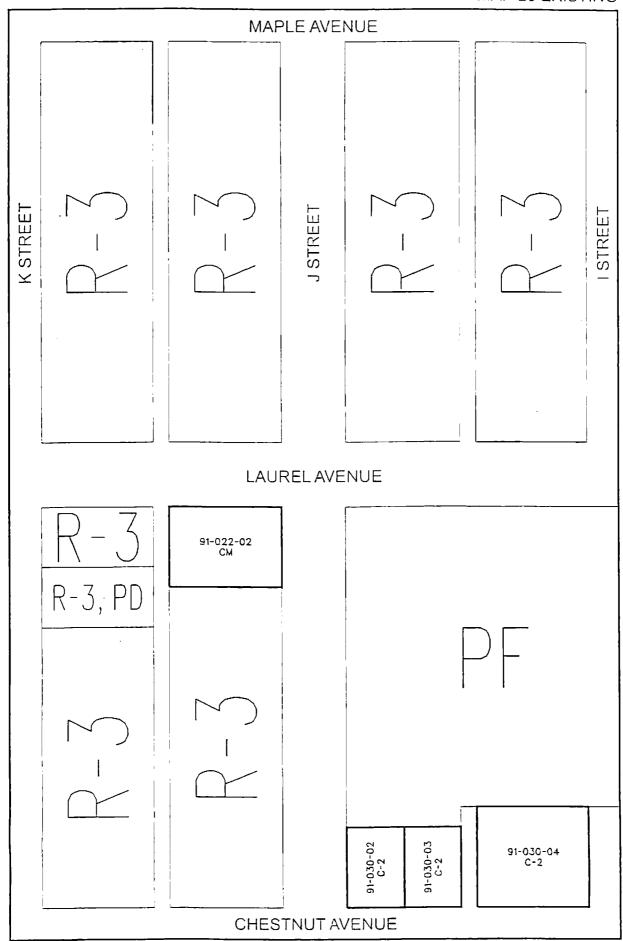


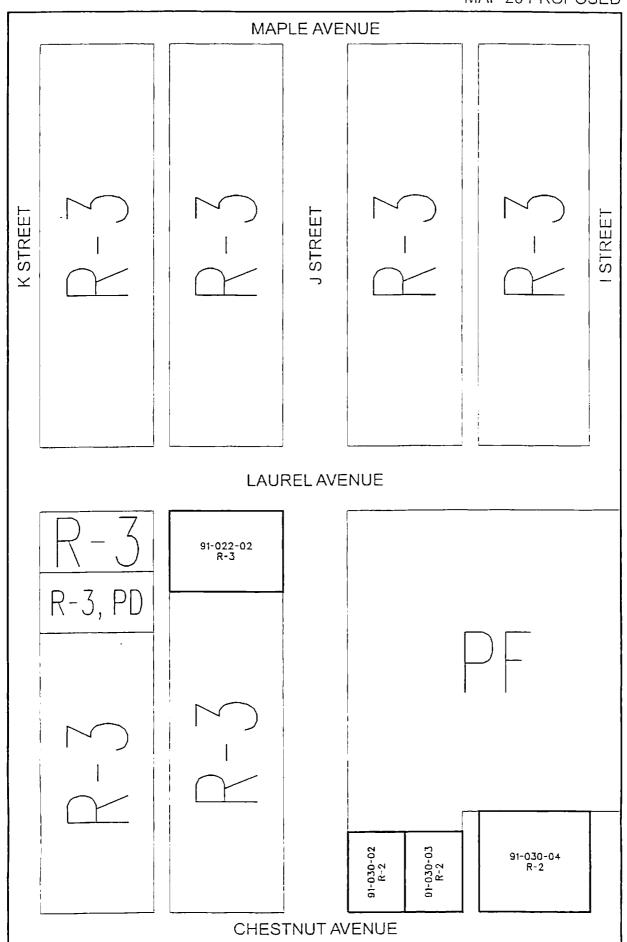


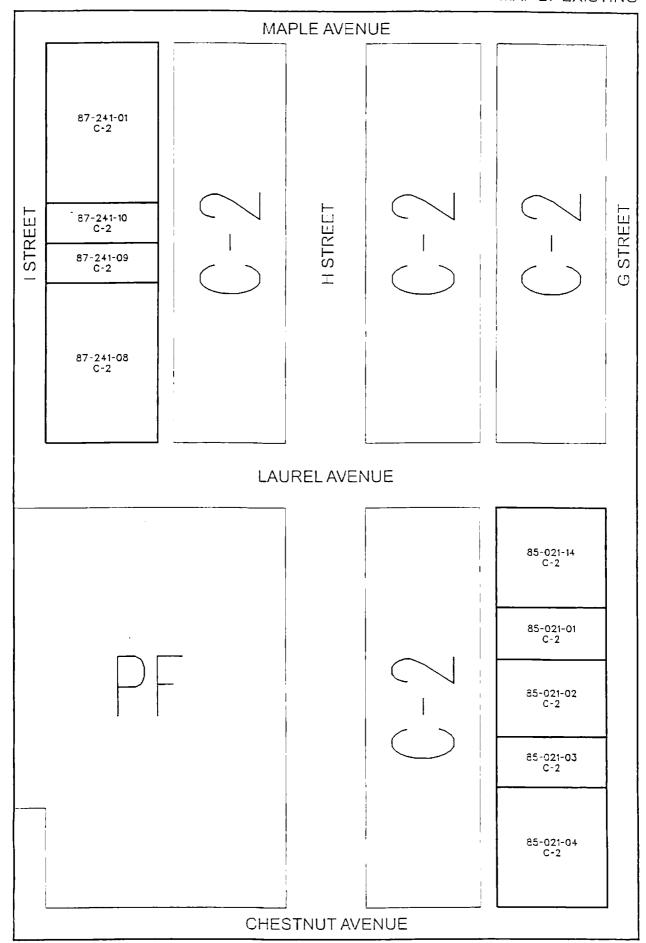


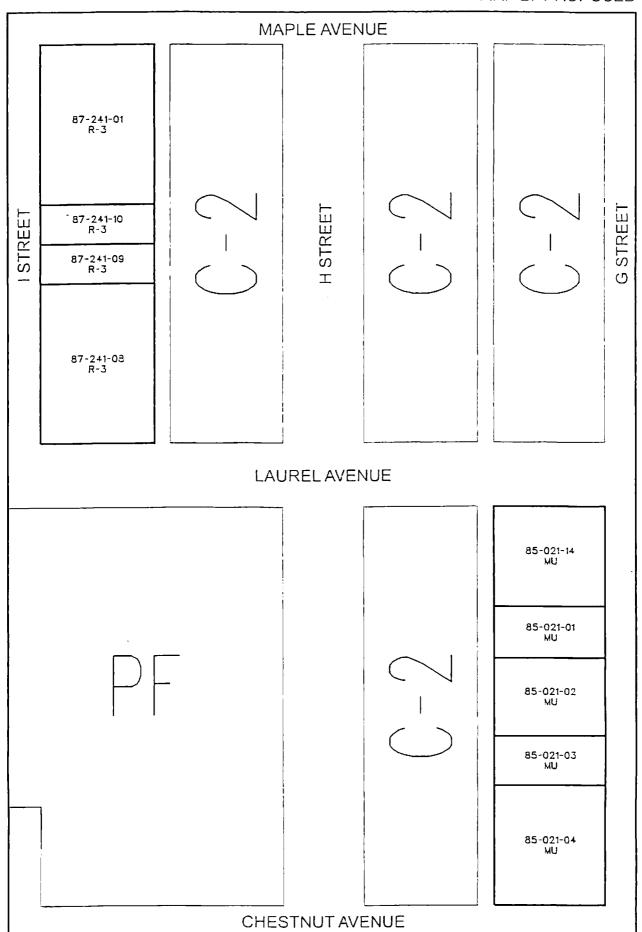


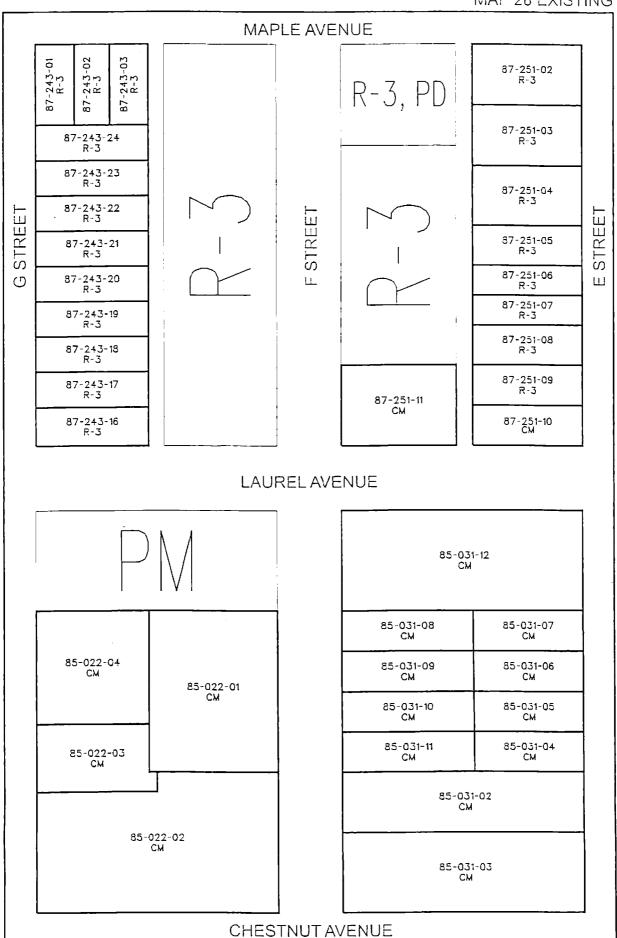


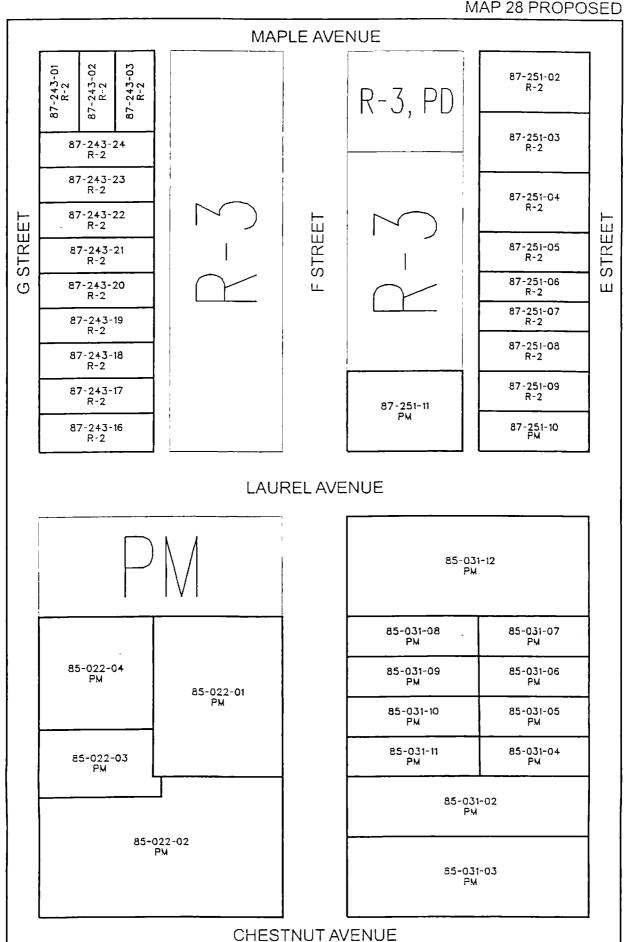










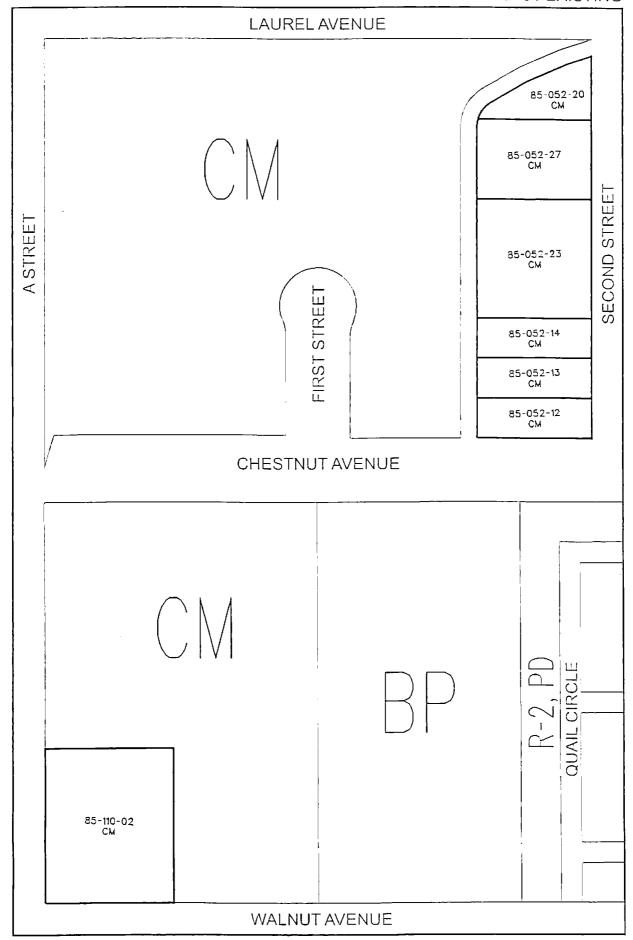


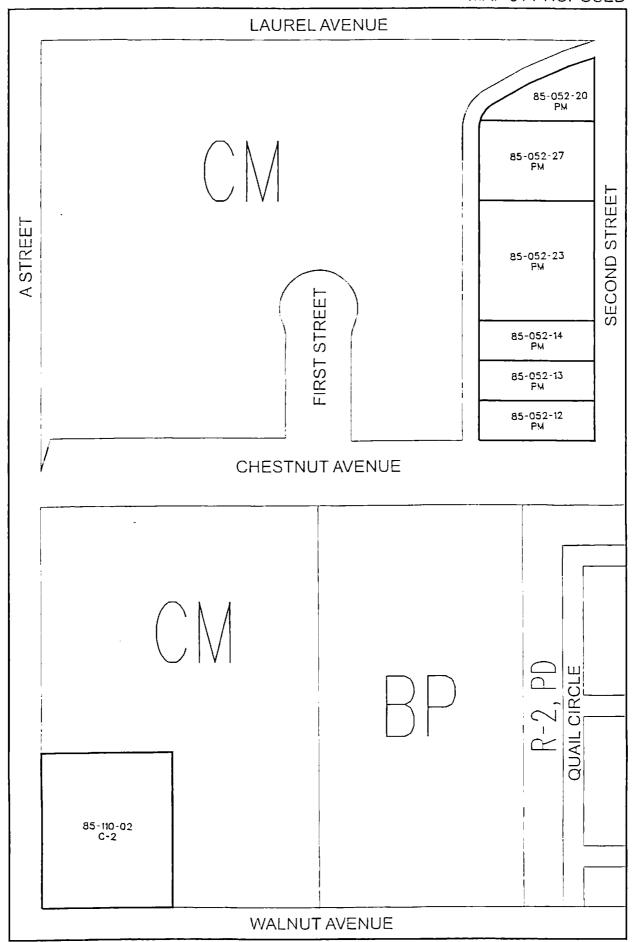
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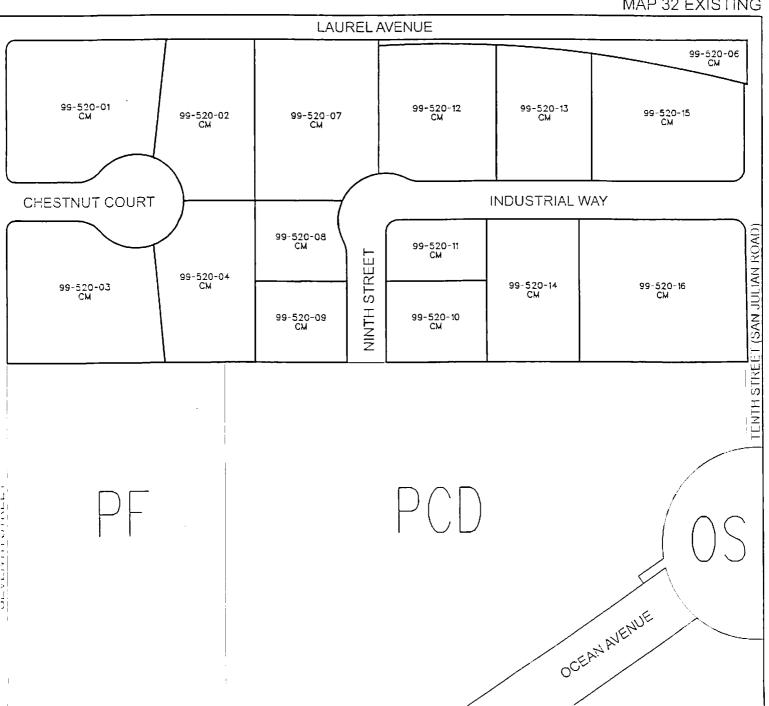
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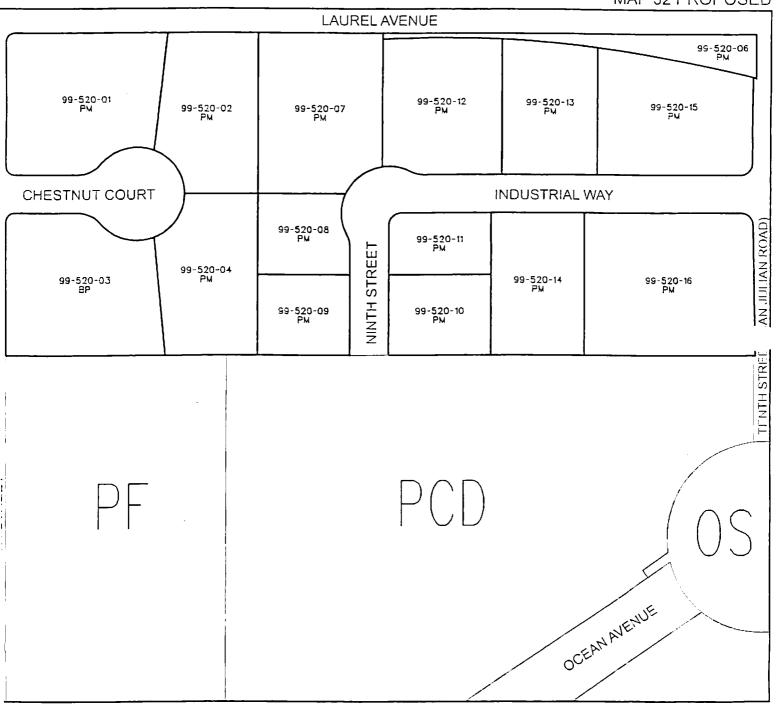
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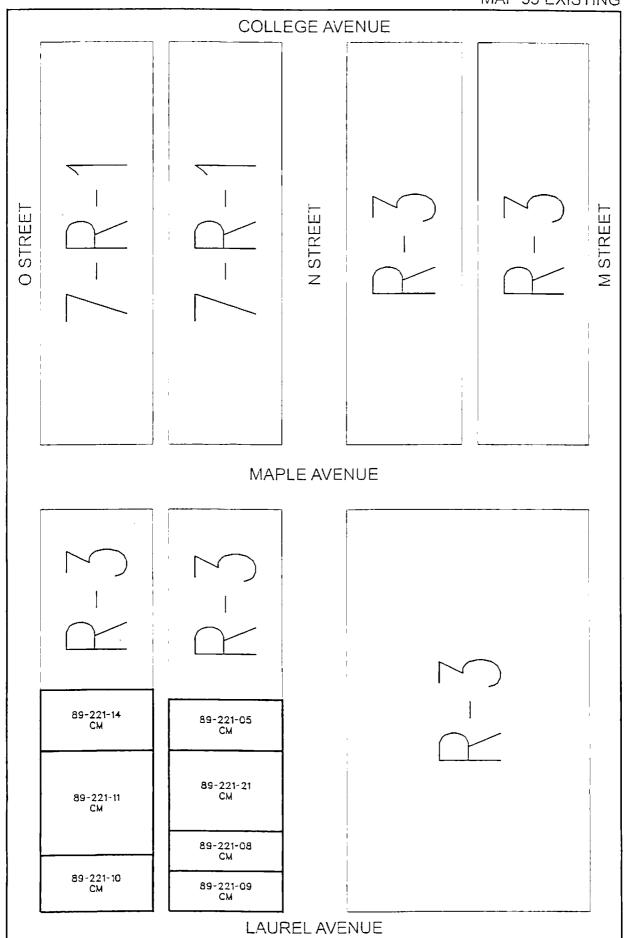


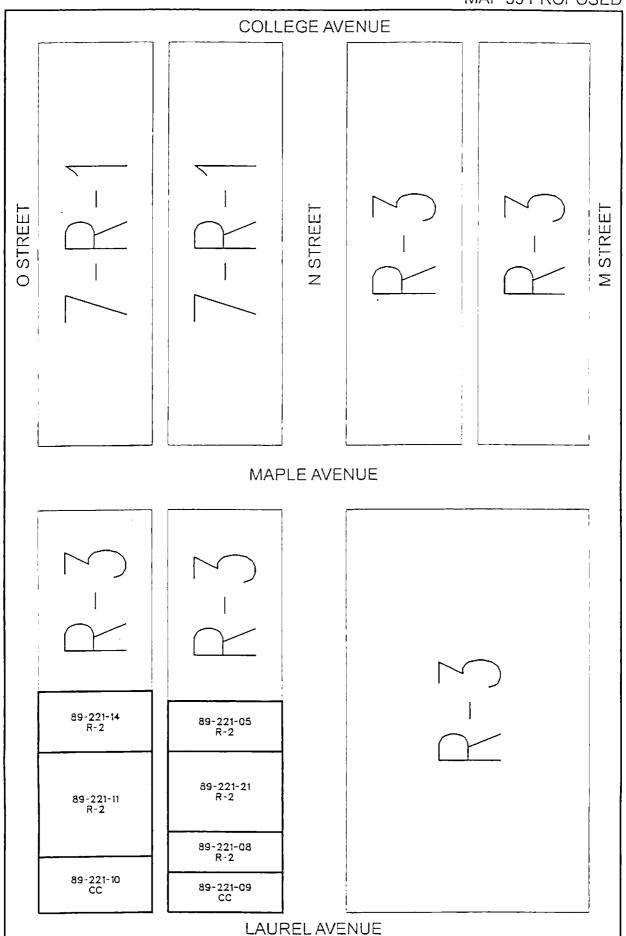
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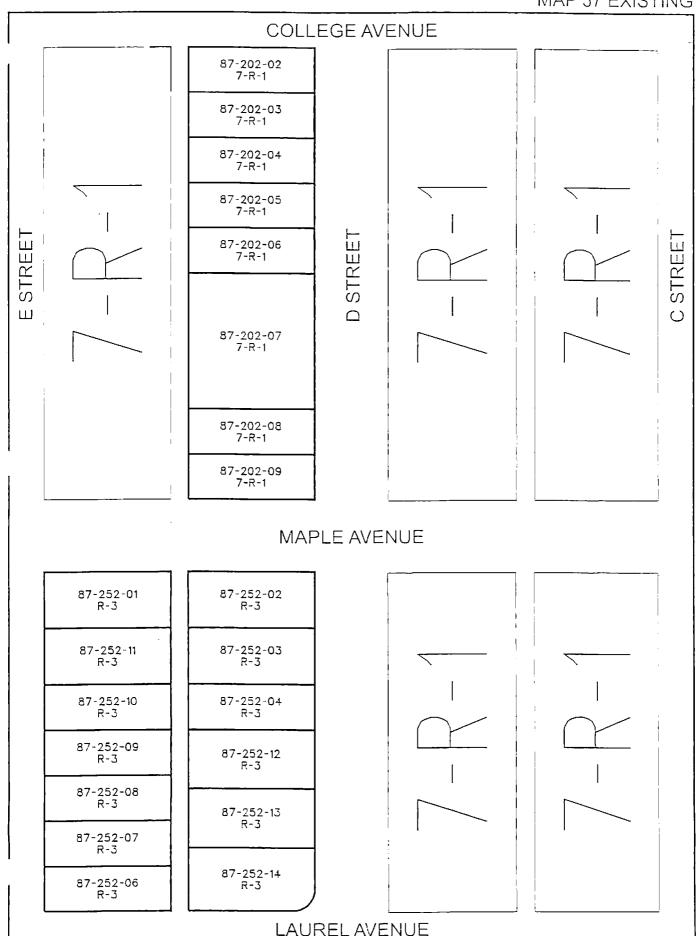
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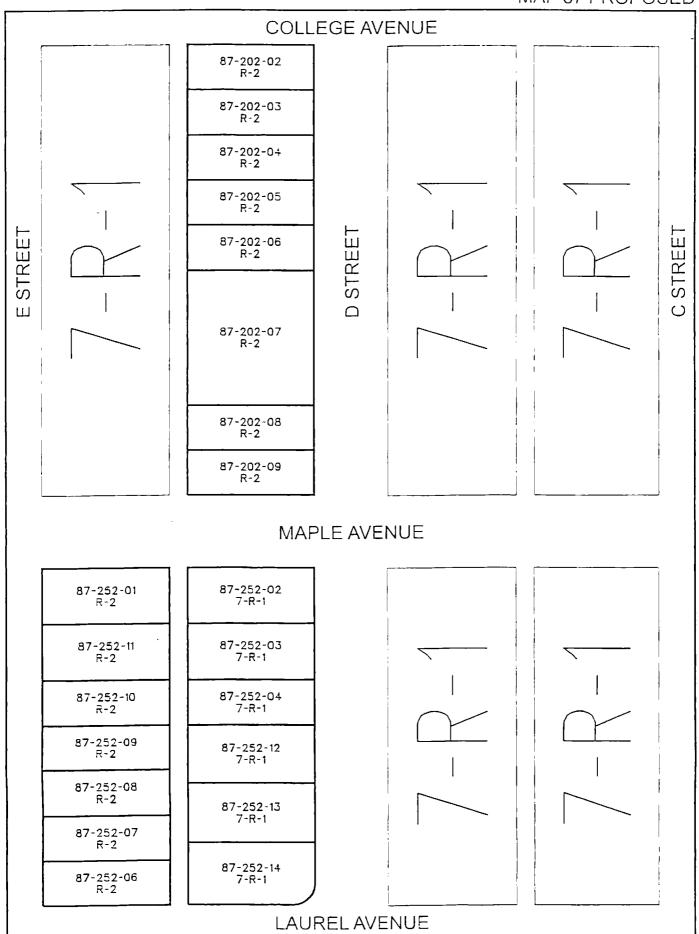


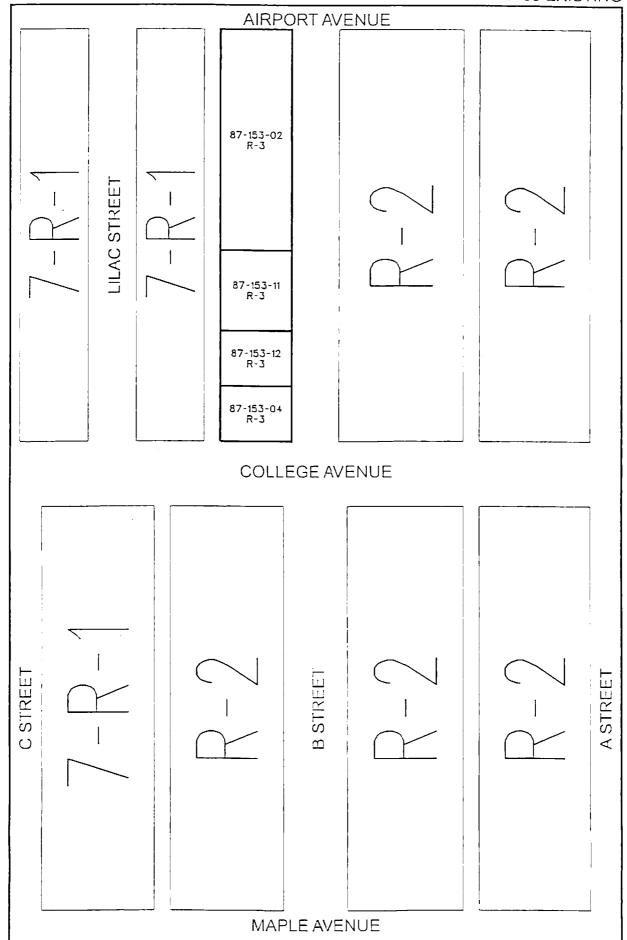


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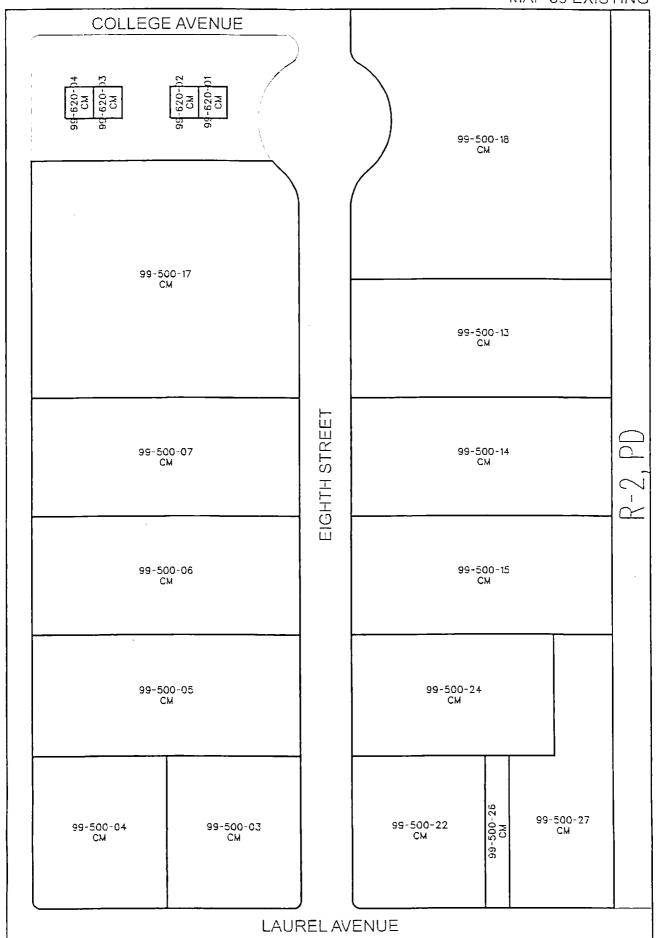
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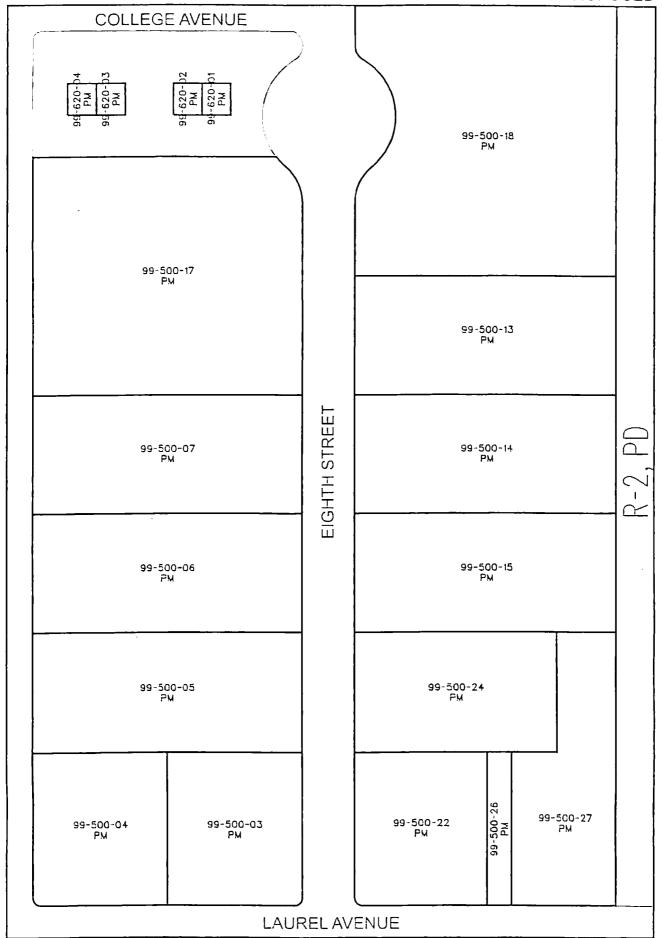






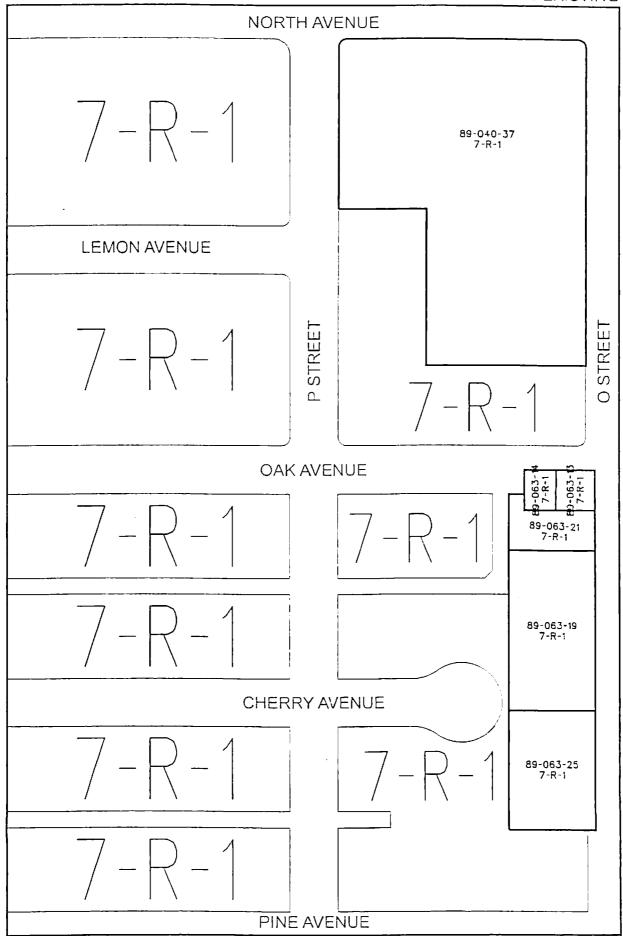
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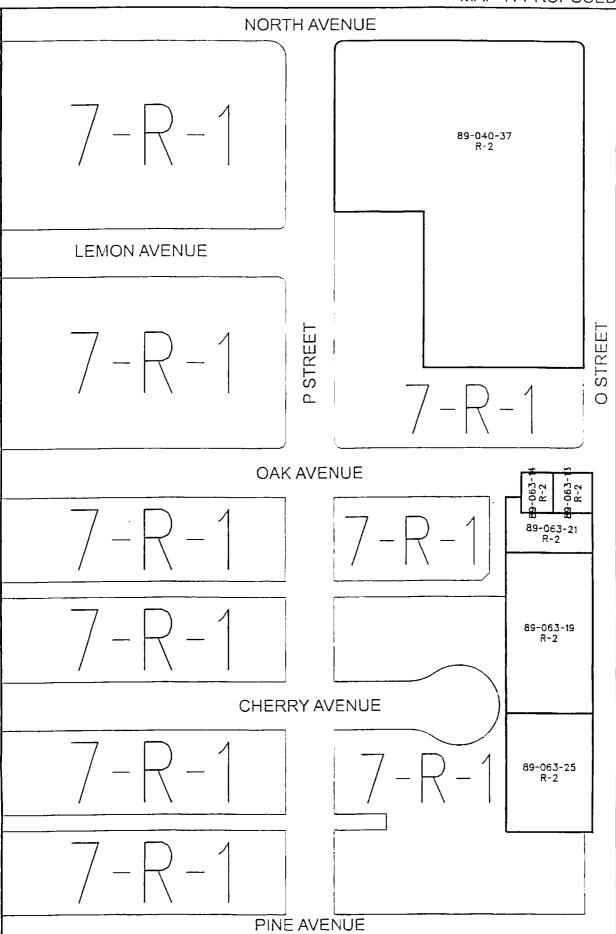




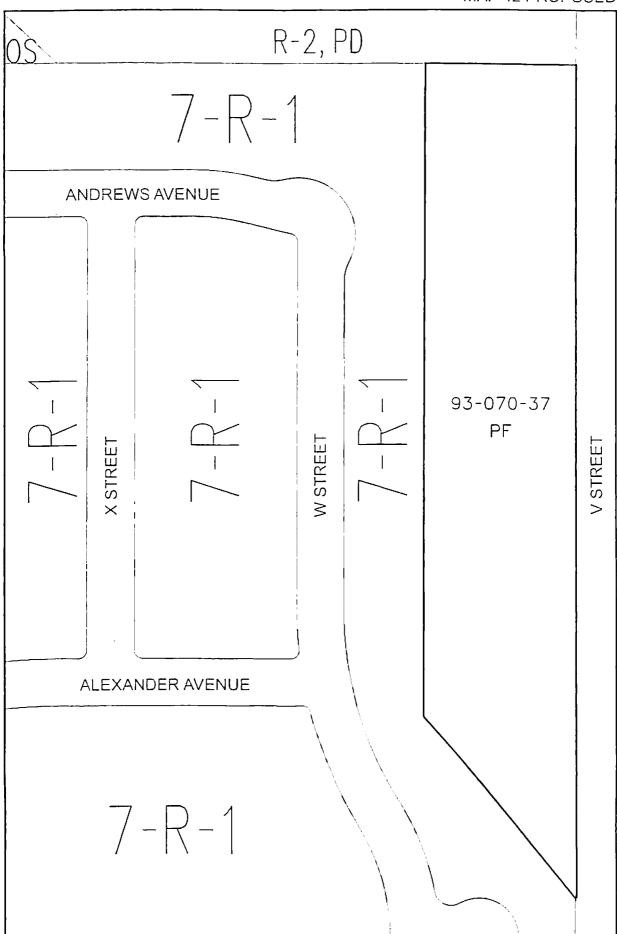
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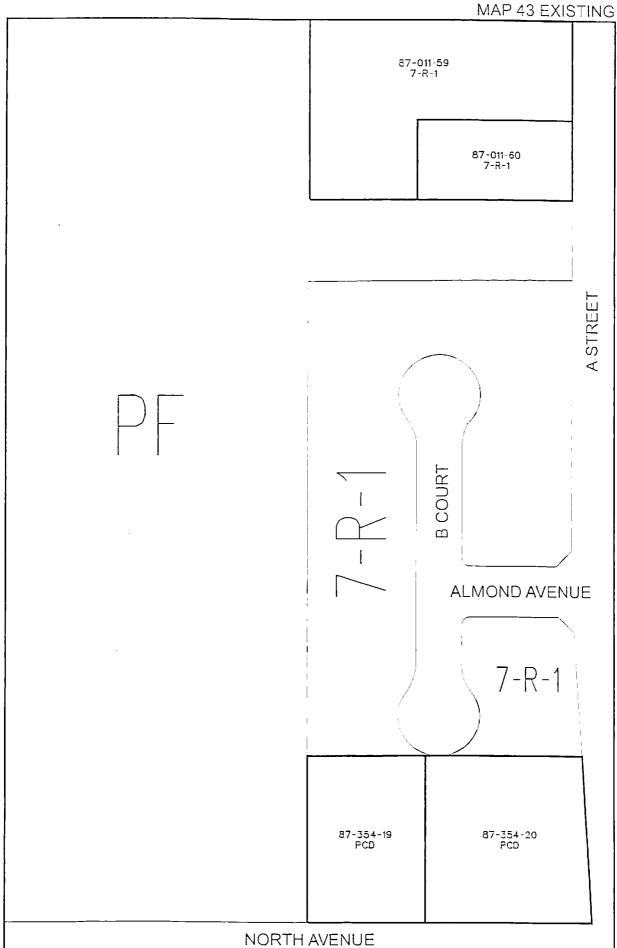
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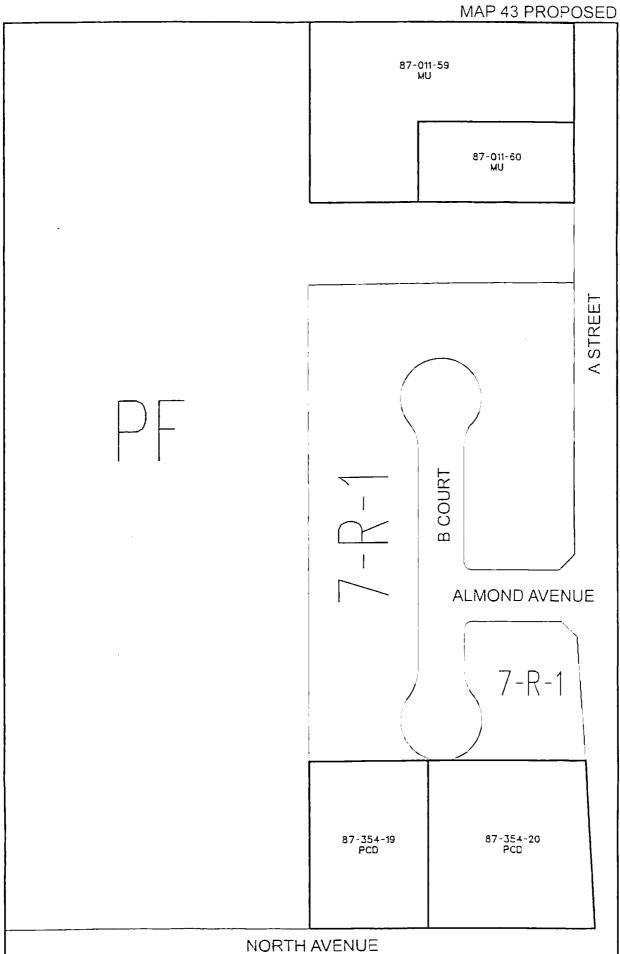


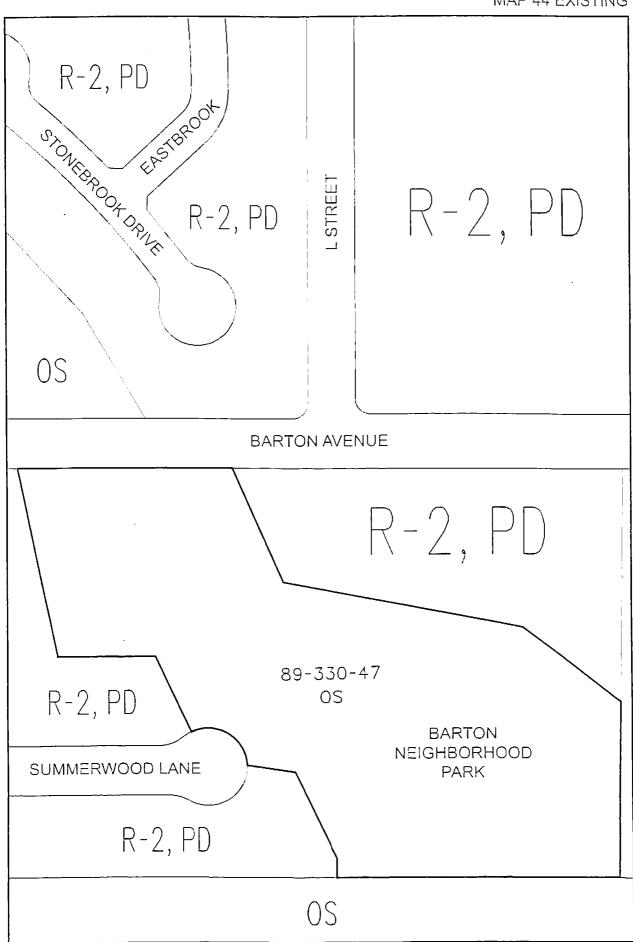


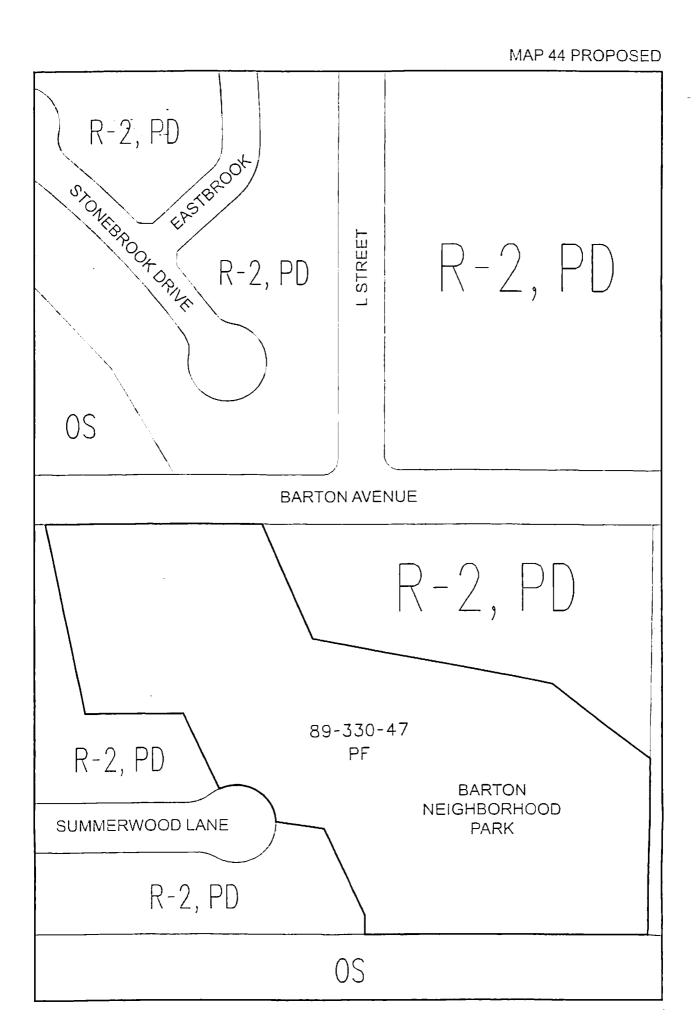
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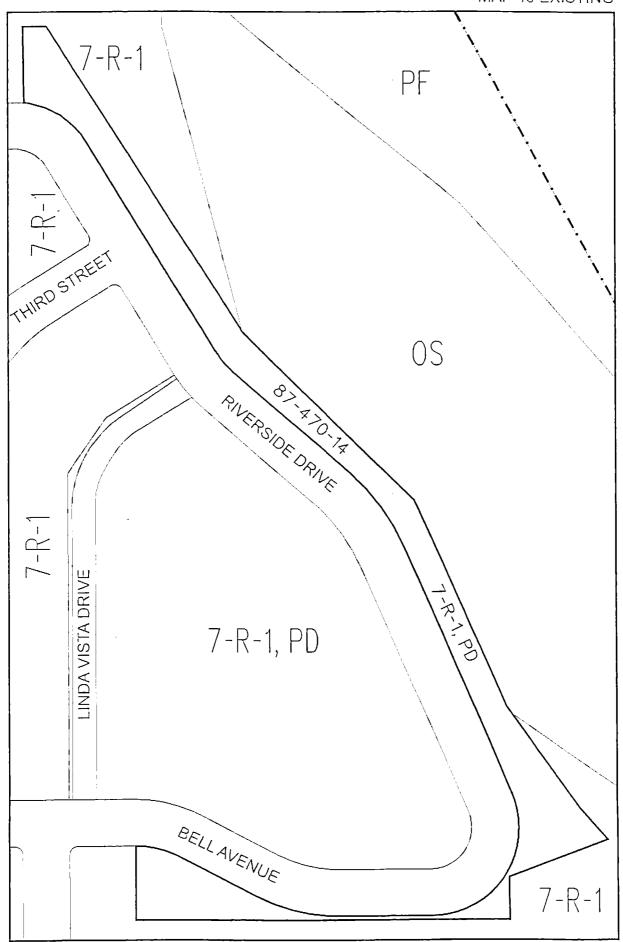


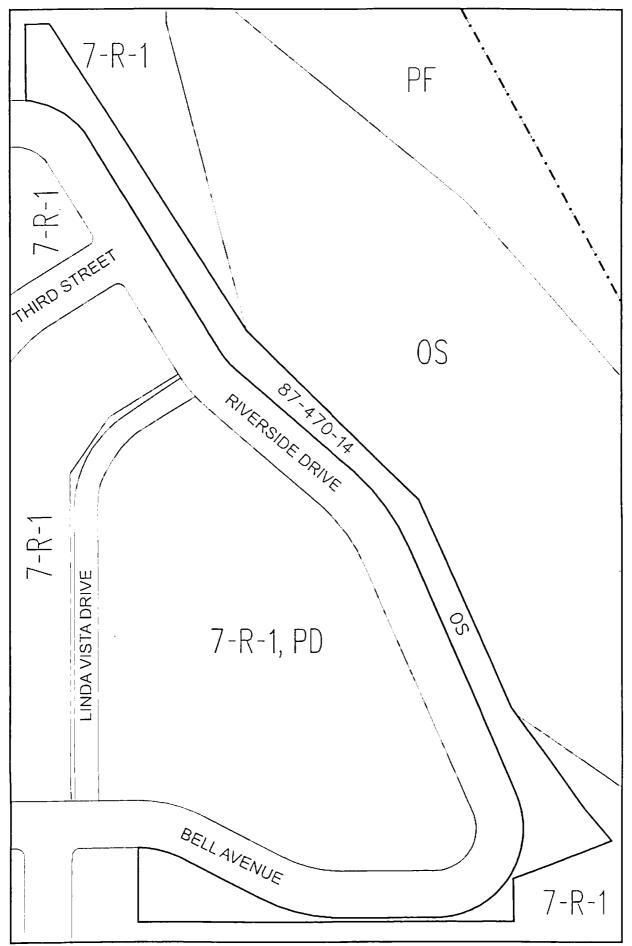


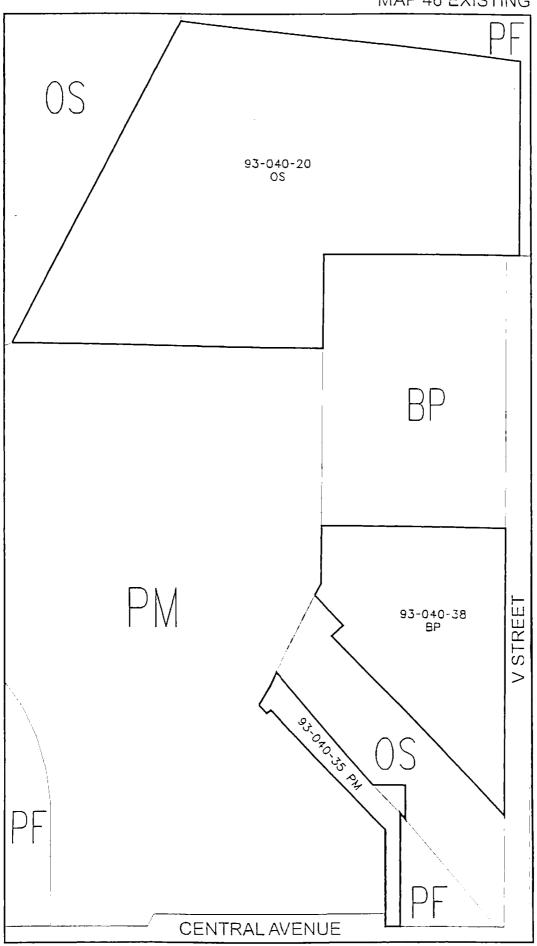


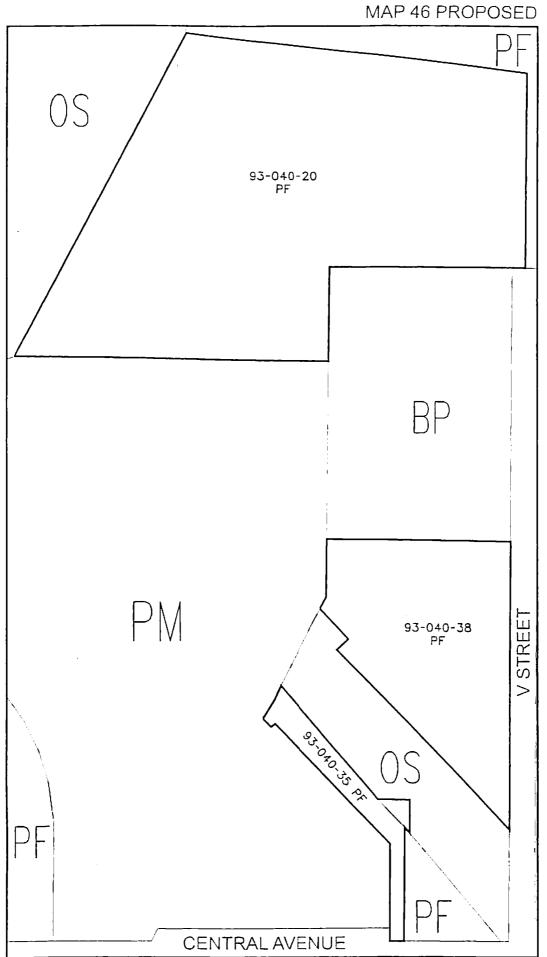


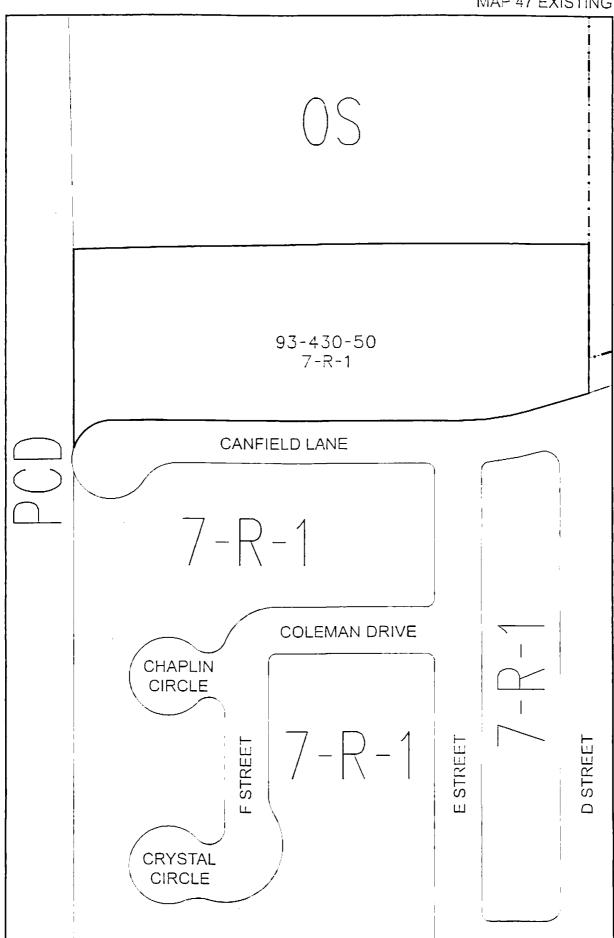


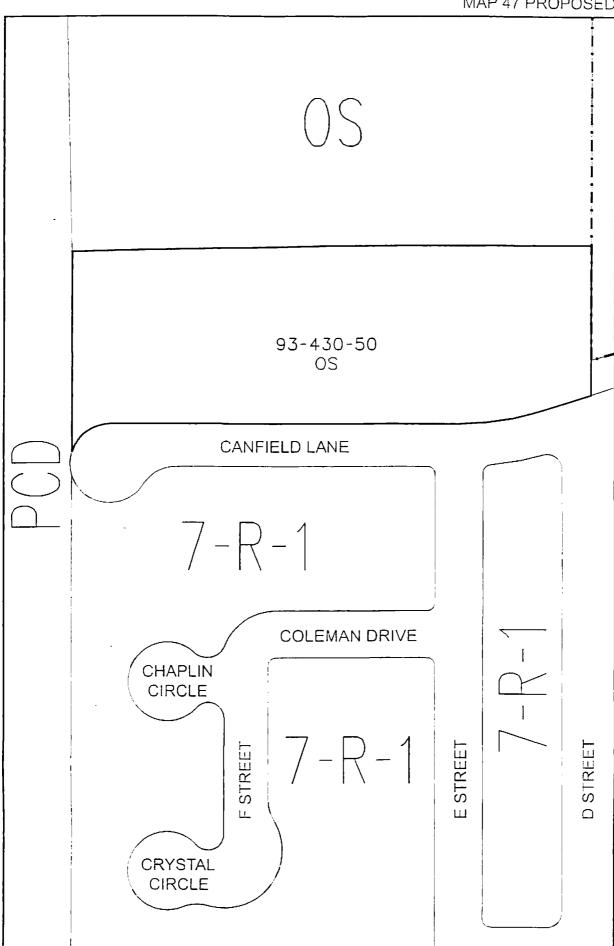


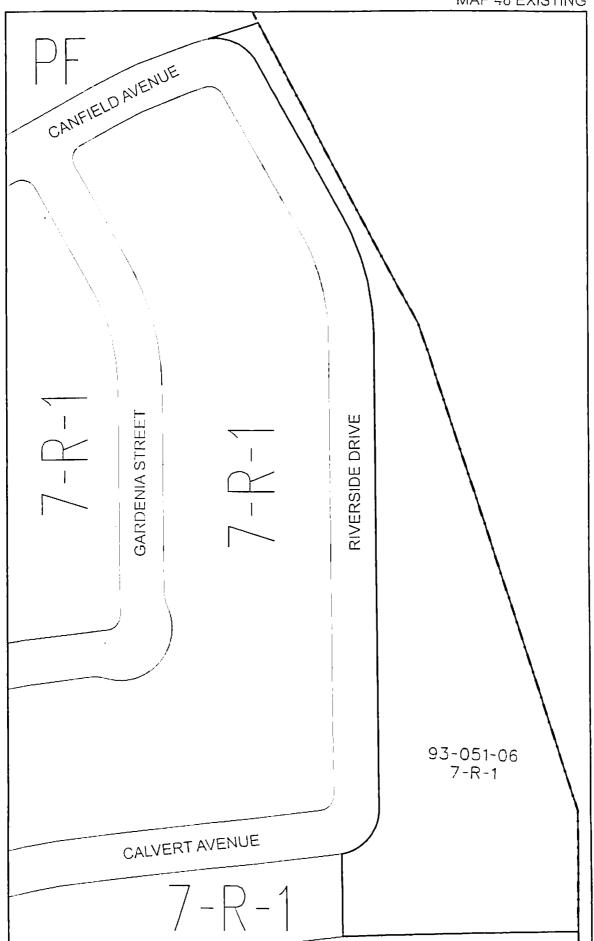


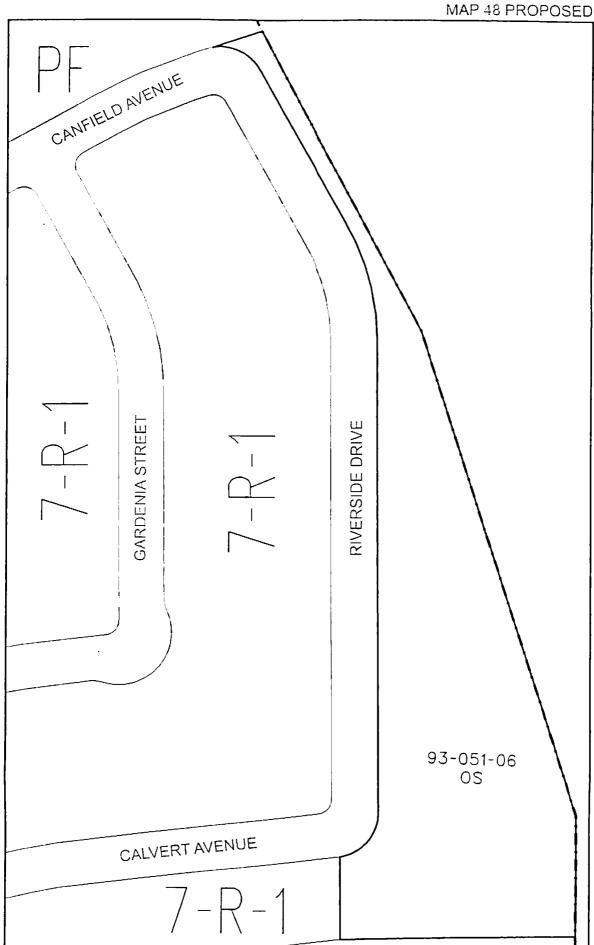












Article 11. C-M Commercial Industrial District.

Section 8300. Purpose.

This zone is intended to provide for light industrial and limited commercial uses, wherein operations are such that they will be compatible with adjacent residential and commercial environs of the community.

Section 8301. Definition.

The following definition is required for the proper administration of provisions of the C-M zone and is meant to apply exclusively thereto.

LIMITED COMMERCIAL USES - shall mean those retail or service commercial uses that are Permitted, Conditionally Permitted, or allowed because of the direct relationship to the primary industrial uses allowed. This category of land use will be allowed in conjunction with Permitted or Conditionally Permitted uses provided its floor area does not exceed 15 percent of the gross floor area of the relating primary industrial use.

Section 8302. Uses Permitted.

None but the following uses and those similar uses which the Planning Commission finds to fall within the intent and purpose of this zone, that will not be more obnoxious or detrimental to the public welfare, and which are of a comparable nature and of the same class enumerated in this section, shall be permitted.

1. Manufacturing.

- a. Auto upholster.
- Bakery (wholesale). ď.
- c. Boat Building and repairs.
- d. Bottling plants.
- Cabinet Shop. e.
- Ceramic product manufacture, provided that no shuttle kiln be employed on the premises, and that there be no pulverizing of clay.
 - Drug and pharmaceuticals.
 - Electrical and electronics equipment manufacturing. h.
 - Food products manufacturing.
 - j. Garment manufacturing.

 - k. Ice and cold storage plant.l. Lumber yard, including milling.
 - Machine shop. \mathbb{R} .

- n. Sheetmetal shop.
- o. Sign manufacturing.
- p. Tire recapping, retreading.
- g. Upholster.
- r. Welding shop.

2. Processing.

- a. Blueprinting or photocopying.
- b. Carpet and rug cleaning plant.
- c. Food processing.
- d. Laboratory (chemical or scientific).
- e. Watersoftening.
- f. Greenhouse (no retail sales).
- 3. Wholesaling warehousing and storage (all outdoor storage including machinery and equipment shall be enclosed within walls or fences).
 - a. Wholesaling and warehousing facilities.
 - b. Distribution agencies.
 - c. Contractors storage yard.
 - d. Building materials.
 - e. Feed and fuel.
 - f. Machinery and equipment rental.

4. Utilities.

- a. Distribution plant or substation.
- Commercial services.
 - a. Automotive repair including body and paint work.
- b. Commercial uses customarily incidental to and directly related to operation of permitted industrial uses.
- c. Administrative or sales office related to a permitted industrial use, but excluding sales limited to retail operations only.
 - d. Equipment rental.
 - Janitorial maintenance service.
 - f. Motorcycle, motorboat sales and service.

6. Other.

- a. Animal hospital (veterinary clinic and hospital).
- b. Printing industries, including reproduction services, offset printing, publishing, and lithography.
 - c. Research facilities.

d. Uses incidental to industrial uses such as infirmary, dispensary, lunchroom, employee recreation facilities and residential uses for plant security personnel.

Section 8303. Uses Permitted Subject to Obtaining a Conditional Use Permit.

None but the following uses and those similar uses which the Planning Commission finds to fall within the intent and purpose of this zone, that will not be more obnoxious or detrimental to the public welfare, and which are of a comparable nature and of the same class enumerated in this section, shall be permitted subject to obtaining a use permit:

- 1. Automobile/truck washes or laundries.
- 2. Concrete mixing.
- 3. Material storage yard, constructed and operated in accordance with the development regulations and standards contained in Section 8801 of this code.
- 4. Truck terminals.
- 5. Utility service yards.
- 6. Lodges and Clubs.*

*Clubs for the purpose of this section shall mean "Organizations that are exempt from payment of bank and corporate taxes under Section 23701d of the Revenue and Taxation Code, State of California". (Ord. 1159(82), Adopted 11/16/82).

- 7. Those commercial uses indicated below if they require and occupy a minimum of 3,000 contiguous square feet or more in an enclosed building, either when established or as a result of expansion, unless such use is typically conducted outdoors, in which case a minimum of 1,000 sq. ft. shall be conducted within an enclosed building.
 - a. Animal kennels, including caretaker's quarters.
 - *b. Automobile and truck sales and service.
 - *c. Car washers.
- *d. Trade schools offering instruction in industrial or closely related vocations including, but not limited to welding, computer sciences, upholstery, truck driving, and similar uses, excluding secretarial business, barber, beauty, and similar uses.
- *e. Athletic clubs and related commercial recreation activities such as jazzercise, tennis courts, racquetball courts, batting ranges, driving ranges, trap and skeet shooting ranges, and similar uses.
 - f. Furniture stores.
 - g. Carpet stores.

- u h. Home improvement centers.
 - *i. Trailer, camper, mobilehome and boat sales and service.
 - *j. Retail nursery and greenhouses.
 - *k. Heavy equipment sales and service.
- * These uses may occur in part or whole outside if the Community Development Director determines that they are adequately screened from public view, either by masonry walls or landscaping. (Ord. 1165(83), 3/1/83.)
- 8. Churches, subject to the following limitations, in addition to conditions, which would be made standard conditions for any Conditional Use Permit proposal:
- a. Proposed church uses or activities shall not restrict the operation of any adjacent commercial or industrial use.
- b. The Planning Commission shall review for renewal all Conditional Use Permits for churches in the C-M zone after a period of three (3) years. Approval for continuing a church in the C-M zone after the initial three-year period shall be contingent upon the applicant demonstrating that the availability of said property has been actively advertised for C-M uses for a period of not-less-than three months, without resulting in a commercial-industrial tenancy. (Ord. No. 1408(95), 11/07/95.)
- c. The Planning Commission will not allow childcare programs, including Vacation Bible School, or other church activities, that would occur between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, in consideration of any conditional use permit application. (Ord. No. 1289(88), 11/15/88.)
- d. That the proposed church use be limited to existing buildings within the C-M Zone. (Ord. No. 1408(95), 11/07/95.)

Section 8304. Property Development Standards.

The following property development standards shall apply to all land and structures in the C-M zone, except that any lot existing on the effective date of this ordinance, which is substandard in dimensions, may be used, subject to all other standards.

1. Minimum lot area.

Each lot shall have a minimum of seven thousand (7,000) sq. ft.

2. Lot requirements, frontage width.

Each lot shall have a minimum frontage width of fifty (50) feet on accepted street or access way.

3. Maximum building height.

No building or structure erected in this zone shall have a height greater than thirty-five (35) feet.

4. Yards.

a. <u>Front Yard.</u> None, except when adjacent to an "R" Zone, then a yard of ten (10) feet shall be provided except as may be required by Section 7611. The front yard thus created shall be landscaped and maintained, and no storage, loading or parking shall be permitted within said required front yard.

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- b. <u>Side and rear yard</u>. None, except when adjacent to an "R" zone, then the required side yard or rear yard adjacent to the "R" zone shall be a minimum of ten (10) feet, except as may be required in Section 7611.
- 5. Fences, hedges, walls.
- a. When a lot abuts a residential zone, a six (6) foot solid masonry wall shall be erected on the zone boundary line.
- b. A fence, or solid wall, not more than six (6) feet in height, may be required along the perimeter of all areas which, by reasons of the conditions on the property or physical hazards, are considered by the Planning Commission to be dangerous to the public health or safety.
- c. A solid fence or wall shall be erected surrounding the area devoted to open storage. No material shall be stored to a height greater than the height of the required wall or fence.

Section 8305. Signs.

Signs as permitted in Section 8840 et seg.

Section 8306. Parking.

The provisions of Section 8350 through Section 8353 parking regulations of the City shall apply to all uses in this zone.

Section 8307. Performance Standards.

The following performance standards shall apply to all uses within this zone.

- 1. <u>Smoke.</u> Every use shall be operated in conformance with air quality standards established by the Santa Barbara Air Pollution Control District.
- 2. Odor. Every use shall be so operated that it does not emit an obnoxious odor or fumes beyond any boundary line of the lot.
- 3. <u>Dust and Dirt.</u> Every use shall be so operated that any dust or dirt produced shall be confined within a building and shall not be discharged into the atmosphere.
- 4. <u>Glare.</u> Every use shall be so operated that any glare incidental to the operations shall not be visible beyond the boundaries of the property.
- 5. Sound. Sound resulting from the conduct of permitted uses, excluding traffic noise, shall be muffled so as not to become objectionable due to intermittence, beat frequency or shrillness. Sound pressure levels above those shown in the following table, when measured at the boundary line of the property on which the sound is generated, shall be considered objectionable.

American Standard Preferred Frequencies	Octave Band Sound Pressure Level in Decibels 0.0002 dynes/sg.cm.
63	72
125	67
250	59
500	52
1,000	46
2,000	40
4,000	3 4

If the noise is not smooth and continuous or is not present between the hours of six p.m. and seven a.m., one or more of the following corrections shall be applied to the above octave band levels:

Correction in Decibels

Plus 5

32

Daytime operations only. Plus 5

Noise source operates less than 20

8,000

percent of any one hour period.

as hammering.

Noise source operates less than 5	Plus	10
percent of any one hour period.		
Noise of inpulsive character such		-5

Noise of periodic character such as -5 humming or screeching.

The sound pressure level shall be measured with a sound level meter and associated octave band analyzer conforming to standards prescribed by the American Standards Association as listed on the above chart.

Liquid or Solid Waste. No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, shall be permitted except in accord with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction of such activities.

Article 12. P-M Planned Manufacturing District.

Section 8400. Purpose.

This zone is intended to provide a district which will insure an environment conducive to the development and protection of modern industry, research institutions, and administrative facilities in a well-designed and properly-landscaped environment.

Section 8401. Uses Permitted.

None but the following uses shall be permitted in the P-M District.

1. All categories of industrial and manufacturing uses conducted entirely within an enclosed building, subject to the prescribed performance standards in this zone.

Section 8402. Uses Permitted Subject to Obtaining a Conditional Use Permit.

None but the following uses and those similar uses which the Planning Commission finds to fall within the intent and purpose of this zone, that will not be more obnoxious or detrimental to the public welfare, and which are of a comparable nature and of the same class enumerated in this section, shall be permitted subject to obtaining a use permit:

- 1. All industrial or manufacturing uses which involve the outside storage of materials, or products produced on the premises.
- 2. Any manufacturing industrial enterprise which, in the opinion of the Planning Commission, as evidenced by resolution as having inherent qualities or characteristics which, unless provided for, would cause such use to be incompatible or inharmonious with adjacent or nearby permitted uses.
- 3. Any use involving the storage or handling of explosive materials.

Section 8403. Property Development Standards.

The following property development standards shall apply to all land and structures in the P-M zone, except that any lot existing on the effective date of this ordinance which is substandard in dimensions may be used, subject to all other standards:

1. Minimum lot area.

Each lot shall have a minimum of seven thousand (7,000) square feet.

2. Lot requirements, frontage width.

Each lot shall have a minimum frontage width of fifty (50) feet on an accepted street or access way.

3. Maximum building height.

No building or structure erected in this zone shall have a height greater than thirty-five (35) feet.

4. Yards.

- a. <u>Front yard.</u> None except when adjacent to an "R" zone, then a front yard of ten (10) feet shall be provided except as may be required by Section 7611. The front yard thus created shall be landscaped and maintained, and no storage, loading or parking shall be permitted within said required front yard.
- b. <u>Side and rear yard.</u> None, except when adjacent to an "R" zone, then the required side yard or rear yard adjacent to the "R" zone shall be a minimum of ten (10) feet, except as may be required in Section 7611.

5. Fences, hedges, walls.

- a. When a lot abuts a residential zone, a six (6) foot solid masonry wall shall be erected on the zone boundary line.
- b. A fence, or solid wall not more than six (6) feet in height may be required along the perimeter of all areas which, by reasons of the conditions on the property or physical hazards, are considered by the Planning Commission to be dangerous to the public health or safety.
- c. A solid fence or wall shall be erected surrounding the area devoted to open storage. No material shall be stored to a height greater than the height of the required wall or fence.

Section 8404. Signs.

Signs as permitted in Section 8840 et seq.

Section 8405. Parking.

The provisions of Section 8850 through Section 8858 parking regulations of the City, shall apply to all uses in this zone.

Section 8406. Performance Standards.

The following performance standards shall apply to all uses within this zone.

- 1. <u>Smoke.</u> Every use shall be operated in conformance with air-quality standards established by Santa Barbara Air Pollution Control District.
- 2. Odor. Every use shall be so operated that it does not emit an obnoxious odor or fumes beyond any boundary line of the lot.
- 3. <u>Dust and Dirt.</u> Every use shall be so operated that any dust or dirt produced shall be confined within a building and shall not be discharged into the atmosphere.
- 4. Glare. Every use shall be so operated that any glare incidental to the operations shall not be visible beyond the indaries of the property.
- 5. <u>Sound.</u> Sound resulting from the conduct of permitted uses, excluding traffic noise, shall be muffled so as not to become objectionable due to intermittence, beat frequency or shrillness. Sound pressure levels above those shown in the following table, when measured at the boundary line of the property on which the sound is generated, shall be considered objectionable.

American Standard	Octave Band Sound Pressure Level
Preferred Frequencies	in Decibels 0.0002 dynes/sq.cm.

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If the noise is not smooth and continuous or is not present between the hours of six p.m. and seven a.m., one or more of the following corrections shall be applied to the above octave band levels:

	Correction in Decibels
Daytime operations only.	Plus 5
Noise source operates less than 20 percent of any one hour period.	Plus 5
Noise source operates less than 5 percent of any one hour period.	Plus 10
Noise of impulsive character such as hammering.	-5
Noise of periodic character such as humming or screeching.	-5

The sound pressure level shall be measured with a sound level meter and associated octave band analyzer conforming to standards prescribed by the American Standards Association as listed on the above chart.

Liquid or Solid Waste. No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, shall be permitted except in accord with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction of such activities.