

**CITY OF LOMPOC
PLANNING COMMISSION STAFF REPORT**



MEETING DATE: JANUARY 8, 2007
TO: MEMBERS OF THE PLANNING COMMISSION
FROM: KEITH C. NEUBERT, ASSOCIATE PLANNER
RE: LOT COMBINATION / LOT LINE ADJUSTMENT
LOM 564

AGENDA ITEM NO. 2

A request by Colin Weyrick of Weyrick Lumber Company, the property owner, for Planning Commission consideration of a proposal for a lot combination / lot line adjustment to reconfigure the size and dimensions of four (4) existing parcels. The properties are located in a *Commercial Industrial (CM)* Zoning District south of East Laurel Avenue from A Street to E Street (Assessor Parcel Numbers: 85-010-32, 85-010-33, 85-032-08, 85-033-08, 85-040-07 & 85-040-08). A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

AUTHORITY:

California Government Code Section 66412(d) and Lompoc City Code Section 2817(B) authorize the Planning Commission to approve adjustments of lot lines established by previously approved parcel or subdivision maps. Approval is warranted to correct errors, alleviate hardship, or when the land taken from one parcel is added to an adjacent parcel and the number of original parcels is not increased by the lot line adjustment.

SITE DATA:

1. Property Owner.....Colin Weyrick
2. Surveyor.....Volbrecht Surveys
3. Site Location.....South of East Laurel Avenue from A Street to E Street
4. Site Zoning.....Commercial Industrial (CM)
5. General Plan Designation.....Light Industrial
6. Site Use.....Vacant Property

PROPOSAL:

The proposal is for a lot combination / lot line adjustment to reconfigure the size and dimensions of four (4) existing parcels. The properties are located south of East Laurel Avenue from A Street to E Street in a *Commercial Industrial (CM)* Zoning District.

CONFORMANCE WITH ADOPTED CITY POLICIES:

Zoning Ordinance:

The development standards for the *Commercial Industrial (CM)* Zone are identified in Section 8304, *Property Development Standards*, which states: *each lot shall have a minimum of seven thousand (7,000) square feet, and each lot shall have a minimum frontage width of fifty (50) feet on accepted street or access way.* As shown in the table below, the project meets the Zoning Ordinance standards for the *CM* zone.

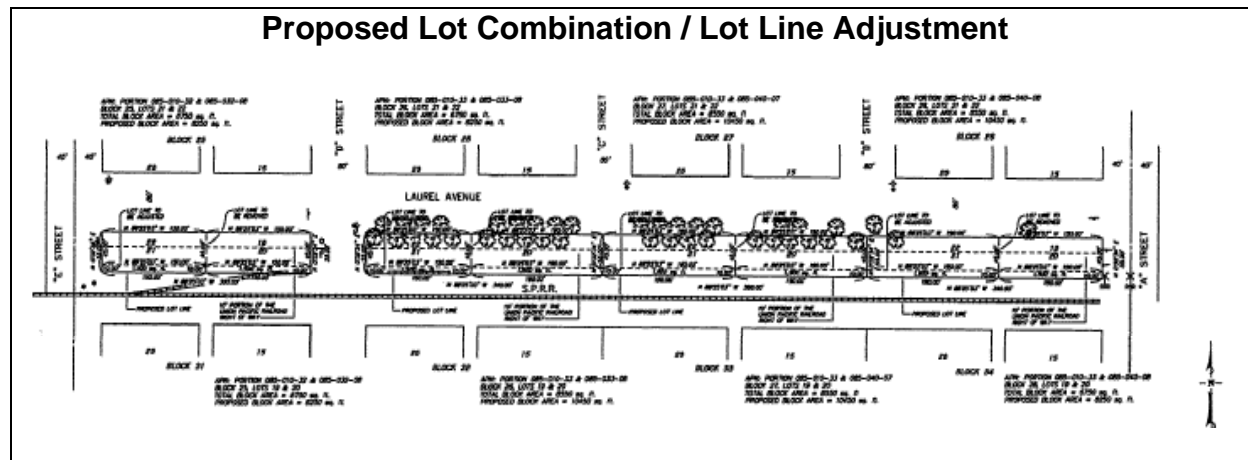
	Proposed Size	Proposed Frontage Width
Parcel No. 1 APN: 85-032-08 & portion of 85-010-32	16,500 square feet	300 feet along Laurel Avenue 55 feet along E and D Streets
Parcel No. 2 APN: 85-033-08 & portion of 85-010-33	18,700 square feet	340 feet along Laurel Avenue 55 feet along D Street
Parcel No. 3 APN: 85-040-07 & portion of 85-010-33	20,900 square feet	380 feet along Laurel Avenue
Parcel No. 4 APN: 85-040-08 & portion of 85-010-33	18,700 square feet	340 feet along Laurel Avenue 55 feet along A Street

Government Code Section 66412 (d) limits the scope of the Commission’s consideration of this request

“to a determination of whether or not the lots resulting from the Lot Line Adjustment will conform to local zoning and building ordinances.”

It also states that the Planning Commission

“shall not impose conditions or exactions on its approval of a Lot Line Adjustment except to conform to local zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the Lot Line Adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements.”



Based upon the information provided and the conditions of approval imposed upon the project, Lot Combination / Lot Line Adjustment LOM 564 will be in conformance with the Zoning Ordinance.

STAFF REVIEW:

A Subdivision Review Board (SRB) meeting was held to review LOM 564 on December 4, 2006. The applicant met with staff to discuss the proposal and draft Conditions of Approval were formulated. The following comment was received:

Engineering Division

No Parcel Map shall be required for this lot combination / lot line adjustment per City of Lompoc Subdivision Ordinance Article 1.5, Section 2817.B (COA EN1).

The Subdivision Review Board (SRB) has developed a series of standard conditions of approval (COA) to advise applicants of possible requirements during the development review process. Project specific conditions are included when staff can determine what they should be from the plans provided for Commission review. A complete plan check occurs after plans have been submitted to the Engineering Division for review. Please note that not all COA included with the Planning Commission Resolution for the project may be applicable. If the applicant has questions and/or concerns regarding specific conditions, he/she should contact the department/division that is recommending the condition. SRB members do not attend the Commission meeting and Planning staff cannot answer specific questions regarding conditions recommended by other departments/divisions.

The SRB recommends that the Planning Commission approve the proposed lot combination / lot line adjustment with the attached Conditions of Approval.

NOTICING:

On December 15, 2006:

- 1) Notice of the Public Hearing was published in the Lompoc Record;
- 2) Notices were mailed to property owners within 300 feet by US mail; and
- 3) The project site was posted by City staff.

ENVIRONMENTAL DETERMINATION:

An Initial Environmental Study has been performed for the proposed lot combination / lot line adjustment. Pursuant to the provisions of the California Environmental Quality Act (CEQA) a Negative Declaration has been prepared. It is recommended that the Commission review the document and certify the Negative Declaration for the proposal. A Notice of Determination will be filed following the Planning Commission action.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) **Certify the Negative Declaration; and**
- 2) **Adopt Resolution No. 521 (07) approving LOM 564, the proposed lot combination / lot line adjustment, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.**

ATTACHMENTS:

1. [Draft Resolution No. 521 \(07\) and Conditions of Approval](#)
2. [Initial Study and Negative Declaration](#)
3. Lot Combination / Lot Line Adjustment Map
(PC only with staff report, documents available for review in Planning Division)

Staff Report has been reviewed and approved for submission to the Planning Commission			
Arleen T. Pelster, AICP Community Development Director	Date	Lucille T. Breese, AICP City Planner	Date

RESOLUTION NO. 521 (07)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A LOT COMBINATION / LOT LINE ADJUSTMENT TO RECONFIGURE THE SIZE AND DIMENSIONS OF FOUR (4) EXISTING PARCELS (LOM 564)

WHEREAS, request was received by Colin Weyrick of Weyrick Lumber Company, the property owner, for Planning Commission consideration of a proposal for a lot combination / lot line adjustment to reconfigure the size and dimensions of four (4) existing parcels. The properties are located in a *Commercial Industrial (CM)* Zoning District south of East Laurel Avenue from A Street to E Street (Assessor Parcel Numbers: 85-010-32, 85-010-33, 85-032-08, 85-033-08, 85-040-07 & 85-040-08); and

WHEREAS, the request was considered by the Planning Commission at a duly-noticed public meeting on January 8, 2007; and

WHEREAS, at the meeting of January 8, 2007, _____, was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of January 8, 2007, _____ spoke in favor of, and _____ spoke in opposition to, the project.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOMPOC 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 lot combination / lot line adjustment creates sites that are of reasonable size to meet the Zoning Ordinance development standards for the *Commercial Industrial (CM)* Zoning District; therefore, it can be found that the land is physically suitable for future development.
- B. The proposed lot combination / lot line adjustment is in general compliance with the City's policies and ordinances, as conditioned; therefore, it can be found that the design of the proposed lot combination / lot line adjustment is not likely to cause environmental damage or substantially and unavoidable injure fish or wildlife or their habitat or cause serious public health problems.

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 proposal show no substantial evidence that the project may have a significant effect on the environment, and therefore it can be found that:

- D. The proposed lot combination / lot line adjustment, as conditioned, does not have a significant effect on the environment; and
- E. Any effect of the proposed project upon fish and wildlife is de minimis and therefore no filing fee is required pursuant to the Fish and Game Code Section 711.4.

SECTION 3: Based upon the foregoing, LOM 564 is approved as proposed on January 8, 2007.

The foregoing resolution, on motion by Commissioner _____, seconded by Commissioner _____, was adopted at the regular Planning Commission meeting of January 8, 2007 by the following vote:

AYES:

NOES:

Arleen T. Pelster, AICP, Secretary

Jack Rodenhi, Chair

[Attachment: Exhibit A – Conditions of Approval](#)

CONDITIONS OF APPROVAL
LOM 564 – SOUTH OF EAST LAUREL AVENUE FROM A STREET TO E STREET
LOT COMBINATION / LOT LINE ADJUSTMENT – APN: 85-010-32, 85-010-33,
85-032-08, 85-033-08, 85-040-07, 85-040-08

The following Conditions of Approval apply to the plans for LOM 564, prepared by Volbrecht Surveys, received by the Planning Division and stamped on November 13, 2006, and reviewed by the Planning Commission on January 8, 2007.

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.

Planning – Project Specific Conditions

- P4. An 8 ½” x 11” map and legal description of the newly created parcels, each stamped by a licensed engineer or surveyor, shall be provided to the Planning Division prior to the issuance of a Certificate of Compliance.
- P5. A Certificate of Compliance shall be recorded by January 8, 2008.
- P6. Any development proposed on the newly created parcels shall require Planning Commission review.

II. BUILDING AND FIRE SAFETY

No General or Project Specific Conditions

III. POLICE DEPARTMENT

No General or Project Specific Conditions

IV. ENGINEERING

Engineering – Project Specific Conditions

- EN1. No Parcel Map shall be required for this lot combination / lot line adjustment per City of Lompoc Subdivision Ordinance Article 1.5, Section 2817.B.

V. SOLID WASTE

No General or Project Specific Conditions

VI. ELECTRIC

No General or Project Specific Conditions

VII. WATER

No General or Project Specific Conditions

VIII. WASTEWATER

No General or Project Specific Conditions

I, Colin Weyrick, property owner, do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the lot combination / lot line adjustment. As the property owner, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Name

Date

**CITY OF LOMPOC
NEGATIVE DECLARATION**

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

- Title:** Lot Combination / Lot Line Adjustment – LOM 564
- Location:** South of Laurel Avenue from A Street to E street
(Assessor Parcel Numbers: 85-010-32, 85-010-33, 85-032-08, 85-033-08, 85-040-07 & 85-040-08)
- Description:** A request by Colin Weyrick of Weyrick Lumber Company, the property owner, for Planning Commission consideration of a proposal for a lot combination / lot line adjustment to reconfigure the size and dimensions of four (4) existing parcels. The properties are located in a *Commercial Industrial (CM)* Zoning District south of East Laurel Avenue from A Street to E Street (Assessor Parcel Numbers: 85-010-32, 85-010-33, 85-032-08, 85-033-08, 85-040-07 & 85-040-08).

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

- 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.

Date

Keith Neubert, Associate Planner
for Planning Division