

**CITY OF LOMPOC
PLANNING COMMISSION STAFF REPORT**



MEETING DATE: NOVEMBER 14, 2005

TO: MEMBERS OF THE PLANNING COMMISSION

FROM: KEITH C. NEUBERT, ASSISTANT PLANNER

RE: LOM 547-P – TENTATIVE PARCEL MAP
DR 05-15 – PRELIMINARY DEVELOPMENT PLAN

AGENDA ITEM NO. 2

A request by Mark Gowing of Gowing Leasing Company, the property owner, for Planning Commission consideration of a proposal to subdivide two (2) existing approximately 3.75 acre parcels into four (4) parcels. The proposal includes a conceptual development plan for the newly created parcels. The site is located in the Business Park (BP) Zoning District at the northeast corner of Central Avenue and Barton Avenue (Assessor Parcel Numbers: 93-450-47, 48). A Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

SITE DATA:

1. Property Owner. Gowing Leasing Company
2. Site Location. Northeast corner of Central Avenue and Barton Avenue
3. Assessor Parcel Number. 93-450-47, 48
4. Site Zoning. Business Park (BP)
5. General Plan Designation. Business Park
6. Site Use. Vacant Land
7. Surrounding Uses/Zoning. North: Lompoc Airport / PF
South: Residential / 7-R-1, PD
East: Business Park / BP
West: Vacant Land / BP
8. Site area. approximately 7.5 acres

A. LOM 547-P – Tentative Parcel Map

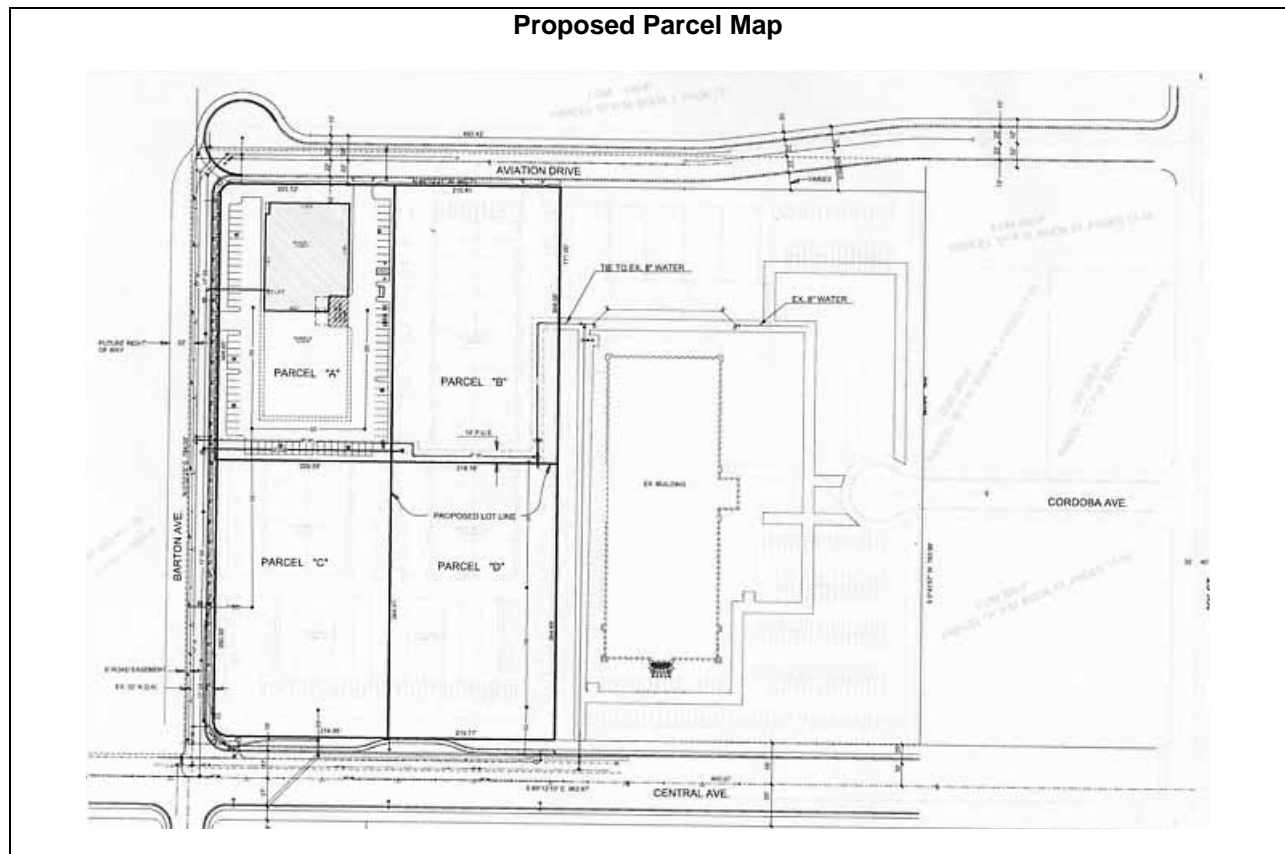
AUTHORITY:

The Planning Commission has the authority to approve, conditionally approve, or deny a Tentative Parcel Map (Lompoc City Code Section 2846). Once approved, the Tentative Parcel Map expires twenty-four months from the date of approval unless the applicant requests a time extension prior to the expiration. A condition of approval is included to advise the applicant of the map expiration date (LOM COA P4). Lompoc City Code Section 2812 requires a finding as to conformity of the proposed division with the General Plan which is included as part of the Commission action on this Parcel Map.

PROPOSAL:

The proposed map divides two (2) existing approximately 3.75 acre parcels into four (4) parcels: Parcel A is 1.92 acres, Parcel B is 1.83 acres, Parcel C is 1.92 acres, and Parcel D is 1.84 acres. The property is located in the Business Park (BP) Zoning District at the northeast corner of Central Avenue and Barton Avenue (Assessor Parcel Numbers: 93-450-47, 48).

The proposed parcel map is shown below:



CONFORMANCE WITH GENERAL PLAN:

The General Plan designation for this property is *Business Park* and the stated purpose is:

To provide areas for clean and attractive, planned industrial centers on large, integrated parcels of land upon which all activities are conducted indoors.

The purpose of the proposed parcel map is to subdivide the existing parcels for Business Park use by creating four new parcels. As conditioned, Parcel Map LOM 547-P will be in conformance with the General Plan.

CONFORMANCE WITH ZONING ORDINANCE:

The Zoning for the site is Business Park (BP). Section 8451 states: “*the permitted uses within this land use category are intended to accommodate a wide range of contemporary industrial/commercial businesses*”. No specific use is proposed on the four proposed parcels at this time. Any development plan proposed on the newly created parcels shall require Planning Commission review (LOM COA P6, DR COA P5).

City of Lompoc Code Section 8854.1 Site Development Standards, states: “*Any proposed subdivision creating parcels of less than ten acres must be accompanied by a concurrent development plan*”. The applicant has submitted a Preliminary Development Plan (DR 05-15) showing a conceptual building plan layout with parking which will be analyzed later in the staff report.

CONFORMANCE WITH SUBDIVISION ORDINANCE:

Section 2844 of the Subdivision Ordinance requires Subdivision Review Board (SRB) review of Tentative Parcel Maps for conformance with the criteria listed in the Ordinance. The SRB is required to report its findings to the Planning Commission.

A Subdivision Review Board (SRB) meeting was held to review the Tentative Parcel Map on June 13, 2005. The applicant met with staff to discuss the proposal and draft Conditions of Approval for the Tentative Parcel Map were formulated. The following comments were received:

Engineering Division

All off-site improvements must be constructed at the time any one of the four (4) parcels created by this subdivision develops with the exception of sidewalk improvements (LOM COA EN6, DR COA EN32); a vehicular non-access easement onto Central Avenue shall be shown along the southerly boundary of Parcels “C” and “D” (LOM COA EN7); a private access easement in favor of Parcel “D” shall be dedicated on one or more of the adjacent parcels to provide access to either Aviation Drive or Barton Avenue (LOM COA EN8); the 15-foot wide Public Utility Easement identified on the Preliminary Development Plan can be dedicated to the City either by Parcel Map LOM 547-P or by grant deed (DR COA EN31);

a deposit of \$28,400 shall be submitted to the Engineering Division prior to final approval of the Improvement Plans for future Central Avenue/“H” Street intersection improvements identified by the City as part of the Wye Specific Plan (DR COA EN33); the width of the driveways on Aviation Drive and Barton Avenue shall be increased to a minimum of 30 feet (DR COA EN34); the radii on the parking end islands shall be increased (DR COA EN 35); and depending upon where truck loading bays are located, the drive isles and turning radii at building corners may need to be increased from what is shown on the Preliminary Development Plan (DR COA EN36).

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.

In accordance with Section 2844 of the Lompoc City Code, the SRB recommends that the Planning Commission approve the proposed Tentative Parcel Map with the attached Conditions of Approval.

B. DR 05-15 – Preliminary Development Plan

PROPOSAL:

The applicant is proposing a Preliminary Development Plan, to comply with Section 8854.1 Site Development Standards which states: “*Any proposed subdivision creating parcels of less than ten acres must be accompanied by a concurrent development plan*”. The applicant has submitted a Preliminary Development Plan (DR 05-15) showing a conceptual building plan layout with parking. There is no specific use being proposed at this time. The conceptual plan shows a 29,500 square-foot building on Parcel A, a 31,680 square-foot building on Parcel B, two buildings totaling 31,700 square feet on Parcel C, and two buildings totaling 31,700 square feet on Parcel D. Parking is shown to support each building.

Vehicular access is provided on Barton Avenue and Aviation Drive. When a specific project is proposed, it will be reviewed by the Planning Commission for architecture and site design. Any proposed use on the site will require Development Plan review by the Commission to assure conformance with the requirements of the Business Park (BP) District standards (LOM COA P6, DR COA P5).

CONFORMANCE WITH ZONING ORDINANCE:

Shown below is a table with the Zoning Ordinance Development Standards listed in Section 8454.1 and how the proposed Development Plan meets the standards.

Category	Required/Maximum	Proposed
Building Site Area	Two acres (smaller parcels may be considered for financial purposes if accompanied by a Development Plan with an area of at least two acres for an overall site)	Parcel A – 1.92 acres Parcel B – 1.83 acres Parcel C – 1.92 acres Parcel D – 1.84 acres
Minimum Lot Depth	No minimum	Parcels A-D – 365 feet
Minimum Lot Width	150 feet along a street frontage	Parcel A – 201 feet Parcel B – 216 feet Parcel C – 215 feet Parcel D – 220 feet
Building Height	35 feet maximum	Parcels A-D – None Proposed
Parking	Section 8850 shall apply	Parcels A-D – Review will occur with submittal of a Development Plan
Setbacks	Building & parking setback of 5 feet	Parcels A-D – Review will occur with submittal of a Development Plan
Loading Area	Section 8852 shall apply	Parcels A-D – Review will occur with submittal of a Development Plan

CONFORMANCE WITH GENERAL PLAN:

The General Plan designation for this property is *Business Park* and the stated purpose is:

To provide areas for clean and attractive, planned industrial centers on large, integrated parcels of land upon which all activities are conducted indoors.

Development Plans for each parcel will require Planning Commission review and approval.

ENVIRONMENTAL REVIEW:

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

NOTICE:

On October 21, 2005:

- 1) Notice of the Public Hearing was published in the Lompoc Record; and
- 2) The project site was posted by City staff.

On November 4, 2005:

- 1) Notices were mailed to property owners within 300 feet by US mail.

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 is \$35.10.

RECOMMENDATION:

It is recommended that the Planning Commission:

- 1) **Certify the Mitigated Negative Declaration;**
- 2) **Adopt Resolution No. 450 (05) approving LOM 547-P, a Tentative Parcel Map, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval; and**
- 3) **Adopt Resolution No. 451 (05) approving DR 05-15, a Preliminary Development Plan for Parcels A-D of LOM 547-P, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.**

ATTACHMENTS:

- 1) Draft Resolution No. 450 (05) and Conditions of Approval
- 2) Draft Resolution No. 451 (05) and Conditions of Approval
- 3) Initial Study and Mitigated Negative Declaration
- 4) Tentative Parcel Map/Preliminary Development Plan
(PC only with staff report, documents available for review in Planning Division)

RESOLUTION NO. 450 (05)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A TENTATIVE PARCEL MAP TO SUBDIVIDE TWO (2) EXISTING APPROXIMATELY 3.75-ACRE PARCELS OF LAND INTO FOUR (4) PARCELS (LOM 547-P)

WHEREAS, a request was received by Mark Gowing of Gowing Leasing Company, the property owner, for Planning Commission consideration of a proposal to subdivide two (2) existing approximately 3.75 acre parcels into four (4) parcels. The proposal includes a conceptual development plan for the newly created parcels. The site is located in the Business Park (BP) Zoning District at the northeast corner of Central Avenue and Barton Avenue (Assessor Parcel Numbers: 93-450-47, 48); and

WHEREAS, the request was considered by the Planning Commission at a duly-noticed public meeting on November 14, 2005; and

WHEREAS, at the meeting of November 14, 2005, _____, was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of November 14, 2005, _____ 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 General Plan designation for the site is *Business Park* which is consistent with the *Business Park (BP)* zoning, and the staff analysis provides a basis for the recommendation; therefore, it can be found that the proposed Tentative Parcel Map is consistent with the applicable General Plan designation and policies.
- B. The proposed Tentative Parcel Map creates parcels that are of reasonable size to support future development; therefore, it can be found that the subdivided land is physically suitable for the type and density of future development.
- C. The proposed Tentative Parcel Map is in general compliance with the City's policies and ordinances, as conditioned; therefore, it can be found that the proposed Tentative Parcel Map is not likely to cause environmental damage or substantially and unavoidably 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 Mitigated 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 Tentative Parcel Map, 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 547-P is approved as proposed on November 14, 2005, subject to the conditions attached as Exhibit A which are incorporated by reference as if fully set forth herein.

The foregoing resolution, on motion by Commissioner _____, seconded by Commissioner _____, was adopted at the regular Planning Commission meeting of November 14, 2005 by the following vote:

AYES:

NOES:

Arleen T. Pelster, AICP, Secretary

Jack Rodenhi, Chair

Attachment: Exhibit A - Conditions of Approval

**CONDITIONS OF APPROVAL
LOM 547-P – TENTATIVE PARCEL MAP
NORTHEAST CORNER OF BARTON AND CENTRAL AVENUE - APN: 93-450-47, 48**

The following Conditions of Approval apply to the plans for LOM 547-P, prepared by J.B. Dixon Engineering & Surveying, Inc., received by the Planning Division and stamped on October 25, 2005, and reviewed by the Planning Commission on November 14, 2005.

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 547-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 547-P shall expire on November 14, 2007 unless the applicant requests a time extension as outlined by City standards.
- P5. The conditions hereby imposed are in addition to the conditions imposed by Tentative Parcel Map – LOM 523-P. In the case of any conflicts, the conditions listed herein shall prevail.
- P6. Any development plan proposed on the newly created parcels shall require Planning Commission review.

II. BUILDING AND FIRE SAFETY

No General or Project Specific Conditions

III. AVIATION/TRANSPORTATION

No General or Project Specific Conditions

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. "Development Assistance Brochures" are available at the Engineering Division to facilitate the preparation of maps by the Developer's engineer and include "Checklists for Completeness of Subdivision Maps (Parcel & Final Maps)." The "Checklists for Completeness of Subdivision Maps (Parcel & Final Maps)" is an essential aid in the preparation of the Parcel Map.

EN3. 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 Final 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.

EN4. 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.

EN5. At completion of plan review and before final approval of the Parcel Map, the Engineering Division will submit a letter to the Developer, 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.

Engineering – Project Specific Conditions

EN6. Requirements for the construction of off-site improvements shall be noticed by a Construction Requirements Statement on the Parcel Map in conformance with City of Lompoc Subdivision Ordinance Section 2847. Approved plans for the off-site improvements ("LOM 523-P Public Improvement Plans") are on file in the office of the City Engineer. All off-site improvements will be constructed at the time any one of the four (4) parcels created by this subdivision develops with the exception of sidewalk improvements. Sidewalk fronting each parcel will be constructed at the time each parcel develops.

EN7. A Vehicular Non-Access Easement onto Central Avenue shall be shown along the southerly boundary of Parcels "C" and "D".

EN8. A private access easement in favor of Parcel "D" shall be dedicated on one or more of the adjacent parcels (Parcels "A", "B", and "C") to provide access to either Aviation Drive or Barton Avenue.

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, Mark Gowing of Gowing Leasing Company, the property owner, 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 property owner, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Name

Date

RESOLUTION NO. 451 (05)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR TENTATIVE PARCEL MAP LOM 547-P (DR 05-15)

WHEREAS, a request was received by Mark Gowing of Gowing Leasing Company, the property owner, for Planning Commission consideration of a Preliminary Development Plan for Tentative Parcel Map LOM 547-P. The site is located in the Business Park (BP) Zoning District at the northeast corner of Central Avenue and Barton Avenue (Assessor Parcel Numbers: 93-450-47, 48); and

WHEREAS, the request was considered by the Planning Commission at a duly-noticed public meeting on November 14, 2005; and

WHEREAS, at the meeting of November 14, 2005, _____, was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of November 14, 2005, _____ 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 the proposed Preliminary Development Plan, as conditioned, meets the intent and purpose of Lompoc City Code Section 8454 and is consistent with the applicable policies and development standards, therefore it can be found that:

- A. The site for the proposed buildings is adequate in size and topography to accommodate said future use, and all yards, spaces, walls and fences, parking, loading, and landscaping area adequate to properly adjust such future use with the land and uses in the vicinity.
- B. The conditions stated in the decision are deemed necessary to protect the public health, safety, and welfare.
- C. The location of the proposed buildings, shown on the Preliminary Development Plan, to streets and highways is adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed use.

- D. The proposed buildings will have no adverse effect upon the abutting and surrounding property from the permitted use thereof inasmuch as the Initial Environmental Study and Mitigated Negative Declaration prepared for the proposal show no substantial evidence that the project may have a significant effect on the environment it can be found:
 - a. That the proposed site plan, as conditioned, will not have a significant effect on the environment and;
 - b. 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 2: Based upon the foregoing, DR 05-15 is approved as proposed on November 14, 2005, subject to the conditions attached as Exhibit A which are incorporated by reference as if fully set forth herein.

The foregoing resolution, on motion by Commissioner _____, seconded by Commissioner _____, was adopted at the regular Planning Commission meeting of November 14, 2005 by the following vote:

AYES:

NOES:

Arleen T. Pelster, AICP, Secretary

Jack Rodenhi, Chair

Attachment: Exhibit A - Conditions of Approval

CONDITIONS OF APPROVAL
DR 05-15 – PRELIMINARY DEVELOPMENT PLAN
NORTHEAST CORNER OF BARTON AND CENTRAL AVENUE - APN: 93-450-47, 48

The following Conditions of Approval apply to the plans for DR 05-15, prepared by J.B. Dixon Engineering & Surveying, Inc., received by the Planning Division and stamped on October 25, 2005, and reviewed by the Planning Commission on November 14, 2005.

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 and 0128 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 to specifically enforce the Conditions of Approval. 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. The conditions hereby imposed are in addition to the conditions imposed by Preliminary Development Plan – DR 03-04. In the case of any conflicts, the conditions listed herein shall prevail.
- P5. Any development plan proposed on the newly created parcels shall require Planning Commission review.

II. BUILDING AND FIRE SAFETY

No General or Project Specific Conditions

III. AVIATION/TRANSPORTATION

No General or Project Specific Conditions

IV. POLICE DEPARTMENT

No General or Project Specific Conditions

V. ENGINEERING

Engineering – General Conditions

- EN1. Improvement Plans are required for each Parcel prior to its development. Improvement Plans include:
1. Earthwork
 2. Site drainage, parking lot paving, planters & trash enclosures
 3. Public improvements, including:
 - a. Electric, water, sewer, storm drain and surface improvements.
 - b. Connection points to utility mains for sewer laterals and water services;
 - c. Electrical services up to and including transformer;
 - d. All existing and proposed public easements (permanent structures shall not be constructed over any on-site public easements).
- EN2. All public utilities such as water mains, sewer mains, electric lines, electric transformers, etc., within the development shall be located within public utilities easements.

If a Public Utility Easement (PUE) is required a draft deed on a City provided Grant Deed Form shall be submitted to the Engineering Division for review and approval. The draft deed submittal shall include a deed map, all referenced documents, and a preliminary title report current within the last ninety days.

After review is complete the Developer shall submit the original deed and deed map to the Engineering Division for recordation. The deed shall be signed by the grantee(s) and notarized, and signed and stamped by a licensed land surveyor or qualified civil engineer. A PUE deed ready for recordation shall be on file in the Engineering Division prior to approval of the Improvement Plans.

- EN3. All public improvements shall be provided at the Developer's expense and constructed to City Standard Specifications as determined by the City Engineer.
- EN4. Improvement Plans shall be prepared by or under the supervision of a registered Civil Engineer or Architect.
- EN5. In conformance with Chapter 27, Section 2774.E of the Lompoc City Code, the Improvement Plans, including but not limited to, grading, water, sewer, streets, electrical system, and other surface and subsurface improvements, 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. All drawings, improvement plans and survey maps shall be prepared in accordance with the requirements currently in effect.
- EN6. Improvements shall be designed in accordance with the City's "Standard Requirements for The Design and Construction for Subdivisions and Special Developments," as last revised. Said Standard Requirements are available at the office of the City Engineer.
- EN7. Improvement Plans shall be prepared in conformance with City of Lompoc Development Assistance Brochures, available upon request from the Engineering Division, and shall comply with Appendices Chapter 33 of the 2001 California Building Code, including all supplementary pamphlets.

Plan Submittal

- EN8. After Improvement Plans have been prepared by Developer's Engineer/Architect and are ready for City review, **FOUR** sets of prints shall be submit to the Engineering Division for the first plan check. Plan submittal shall include additional information as required herein.
- EN9. First plan check submittal shall include estimated grading quantities, a current soils investigation report, retaining wall calculations, drainage calculations, and all other pertinent information relating to the Improvement Plans and their approval.

EN10. The Soils Investigation Report shall be prepared by a Soils Engineer who will be retained by the Developer to observe, test, and certify that all recommendations outlined in the Soils Investigation Report are fulfilled during construction.

Permits & Fees

EN11. Grading and Encroachment fees are based on the City fee schedule in effect at the time first plan check is submitted.

EN12. A Grading Plan Review Fee shall be paid after first plan review and before any additional plan check submittals. Plan Check Fee is based on estimated grading quantities identified on the Improvement Plans.

EN13. A Grading Permit issued by the Engineering Division is required prior to any excavation or filling on the site. Any stockpiling of fill dirt will require a Temporary Grading Permit.

EN14. An Encroachment Permit shall be obtained from the Engineering Division for any work within City street right-of-way or easement. An itemized Engineer's cost estimate for construction of the required public improvements shall be submitted to the Engineering Division and is used for determining the Encroachment Permit Fee.

EN15. Street Improvement and Traffic Signal Impact Fees will be imposed upon the issuance of a building permit for each parcel and are based on the City of Lompoc Development Impact Fee Schedule in effect at the time of permit issuance.

Drainage

EN16. Site drainage shall conform to Section 3315, Appendix Chapter 33 of the 2001 California Building Code.

EN17. All drainage plans must take into account Section 2506.5, "Application of Metal Plaster Bases" of the 1997 Uniform Building Code.

EN18. Foundation elevation must be as required by Section 1806.5.5 of the 1997 Uniform Building Code.

EN19. Drainage out to the street shall be directed through Curb and/or Parkway Drain(s) per APWA Standard Plan No. 150-2 and 151-1. Submit drainage calculations to support sizing for drain.

EN20. Drainage from parking lots to the public right-of-way will be filtered through a City approved filter system. The filter shall be located on the development property and maintained by the property owner.

EN21. Pre-development flow from adjacent properties onto the project site shall be maintained or accounted for in the final design.

EN22. The on-site drainage system must be properly designed to maximize infiltration of roof and/or surface runoff into the underlying soil before discharging into public storm drain, street or alley.

Parking Lots

EN23. Parking lot design and structural section shall conform to the City's Standard Requirements, Section 8.

EN24. Asphalt Concrete – Asphalt Concrete in parking lots shall conform to the provisions in Section 39, "Asphalt Concrete," and Section 92, "Asphalts," of the Caltrans Standard Specifications, current edition, the plans and these specifications.

EN25. The grade of asphalt binder to be mixed with aggregate shall be AR-4000.

EN26. Areas of the parking lot that will be used for truck traffic shall be designed with a heavier structural section than areas for passenger cars.

EN27. An "R" value shall be determined by the Soils Investigation and included in the Soils Report. A note shall be placed on the Grading Plan stating that "R" value samples shall be obtained and tested at the completion of rough grading, and the pavement sections confirmed or revised, to the satisfaction of the City Engineer.

Final Approval

EN28. Prior to final approval, any damaged public improvements shall be repaired in conformance to City of Lompoc Standard Plans and Specifications.

EN29. Prior to final approval, Record Drawings shall be prepared by the civil engineer who prepared the Improvement Plans, except that Record Drawings may be prepared by a professional land surveyor licensed in the State of California providing the civil engineer also signs the Record Drawing Certification on the plans. The Record Drawings are required to show all changes that occurred during construction, including changes in materials, distances, lengths, locations, elevations, slopes, volumes, etc. Approved Record Drawing originals will be filed in the office of the City Engineer.

Requirements for the preparation of Record Drawings are available at the Engineering Division.

EN30. After construction is complete and the City has approved the Record Drawings, the Developer shall:

- A. Provide the City Management Services Department, Information Systems Division, with a copy of the Record Drawings, in a computer format readily compatible for transfer, to the City Geographic Information System. The following computer formats are acceptable for delivery: DGN (native Microstation); DWG (same as or less than Version 14); DXF.
- B. Provide the Engineering Division with record Drawings copied in PDF format (one file) on CD.

Engineering – Project Specific Conditions

EN31. The 15-foot wide Public Utility Easement identified on the Preliminary Development Plan can be dedicated to the City either by Parcel Map LOM 547-P or by grant deed. Refer to General Condition EN2 for details on grant deed submittal to the Engineering Division.

EN32. All off-site improvements shown on approved plans on file in the office of the City Engineer titled "LOM 523-P Public Improvement Plans" will be constructed at the time any one of the four (4) parcels created by Parcel Map LOM 547-P develops, with the exception of sidewalk improvements. Sidewalk fronting each parcel will be constructed at the time each parcel develops.

EN33. A deposit of \$28,400 shall be submitted to the Engineering Division prior to final approval of the Improvement Plans for future Central Avenue/"H" Street intersection improvements identified by the City as part of the Wye Specific Plan, which include street widening, the installation of dual northbound and southbound left-turn lanes, curb, gutter, sidewalk, and traffic signal relocation, and traffic island relocation.

EN34. Increase width of driveways on Aviation Drive and Barton Avenue to a 30-foot minimum.

EN35. Increase radii on parking end islands (shown at 2.5 feet on Preliminary Development Plan).

EN36. Depending upon where truck loading bays are located, the drive isles and turning radii at building corners may need to be increased from what is shown on the Preliminary Development Plan.

VI. SOLID WASTE

Solid Waste – General Conditions

SW1. Trash enclosures shall be designed in accordance with City standards for up to 440-gallon automated containers accessible to automated trash collection trucks and in locations as approved by the City Solid Waste Superintendent.

The trash collection trucks are side loading and have a 40-foot turning radius. On-site circulation for the trucks shall be designed so trash collection trucks will not need to back up in order to turn around and exit.

- SW2. Trash enclosures shall not have any doors and shall be enclosed on three sides with a six-foot wall, which is architecturally compatible with the on-site buildings as approved by the City Planner.
- SW3. Trash enclosure access openings must be placed no more than one-foot from drive aisle.
- SW4. Trash containers must be kept side-by-side and parallel with alley or drive aisle. Enclosures with more depth than the minimum required seven-foot depth of one container must be constructed with a wheel-stop sufficient to keep the containers at the front edge of the enclosure so that the operator of the trash collection truck does not have to move containers out for collection.

VII. ELECTRIC

Electric – General Conditions

- EL1. The Developer shall sign a Line Extension Agreement and pay all costs for the City to furnish and install electric power lines/equipment to and within the proposed development. These costs will include all labor, labor overhead, material, material handling charges and equipment/vehicle rentals necessary for the City to extend the City's electrical distribution system to serve the project. The total estimated cost, as mentioned in the Line Extension Agreement, must be paid prior to the City issuance of building permits.
- EL2. The Developer shall provide a single line diagram showing voltage, phase, load requirements and size of planned switchboard. Three-phase electric services up to 200 Amps shall have 7-jaw meter sockets. Three-phase electric services above 200 Amps shall have 13-jaw meter sockets and provisions for a test switch and current transformers. The main switchboard shall conform to Electric Utility Service Equipment Requirements approved by the City of Lompoc. The developer shall pay the meter installation fee prior to the issuance of the building permit.
- EL3. Electric meters and main disconnect switches shall be located on the exterior of the building or in an enclosure opening only to the exterior of the building. Meter enclosures shall be accessible at all times to electric division personnel. If the enclosure is to be locked, the lock shall be keyed to Schlage Lock No. C38587.
- EL4. The Developer shall provide all necessary trenching and backfilling to Electric specifications. This will include trenching for primary cable, secondary cable, street light wiring and associated vaults and boxes. The Developer shall provide transformer pads as required. The project shall be at final grade prior to trenching for installation of underground electric facilities.

- EL5. The Developer shall furnish and install the service wire and conduit from the service panel to the transformer or secondary box. Upon approval of the building inspector, the City will make the final connections to the transformer and energize the service.
- EL6. For three-phase electrical service over 200 Amps, the Developer shall run a telephone service wire to the meter location for remote meter readings.
- EL7. Provide and install one 2-inch conduit, from the pull box in the street easement to the building, in same trench with the electrical service conduit.

VIII. WATER

Water – General Conditions

- W1. This facility must comply with plumbing cross-connection control standards as required by City Ordinance and State law for the protection of water supplies. Information on acceptable back-flow assemblies is available from the City Water Division.
- W2. The size and location of all water meters shall be determined by the Engineer/Architect or authorized representative. All water meters will be furnished and installed by the Water Division at the expense of the Developer.
- W3. All meter protection shall be by an approved Reduced Pressure Principle Backflow Prevention Assembly (RP) at the service connection. Information on acceptable assemblies is available from the City Water Division.
- W4. All public water system components must be constructed within public right-of-way or public easements.
- W5. When a fire sprinkler system is required or proposed, the utility plan shall show the location of Fire Department Connection FDC with reference dimensions to the nearest fire hydrant. Fire Department requires fire department connections to be within 150' of a fire hydrant.
- W6. When a fire sprinkler system is required or proposed the utility plan shall show the fire line connection point to water main.
- W7. All requests for information needed to design fire sprinkler systems and to determine available or needed fire hydrant flow shall be made with the City Water Division.

IX. WASTEWATER

Wastewater – General Conditions

- WW1. All new sewer main and lateral installations will be of Polyvinyl Chloride Plastic (PVC) SDR35 sewer pipe, including all pipefittings and miscellaneous appurtenances. No glue joints are permissible.
- WW2. All PVC SDR35 sewer piping shall be furnished in the following lengths:
- Piping from 8" to 12" in diameter – 20' maximum length
 - Piping from 15" to 60" in diameter – 12.5' maximum length
- WW3. For cut-in to an existing sewer, a wye tie-in shall be used. Saddles are not allowed.
- WW4. No steps shall be installed in new or replacement maintenance holes. Steps will be removed for any coatings of maintenance holes.
- WW5. Bedding will be 3/8" float rock or compacted sand.
- WW6. In existing paved streets or alleys trench backfill, from one-foot above sewer pipe to subgrade, shall be one-sack cement slurry. Slurry cement backfill shall conform to the provisions of Subsection 19-3.062, "Slurry Cement Backfill," of the Caltrans Standard Specifications.
- WW7. Maintenance hole reducer/cone will be concentric molded construction.
- WW8. Outer and inner drop maintenance hole connections are not allowed.
- WW9. No clean-out connections to City main sewer lines.
- WW10. A grease trap/interceptor is required to be installed in community buildings where commercial appliances will be used.
- WW11. All food handling establishments must demonstrate compliance with Wastewater Division Ordinance requirements, sized according to Appendix H of the Uniform Plumbing Code (UPC) and show location and type of grease interceptor/trap.
- WW12. No approval for connection to dispose of industrial waste into the public sewer shall be made until a permit for industrial wastewater discharge has been applied for and approved by the Wastewater Division and before final approval of a development plan for said connection.

WW13. All wastewater improvements must comply with Federal, State and City laws/ordinances for the protection of the Wastewater System.

I, Mark Gowing of Gowing Leasing Company, the property owner, do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the Preliminary Development Plan. As property owner, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Name

Date

**CITY OF LOMPOC
ENVIRONMENTAL CHECKLIST FORM**

A. PROJECT INFORMATION:

Project Title: Tentative Parcel Map, Conceptual Development Plan	Project No: LOM 547-P, DR 05-15																		
Lead Agency Name and Address: City of Lompoc 100 Civic Center Plaza, Lompoc, CA 93436 P.O. Box 8001, Lompoc, CA 93438-8001	Contact Person and Phone Number: Keith C. Neubert Assistant Planner (805) 875-8277																		
PROJECT DESCRIPTION / LOCATION: A request by Mark Gowing of Gowing Leasing Company, the property owner, for Planning Commission consideration of a proposal to subdivide two (2) existing approximately 3.75 acre parcels into four (4) parcels. The proposal includes a conceptual development plan for the newly created parcels. The site is located in the Business Park (BP) Zoning District at the northeast corner of Central Avenue and Barton Avenue (Assessor Parcel Numbers: 93-450-47, 48).																			
Public Agencies with Approval Authority (Including permits, funding, or participation agreements): City of Lompoc																			
Project Applicant, Name and Address: Mark Gowing Gowing Leasing Company 1017 West Central Avenue Lompoc, CA 93436 (805) 735-4355	Project Consultant: Jim Dixon JB Dixon Engineering, Inc. 524-A North 8 th Street Lompoc, CA 93436 (805) 736-0484																		
General Plan Designation: Business Park	City Zoning Designation: Business Park																		
Surrounding Land Use Designation: North - Community Facility South - Medium Density Residential East - Business Park West - Business Park	Surrounding Land Uses: North - Lompoc Airport South - Medium Density Residential East - Business Park West - Vacant Land																		
Environmental Setting: Existing urbanized area.																			
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.																			
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><input type="checkbox"/> Aesthetics</td> <td style="width: 33%;"><input type="checkbox"/> Agriculture Resources</td> <td style="width: 33%;"><input type="checkbox"/> Air Quality</td> </tr> <tr> <td><input type="checkbox"/> Biological Resources</td> <td><input type="checkbox"/> Cultural Resources</td> <td><input type="checkbox"/> Geology / Soils</td> </tr> <tr> <td><input type="checkbox"/> Hazards & Hazardous Materials</td> <td><input type="checkbox"/> Hydrology / Water Quality</td> <td><input type="checkbox"/> Land Use / Planning</td> </tr> <tr> <td><input type="checkbox"/> Mineral Resources</td> <td><input type="checkbox"/> Noise</td> <td><input type="checkbox"/> Population / Housing</td> </tr> <tr> <td><input type="checkbox"/> Public Services</td> <td><input type="checkbox"/> Recreation</td> <td><input type="checkbox"/> Transportation / Traffic</td> </tr> <tr> <td><input type="checkbox"/> Utilities / Service Systems</td> <td><input type="checkbox"/> Mandatory Findings of Significance</td> <td></td> </tr> </table>		<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality	<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology / Soils	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation / Traffic	<input type="checkbox"/> Utilities / Service Systems	<input type="checkbox"/> Mandatory Findings of Significance	
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<input type="checkbox"/> Utilities / Service Systems	<input type="checkbox"/> Mandatory Findings of Significance																		

B. TECHNICAL STUDIES

The following Technical Studies were prepared for this document:

Title	Prepared by/Date	Attached to EIS	Available for Review
Traffic and Circulation Study	Associated Transportation Engineers (ATE) – October 13, 2005		X

C. 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	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

Comments:

- a) The proposed project will not have a substantial adverse impact on a scenic vista as there is no scenic vista in the immediate area identified on the City of Lompoc Urban Design Features Map in the Urban Design Element of the City's General Plan, adopted in October of 1997.
- b) The proposed project will not substantially damage scenic resources within a state scenic highway, as it is not located adjacent to a state scenic highway.
- c) Planning Commission review and subsequent approval of the project architecture will assure compliance with established City *Architectural Review Guidelines*.
- d) A lighting plan will be required as a condition of approval 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	No 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?				X
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?				X

Comments:

a) The proposed project will not 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 as the site is within the existing City limits and is a small parcel (less than 20 acres) that is not significant enough to be recorded on the Farmland Mapping and Monitoring Program.

b) The proposed project will not conflict with existing zoning for agricultural use, or a Williamson Act contract as the site is zoned for commercial development and the size is too small (less than 20 acres) for a Williamson Act contract to be implemented.

c) The proposed project will involve changes in the existing environment, which, due to its location or nature, could result in conversion of Farmland to non-agricultural use. The site will be utilized for commercial development; however the site is less than 20 acres.

III. AIR QUALITY	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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?				X
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 emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

Comments:

a-d) Air quality impacts are generally associated with operational emissions generated from motor vehicles and construction emissions generated from grading activities and the use of heavy equipment during construction of the project. The proposed project consists of subdividing the parcel into four (4) individual parcels and a conceptual development plan. No impacts to air quality from operational emissions are anticipated. No grading is anticipated; therefore, no impacts to air quality as a result of construction activities are anticipated.

e) The proposed project will not generate objectionable odors.

IV. BIOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
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 California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
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, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Comments:

a-d) The proposed project 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 the project affect federally protected wetlands, nor will the project affect migratory wildlife corridors, nor will the project affect biological resources, because the project is in an urbanized area and is not identified in the Lompoc General Plan as being in an area of biological significance.

e) The site is not identified on the "Biologically Significant Areas" Map located in the City of Lompoc General Plan adopted October 1997.

f) The use is proposed on property within an urbanized area. The City of Lompoc Biological Resources Study, prepared by Arthur D. Little in February 1987, identifies no biological resources that will be impacted by the development of this site.

V. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
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?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

Comments:

a-b) The proposed project will not cause a substantial adverse change in the significance of a historical or archaeological resource, as identified in Section 15064.5, because the subject site is not identified in the City of Lompoc Cultural Resource Study as having a historical or archaeological resource on the site.

c) The proposed project will not directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature. The site is not identified on the "Archeological Sensitivity Zones" Map located in the City of Lompoc General Plan adopted October 1997.

d) The proposed project will not disturb any human remains, including those interred outside of formal cemeteries. The site is not identified on the "Archeological Sensitivity Zones" Map located in the City of Lompoc General Plan adopted October 1997.

VI. GEOLOGY AND SOILS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
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?				X
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?				X
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?				X

Comments:

a) The site is 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, therefore, the project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death.

b-e) Based upon the 1987 study by the Morro Group, "City of Lompoc Seismic and Geologic Conditions Study", the area is not subject to unusual geologic activity nor does it have unique features.

VII. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
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?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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?				X
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?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

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
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Comments:

a-c) The project will not create a significant hazard to the public or the environment as no hazardous materials will be stored on the site.

d) The proposed project will not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment, based on a check of the lists prepared by the Certified Unified Program Agency of unauthorized releases and fuel tank locations.

e-f) The proposed project is located within the Lompoc Municipal Airport land use plan, however will not result in a safety hazard for people residing or working in the project area. It is not located within the vicinity of a private airstrip, based on a review of the Lompoc Airport Master Plan and the Lompoc General Plan.

g) The proposed project will not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan because the project will not involve the installation of permanent barriers to travel.

h) The proposed project 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 proposed project is 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?				X
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)?				X
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.				X
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?				X
f) Otherwise substantially degrade water quality?				X

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?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
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?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Comments:

a-e) The proposed project 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. A drainage plan will be required to maintain adequate drainage on the site

f) The proposed project will not otherwise substantially degrade water quality. There are no rivers or creeks within the project area.

g) The proposed project is located in Zone X of Community Panel No. 060334-0002D, revised 05 June 97 outside the 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

h) The proposed project 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 proposed project will not create a threat of inundation by seiche, tsunami, or mudflow. The subject site is located approximately 8 miles from the ocean, so tsunamis are very unlikely. The site is also not located near a water body or a significant slope or volcano, so mudflows and seiches are very unlikely.

IX. LAND USE AND PLANNING	Potentially Significant Impact	Less than significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
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?				X

Comments:

a) The proposed project will not physically divide an established community as the site is in an urbanized area.

b) The proposed project will not conflict with any applicable land use plan or regulation of an agency adopted for the purpose of avoiding or mitigating an environmental effect.

c) There is not a habitat conservation plan or natural community conservation plan, which applies to the site, 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	No 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?				X
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?				X

Comments:

a-b) The proposed project 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, does not identify the project area as being a locally important mineral resource recovery site.

XI. NOISE Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No 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?				X
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?				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 expose people residing or working in the project area to excessive noise levels?				X
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?				X

Comments:

a-b) The proposed project will not expose persons to, or generate, noise levels in excess of standards established in the local general plan or noise ordinance, nor will it expose persons to excessive groundborne noise levels
 c) The proposed project will not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
 d) Short-term impacts will be addressed by standard conditions of approval including limited hours of construction.

e-f) The proposed project is not located within an airport land use plan or within the vicinity of a private air strip.

XII. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No 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)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Comments

a) The proposed project will not induce substantial population growth or affect the availability of housing. The project is intended to serve the existing residents of the City.
 b-c) The site of the proposed project is currently vacant, and the project will not displace any housing or people, or require any replacement housing.

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:				X
b) Fire Protection?				X
c) Police protection?				X
d) Schools?				X
e) Parks?				X
f) Other public facilities?				X

Comments:

a-f) The proposed project 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 site is currently within an urbanized area which 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	No Impact
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?				X
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?				X

Comments

a) The proposed use of the site is Business Park. No new residential units are proposed, and therefore, the project should not have an effect on the use of existing neighborhood and regional parks or other recreational facilities.
 b) No new residential units are proposed, and therefore, the project should not require the construction or expansion of 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?		X		
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?				X
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
e) Result in inadequate emergency access?				X
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
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a-b) A Traffic and Circulation Study was prepared for the proposed project by ATE, Inc. Based upon the Final Traffic and Circulation Study, the project is estimated to generate 944 average daily trips, 125 A.M. peak hour trips and 133 P.M. peak hour trips. The existing + project analysis found that the study-area intersections would continue to operate at LOS C or better with project-added traffic. The cumulative analysis found that the Central Avenue/H Street intersection would operate in the LOS D and would require improvements based on the City's LOS C standard. The City has identified improvements for this intersection as part of the Burton Ranch Specific Plan. These improvements include installation of dual northbound and southbound left-turn lanes at the intersection. The project contribution to cumulative traffic at this intersection is 7.1%. The project would construct frontage improvements (curb, gutter, sidewalk, driveways, etc.) according to the City requirements.

c) The proposed project will not 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.

d) The proposed project will not substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment) as it is located on an infill parcel which is adequately served by existing roadways.

e-f) The proposed project will not result in inadequate emergency access or parking capacity, as the project will not result in blocked roadways and on site parking will be provided.

g) The proposed project will not conflict with policies, plans or programs which support alternative transportation, including buses and bicycles, as the project will not result in blocked roadways, bikeways or reduced parking.

XVI. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No 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?				X
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?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
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
f) 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?				X

Comments:

- a) The proposed project will not exceed wastewater treatment requirements of the Central Coast Region of the Regional Water Quality Control Board
 b-c) The proposed project will not require the construction of new water or wastewater treatment facilities.
 d-e) The project site is located within the City of Lompoc city limits, the project was studied as part of the General Plan EIR update in October 1997 as a developed site, 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?				X
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)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

DETERMINATION: On the basis of this initial evaluation:	
	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	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.

Keith C. Neubert
 Assistant Planner

Date

D. MITIGATION AND MONITORING PLAN:

The following Mitigation Measures shall be Conditions of Approval for Tentative Parcel Map LOM 547-P:

I hereby confirm that the project description is correct and that the mitigation and monitoring measures set out in the Mitigation and Monitoring Plan are acceptable.

Mark Gowing (Project Applicant)

Date

XV. TRANSPORTATION/CIRCULATION

Mitigation:

The applicant shall fully implement the required improvements recommended by ATE, Inc. stated in the Final Traffic and Circulation Study. The cumulative analysis found that the Central Avenue/H Street intersection would operate in the LOS D and would require improvements based on the City's LOS C standard. The City has identified improvements for this intersection as part of the Burton Ranch Specific Plan. These improvements include installation of dual northbound and southbound left-turn lanes at the intersection. The project contribution to cumulative traffic at this intersection is 7.1%. The project would construct frontage improvements (curb, gutter, sidewalk, driveways, etc.) according to the City requirements.

Monitoring:

The project contribution to cumulative traffic at the Central Avenue/H Street intersection is 7.1%. A deposit to cover the project contribution to cumulative traffic at this intersection shall be submitted to the Engineering Division prior to final approval of the improvement plans for this project. The improvement plans shall be subject to review by the Engineering and Planning Divisions and shall implement the approved transportation improvements prior to issuance of a Certificate of Occupancy for any building.