



February 19, 2019

Morris Sobhani
204 Rametto Road
Santa Barbara, CA 93108
mngsobhani@icloud.com

Re: 209 West Pine Ave.
204 Oak Street

Dear Mr. Sobhani:

The City has received your request to waive the requirement to connect your property at 204 Oak Street to the City's sewer main. The Lompoc Municipal Code (LMC) at Section 13.16.040 has the following requirements:

The owner or occupier of any property used for human occupancy abutting any street or easement in which there is located a sewer main, is required, at his or her expense, to construct a building sewer lateral serving waste discharge fixtures in or on said property, and to connect said lateral to the sewer main in accordance with the provisions of the applicable plumbing code, construction standards of the City, and provisions of this Chapter within 120 days after notice from the Director to do so, provided that such main is within 200 feet of the property. No person shall tap a building sewer lateral into a City sewer main unless advance written permission has been granted by the City.

When you requested a lot line adjustment in 2006, you signed Conditions of Approval (copy enclosed) in which you agreed to comply with "all applicable provisions of the City Code" (Page 1, Paragraph P1). The requirement to connect to the sewer main is an applicable provision of the City Code (LMC).

While it was permissible for both your parcels to use one lateral while you owned both of them, now that you have sold one of the parcels, each requires its own individual sewer connection.

Please work with Utility staff to ensure the connection is made within 120 days of the date of this letter as provided by LMC section 13.16.040.

If you wish to appeal this decision, please note the following:

The Director is hereby empowered to enforce the rules, regulations, and limitations established in this Chapter, to implement the provisions of this Chapter. Any user, permit applicant, or permit holder affected by any decision, action, or determination made by the Director interpreting or implementing the provisions of this Chapter or any wastewater discharge permit issued pursuant to this Chapter, may file for reconsideration in writing within 15 working days. The Director shall render a decision within 15 working days after receipt of the request. If the user is dissatisfied with the ruling of the Director, the user

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may, within ten working days after the Director's ruling, file a written appeal with the City Clerk. The appeal shall be heard and decided by the City Council within 60 days after receipt of the request and Council's ruling shall be final. (LMC section 13.16.140)

Very truly yours,



Brad Wilkie
Utility Director

cc: Jim Throop, City Manager

Enc: Conditions of Approval LOM 563 P

**CONDITIONS OF APPROVAL
LOM 563-P – TENTATIVE PARCEL MAP
209 WEST PINE AVENUE - APN: 89-070-49**

The following Conditions of Approval apply to the plans for LOM 563-P, prepared by Sobhani Engineering, received by the Planning Division and stamped on June 20, 2006, and reviewed by the Planning Commission on September 11, 2006.

I. PLANNING

Planning - General Conditions

- P1. All applicable provisions of the Lompoc City Code are made a part of these conditions of approval in their entirety, as if fully contained herein.
- P2. In conformity with Sections 8900, 8935, and 8936 of the Lompoc City Zoning Ordinance, the violation of any condition listed herein shall constitute a nuisance and a violation of the Lompoc City Zoning Ordinance and the Lompoc City Code. In conformity with Section 0107 of the Lompoc City Code, a violation of the Lompoc City Code and the Lompoc City Zoning Ordinance is a misdemeanor and shall be punishable as provided by law. In addition to criminal penalties, the City may seek injunctive relief. The applicant agrees to pay for all attorney's fees and costs, including, but not limited to, staff time incurred by the City in obtaining injunctive relief against the applicant as a result of a failure of the applicant to fully perform and adhere to all of the Conditions of Approval.
- P3. Owner agrees to and shall indemnify, defend, protect, and hold harmless City, its officers, employees, agents and representatives, from and against any and all claims, losses, proceedings, damages, causes of action, liabilities, costs and expenses, including reasonable attorney's fees, arising from or in connection with, or caused by (i) any act, omission or negligence of Owner, or their respective contractors, licensees, invitees, agents, sublessees, servants or employees, wherever on or adjacent to the Property the same may occur; (ii) any use of the Property, or any accident, injury, death or damage to any person or property occurring in, or on or about the Property, or any part thereof, or from the conduct of Owner's business or from any activity, work or thing done, permitted or suffered by Owner or its sublessees, contractors, employees, or invitees, in or about the Property, other than to the extent arising as a result of City's sole active negligence or to the extent of any willful misconduct of the City; and (iii) any default in the performance of any obligations of Owner's part to be performed under the terms of this Agreement, or arising from any negligence of Owner, or any such claim or any action or proceeding brought thereon; and in case any action or proceedings be brought against the City, its officers, employees, agents and representatives, by reason of any such claim, Owner, upon notice from City, shall defend the same at its expense by counsel reasonably satisfactory to City.

Owner further agrees to and shall indemnify, defend, protect, and hold harmless the City, its officers, employees, agents and representatives, from and against any and all actions brought by any third party to challenge the Project or its approval by the City, including environmental determinations. Such indemnification shall include any costs and expenses incurred by Agency and City in such action(s), including reasonable attorney's fees.

- P4. Planning Commission approval of LOM 563-P is valid for twenty-four (24) months, prior to the expiration of the Map the applicant may request a twelve (12) month extension. LOM 563-P shall expire on September 11, 2008 unless the applicant requests a time extension as outlined by City standards.

II. BUILDING AND FIRE SAFETY

Building - General Conditions

- B1. Project shall comply with the most recent adopted City and State building codes. New locations of property lines shall not create any violations of the California Building or Fire Code.
- B2. Plans shall be submitted by a California licensed architect and/or engineer.
- B3. Approved fire-resistive assemblies shall be provided for occupancy and/or exterior wall protection. Parapets may be required in accordance with the UBC and UFC.
a. New locations of property lines create Building and Fire Code violations regarding exterior wall and opening protection at existing buildings. Plans and specifications mitigating violations shall be submitted to the Building and fire Safety Division. Permits shall be required for alterations to the existing buildings.
- B4. Dimensioned building setbacks and property lines, street centerlines, and between buildings or other structures shall be designated on plot plans.
- B5. All property lines and easements must be shown on the plot plan. A statement that such lines and easements are shown is required.
- B6. The Title Sheet of the plans shall include:
a. Occupancy group
b. Description of use
c. Type of construction
d. Height of the building
e. Floor area of building(s)

This information is required to determine required mitigation for existing buildings.
(Exterior wall and opening protection and emergency access

- B7. California disabled access regulations shall be incorporated within the plans. Retrofitting of disabled access may be required depending upon the extent of building retrofitting.

III. FIRE

Fire - Access Conditions

- F1. All required access roads on the site should be clearly indicated on the plans for both new parcels.
- F2. Fire Department access shall comply with UFC Appendix 3-D and UFC Chapter 9.

Fire - Water Supply Conditions

- F3. Fire Hydrants shall be provided in accordance with UFC Chapter 9 and UFC Appendix 3-B.
- a. The number and spacing of fire hydrants shall be in accordance to UFC Table A-3-B-1.
 - b. Fire Department access and water supply shall be in accordance with UFC Article 9 and UFC Appendix 3-A.

Locate all fire hydrants on the plans to determine minimum compliance with the California Fire Code.

IV. POLICE DEPARTMENT

No General or Project Specific Conditions

V. ENGINEERING

Engineering – General Conditions

Parcel Map

- EN1. A Parcel Map shall be required for this project as per the Subdivision Map Act, Section 66463. Upon approval or conditional approval of the Tentative Map by the Planning Commission, a complete review by the Engineering Division of all plans and documentation required by the Subdivision Ordinance of the City of Lompoc shall be required before the acceptance of the Parcel Map by the City Engineer.
- EN2. The Parcel Map shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor.

- EN3. After the Parcel Map has been prepared and is ready for review, the Applicant's Engineer shall submit three (3) sets of prints to the Engineering Division for first plan check.
- EN4. Parcel Map shall comply with Engineering Division's "Development Assistance Brochure" entitled "Checklist For Completeness of Subdivision Maps," available at the Engineering Division.
- EN5. In conformance with Chapter 27, Section 2824 of the Lompoc City Code, the Parcel Map shall be prepared based upon the control monuments as established by the City of Lompoc Coordinate Control System by Record Of Survey filed August 22, 2003, in Book 172, Pages 4 through 7, Santa Barbara County Records. The Parcel Map shall indicate and identify the control monuments utilized in the preparation thereof. The Parcel Map shall be delivered in a computer format readily compatible for transfer to the City Geographic Information System at the time of map approval. The following computer formats are acceptable for delivery: DGN (native Microstation); DWG (same as or less than Version 14); DXF.
- EN6. Compliance with the Subdivision Map Act pertaining to monument security, Section 66496, is required if the interior monuments are not set at the time the Parcel Map is recorded. The Monument security shall be received and approved by the Engineering Division prior to final acceptance of the Parcel Map.

A cost estimate for setting the interior monuments shall be provided by the registered engineer or surveyor responsible for setting the monuments for determining the amount of the Monument Security.

The City will release the Monument Security after the Engineering Division has received the following: (reference Section 66497 of the Subdivision Map Act)

1. Written notice from the engineer or surveyor indicating that the final monuments have been set.
 2. Evidence indicating payment has been made to the engineer or surveyor for setting the final monuments.
- EN7. At completion of plan review and before final approval of the Parcel Map, the Engineering Division will submit a letter to the Applicant, or his/her representative, requesting the following documentation, fees, and submittals:
1. A Title Report current within the last ninety (90) days.
 2. A Parcel Map Application Fee per current fee schedule at time Parcel Map is filed.
 3. Recording Fees and Duplicating Fees.
 4. Monument Security (if required)
 5. Proof "TAX BOND" has been posted with County of Santa Barbara.

6. Parcel Map delivered in a computer format readily compatible for transfer to the City Geographic Information System.

VI. SOLID WASTE

No General or Project Specific Conditions

VII. ELECTRIC

No General or Project Specific Conditions


VIII. WATER

No General or Project Specific Conditions

IX. WASTEWATER

No General or Project Specific Conditions

I, Morris Sobhani of Sobhani Engineering, the applicant, do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the Tentative Parcel Map. As the applicant, I agree to comply with these conditions and all other applicable laws and regulations at all times.


Name

10-02-06
Date