



PLANNING COMMISSION STAFF REPORT

Planning Commission Meeting Date: April 8, 2020

TO: Members of the Planning Commission

FROM: Greg Stones, Principal Planner
g_stones@ci.lompoc.ca.us

RE: Lot Line Adjustment – LOM 621

AGENDA ITEM NO. 3

A request from Steve Reese (applicant) for Planning Commission consideration of a Lot Line Adjustment to remove an interior lot line between two lots that are 7,498 square feet and 7,502 square feet in size to create one lot located at 204 and 208 East Laurel Avenue (APN's: 085-022-007 and 085-022-008) in the Industrial (I) zone. This action is not subject to the California Environmental Quality Act (CEQA) because it does not involve the exercise of discretionary powers by a public agency.

Scope of Review

The Planning Commission is being asked to consider:

- If the proposed Lot Line Adjustment is consistent with the City Zoning Ordinance and meets the requirements of the Subdivision Ordinance;
- If the Conditions of Approval are appropriate for the project; and
- If the required Findings in the Resolution can be made.

The Planning Commission has the authority to approve, conditionally approve, or deny a Lot Line Adjustment. The Commission may deny a Lot Line Adjustment only if the adjustment does not comply with a City ordinance or the General Plan and may impose conditions only if the conditions are necessary to ensure compliance with a City ordinance or the General Plan, 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 (Gov. Code 66412(d)).

Staff Recommendation

1. Adopt Resolution No. 928 (20) based upon the Findings in the Resolution and subject to the attached draft Conditions of Approval; or
2. Provide other direction.

Site Data

- | | |
|---------------------------------------|--|
| 1. Property Owner: | Ronnie & Leigh Johnson |
| 2. Site Location: | 204 & 208 East Laurel Avenue |
| 3. Assessor's Parcel Numbers: | 085-022-007 and 085-022-008 |
| 4. Existing General Plan Designation: | Industrial (I) |
| 5. Existing Zoning: | Industrial (I) |
| 6. Current Site Use: | Outdoor storage |
| 7. Proposed Site Use: | Outdoor storage |
| 8. Surrounding Uses/Zoning: | North – Residential / R3
South – Manufacturing/Warehouse / I
East – Industrial / I
West – Manufacturing / I |
| 9. Project Site Area: | 14,810 square feet |

Discussion:

The project site is located at 204 & 208 East Laurel Avenue (Attachment 2, Vicinity Map). The properties currently contain outdoor storage and one is undeveloped. The proposal is for minor Lot Line Adjustments to remove the interior side yard property line as depicted on the conceptual Lot Line Adjustment map shown as Attachment 3. The purpose of the lot reconfiguration is to prepare it for future development.

The lots will meet development standards of the Zoning District with the proposed reconfiguration of the lots and will not create non-conformities.

Once approved by the Planning Commission, the Lot Line Adjustment will expire twenty-four months from the date of approval. The applicant may request a time extension prior to the expiration date. A Condition of Approval is included to advise the applicant of the map expiration date.

Conformance with Subdivision Ordinance:

A Subdivision Review Board (SRB) meeting was not held for this project. However, Standard Conditions of Approval (COA) have been drafted 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 conceptual plans provided for Planning Commission 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 may contact the department/division that is recommending the condition.

Staff recommends that the Planning Commission approve the Lot Line Adjustment based upon the Findings in the Resolution and subject to the attached Draft Conditions of Approval. The final map will be reviewed by staff prior to recordation to ensure it is in substantial conformance with the map reviewed by the Planning Commission. The proposed Conditions of Approval require the recordation of a Certificate of Compliance with the County.

Environmental Determination

This action is not subject to the California Environmental Quality Act (CEQA) because a Lot Line Adjustment does not involve the exercise of discretionary powers by a public agency, or, in the alternative, it is exempt from CEQA pursuant to Section 15305 (Minor Alterations in Land Use Limitations). See CEQA Guidelines 15060(c)(1); *Sierra Club v. Napa County Bd. Of Supervisors* (2012) 205 Cal.App4th 162, 179-181.

Noticing

On March 27, 2020, a notice was mailed to property owners within 300 feet by US mail, posted on the City website, and the project site was posted by City staff. In addition, on March 29, 2020, a notice of the public hearing was published in the Lompoc Record newspaper.

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 and the required filing fee of \$257.80.

Attachments

1. Resolution No. 928 (20)
2. Project Vicinity Map
3. Lot Line Adjustment Map

Respectfully submitted,

Brian Halvorson
Planning Manager

APPROVED FOR SUBMITTAL TO THE PLANNING COMMISSION:

Christie Alarcon
Community Development Director

RESOLUTION NO. 928 (20)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC RECOMMENDING THAT THE CITY COUNCIL APPROVE LOT LINE ADJUSTMENT (LOM 621)

WHEREAS, the City received a request from Steve Reese (applicant) for Planning Commission consideration of a Lot Line Adjustment to remove an interior lot line between two lots that are 7,498 square feet and 7,502 square feet in size to create one lot located at 204 and 208 East Laurel Avenue (APN's: 085-022-007 and 085-022-008) in the Industrial (I) zone; and

WHEREAS, the matter was considered by the Planning Commission at a duly-noticed public meeting on April 8, 2020; and

WHEREAS, at the meeting of April 8, 2020, Steve Reese was present, and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of April 8, 2020, Steve Reese spoke in favor and _____ spoke in opposition of the project.

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

SECTION 1: After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that the proposal, as conditioned, meets the requirements of the Lompoc Municipal Code and is consistent with the applicable policies and development standards, as conditioned, therefore the Planning Commission finds that:

- A. The proposed Lot Line Adjustment, as conditioned, is consistent with the applicable policies and development standards set forth in the City of Lompoc Subdivision Ordinance, Zoning Ordinance, and the California Subdivision Map Act.
- B. The proposed Lot Line Adjustment is consistent with the applicable General Plan objectives, policies, land uses and programs; therefore, the proposal is consistent with the General Plan.
- C. The proposed site is of reasonable size to support existing and future development; therefore, the land is physically suitable for the type and density of development.

D. The conditions stated in Exhibit A to this Resolution are necessary to protect the public health, safety, and welfare.

SECTION 2: This project is not subject to the California Environmental Quality Act (“CEQA”) because it does not involve the exercise of discretionary powers by a public agency (CEQA Guidelines 15060(c)(1), or, in the alternative, it is exempt from CEQA pursuant to Section 15305 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines. Therefore, no environmental assessment is required or necessary.

SECTION 3: Based upon the foregoing, LOM 621 is approved on April 8, 2020, subject to the conditions attached as Exhibit A, which are incorporated by reference as if fully set forth herein.

The foregoing Resolution was adopted, on motion by Commissioner ____, seconded by Commissioner ____, at the Planning Commission meeting of April 8, 2020 by the following vote:

AYES:

NOES:

ABSENT:

Brian Halvorson, Secretary

Nicholas Gonzales, Chair

Attachment: Exhibit A – Conditions of Approval

**DRAFT CONDITIONS OF APPROVAL
LOM 621 –Lot Line Adjustment
204 & 208 East Laurel Avenue (APN’s: 085-022-007 and 085-022-008)**

The following Conditions of Approval apply to the plans for a Lot Line Adjustment LOM 621 to remove an interior lot line between two lots that are 7,498 square feet and 7,502 square feet in size to create one lot located at 204 and 208 East Laurel Avenue (APN’s: 085-022-007 and 085-022-008) in the Industrial (I) zone, prepared by Coast Engineering & Survey Inc., received by the Planning Division and stamped on January 30, 2020 and reviewed by the Planning Commission on April 8, 2020.

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. The project shall be in compliance with the Subdivision Map Act.
- P3. In conformity with Section 1.24.010 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.
- P4. 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.

- P5. Lompoc Municipal Code Section 17.612 allows any person to appeal a decision of the Planning Commission within 10 calendar days after the Planning Commission's decision. No grading, building, demolition, or other ministerial permit, nor any other discretionary permit, shall be issued by the City for the Project until the later of (1) the expiration of the 10-day appeal period, or (2) the City Council's decision on the appeal, if a timely appeal is filed.
- P6. The applicant shall notify the City of Lompoc Planning Division of a change of ownership for the property or a change of project representative within 30 days of such change at any time during the City process prior to final Certificate of Occupancy.

Planning – Project Specific Conditions

- P7. An 8 ½" x 11" map and legal description of the 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.
- P8. A Certificate of Compliance shall be recorded by April 8, 2021, or else the approval of the Lot Line Adjustment will expire. A time extension may be granted by the Planning Manager.

II. BUILDING AND FIRE SAFETY

- F1. Due to the size of the lot being created, a fire apparatus access road with an approved turnaround may be required upon development of the lot. The fire department requires fire apparatus access no further than 150-feet from all sides of the structures.

III. POLICE DEPARTMENT

No General or Project Specific Conditions

IV. ENGINEERING

- E1. Lot Line Adjustment exhibits and documents must adhere to the requirements of the Subdivision Map Act, as applicable.

E2. Lot Line Adjustment exhibits and documents must be submitted as noted in the City of Lompoc Engineering Division Lot Line Adjustment Requirements, latest edition.

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

IX. STORMWATER

No General or Project Specific Conditions

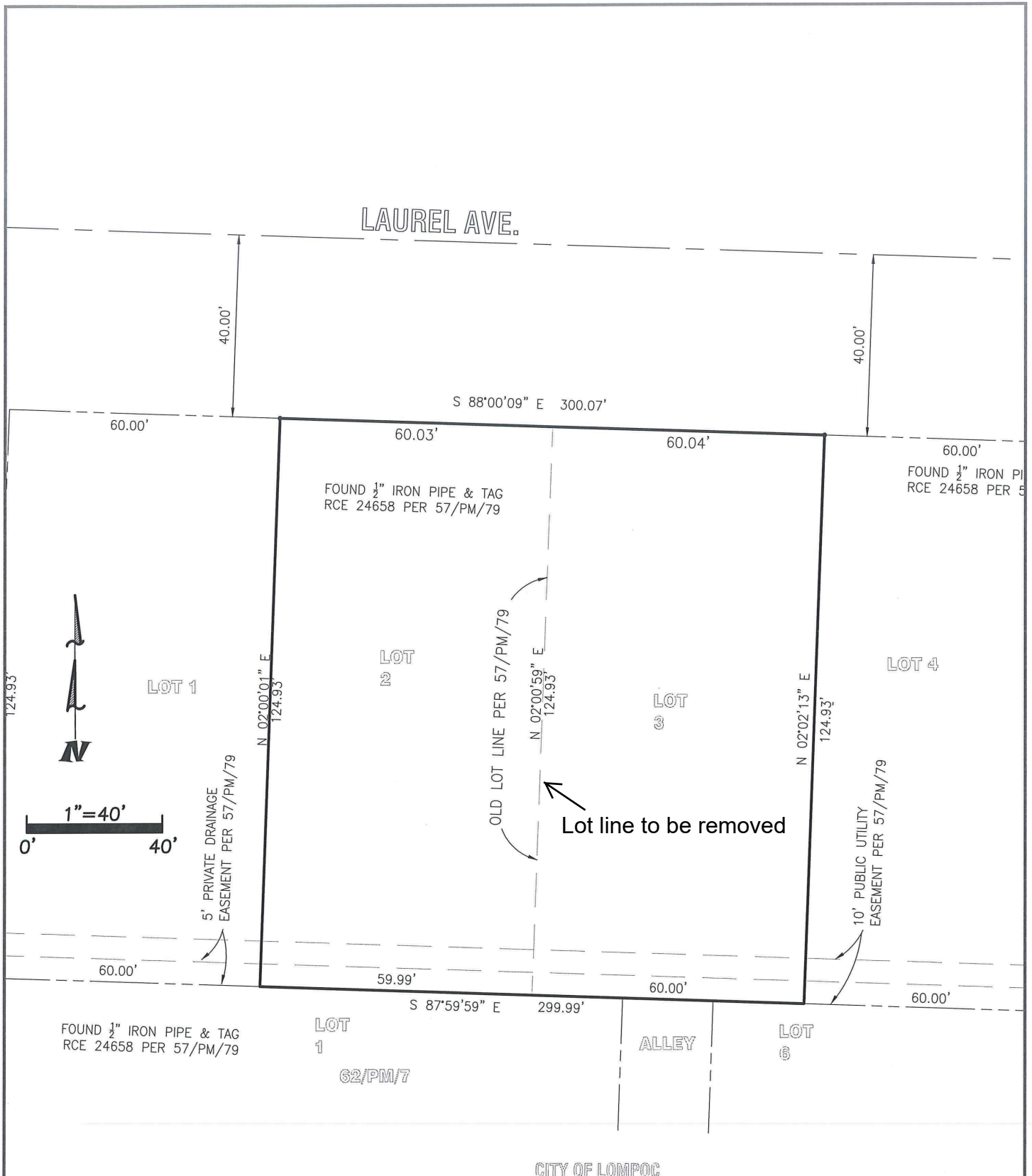
I do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the project. As the project applicant/owner, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Ronnie Johnson, Property Owner

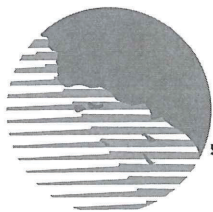
Date

Leigh Johnson, Property Owner

Date



CITY OF LOMPOC



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 & SURVEY, INC.
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 GOLETA, CA. 93117
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3-25-20