



# PLANNING COMMISSION STAFF REPORT

**Planning Commission Meeting Date:** November 18, 2020

**TO:** Members of the Planning Commission

**FROM:** Sara Farrell, Project Planner  
s\_farrell@ci.lompoc.ca.us

**RE:** LOM 599 – Central Coast Business Park  
Vesting Tentative Map Time Extension

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## **AGENDA ITEM NO. 2**

A request from Chad Penrod (applicant) with Parkstone Companies, representing the McGaelic Group (property owner), for Planning Commission consideration of a two (2) year time extension for the Central Coast Business Park Tentative Map. The project site is within the Central Coast Business Park Specific Plan located at 1101, 1301 and 1401 West Central Avenue (APN's: 093-450-014, 093-450-015 and 093-450-016) in the Business Park (BP) zoning district and includes the subdivision of twelve (12) lots on a 40 acre project site. A Final Environmental Impact Report (SCH # 2014021048) was certified for the Central Coast Business Park Specific Plan and an Addendum to the EIR has been prepared for the time extension request pursuant to the California Environmental Quality Act (CEQA).

### **Scope of Review**

The Planning Commission is being asked to consider:

1. If the required Findings in the Resolution can be made; and
2. If the Conditions of Approval are appropriate for the project.

### **Staff Recommendation**

1. Adopt Resolution No. 938 (20) approving a two-year time extension for the Central Coast Business Park Vesting Tentative Map (LOM 599) 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: The McGaelic Group
2. Site Location: 1101, 1301 and 1401 West Central Avenue
3. Assessor’s Parcel Number(s): 093-450-014, 093-450-015 & 093-450-016
4. Site Zoning: Business Park (BP)
5. General Plan Designation: Business Park (BP)
6. Site Use: Vacant
7. Surrounding Uses/Zoning:
  - North - Lompoc City Airport/PF
  - South - Single Family Residential/7R1-PD
  - East - Agriculture/BP
  - West - City of Lompoc Household Hazardous Waste Collection Facility/PF
8. Site Area: 40 acres

**Compliance with Subdivision Map Act:**

On September 9, 2015, the Planning Commission adopted Resolution No. 813 (15) recommending City Council approve LOM 599. Since this map is associated with the Central Coast Business Park Specific Plan, the City Council reviewed the map and adopted Resolution No. 6011 (15) on October 20, 2015. Following this approval, the Planning Commission has approved three time extensions which occurred on September 13, 2017, September 12, 2018, and October 9, 2019 which has extended the map most recently to October 20, 2020. Below is a summary of the approvals/time extensions associated with this map:

<b>Actions</b>	<b>Effective</b>	<b>Duration</b>	<b>Expiration Date</b>
<b>City Approval Date</b>	October 20, 2015	24 months	October 20, 2017
<b>First PC Time Extension</b>	October 20, 2017	12 months	October 20, 2018
<b>Second PC Time Extension</b>	October 20, 2018	12 months	October 20, 2019
<b>Third PC Time Extension</b>	October 20, 2019	12 months	October 20, 2020
<b>Current Request</b>	October 20, 2020	24 months	October 20, 2022
<b>Total</b>		7 years	

As described by the Subdivision Map Act (Section 66452.6), a Tentative Map shall expire 24 months after its approval and can be extended by the City for up to six (6) years after its initial term, for a maximum total map life of 8 years. Prior to the expiration date, the subdivider may file for an application to extend the map for up to an additional six years. Upon an application by the subdivider to extend the map, the map is automatically extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first.

The applicant has filed a timely request for a time extension to extend LOM 599 for two (2) years which will provide a seven (7) year life for this map (Attachment 2). If the Planning Commission approves a two (2) year time extension, the map would expire on October 20, 2022. The applicant would be entitled to one final one-year time extension.

### **Environmental Determination**

A Final Environmental Impact Report (EIR) was previously prepared and certified by the City Council on October 20, 2015 for this project pursuant to Section 15074 of the California Environmental Quality Act (CEQA).

An Addendum to the EIR has been prepared for the time extension and is included as Attachment 4. The Addendum finds the time extension is not a substantial change that would result in new significant environmental effects or a substantial increase in severity of significant environmental effects. The proposed Planning Commission resolution for approval of the time extension contains a section adopting the EIR addendum.

### **Noticing**

A notice was posted at the project site by City staff and notices were mailed to property owners within 300 feet on November 6, 2020. In addition, a public hearing notice was also published in the Lompoc Record newspaper on November 8, 2020.

### **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 fee is \$257.80.

### **Attachments**

1. Resolution No. 938 (20)
2. Vicinity Map
3. Time Extension Request
4. Vesting Tentative Map
5. EIR Addendum

Respectfully submitted,



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Brian Halvorson  
Planning Manager

**APPROVED FOR SUBMITTAL TO THE PLANNING COMMISSION:**



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Christie Alarcon  
Community Development Director

**RESOLUTION NO. 938 (20)****A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A TWO (2) YEAR TIME EXTENSION FOR LOM 599 TO SUBDIVIDE AN APPROXIMATELY FORTY (40) ACRE SITE INTO TWELVE (12) PARCELS WITHIN THE CENTRAL COAST BUSINESS PARK SPECIFIC PLAN**

**WHEREAS**, the City received a request from Chad Penrod (applicant) with Parkstone Companies, representing the McGaelic Group (property owner), for Planning Commission consideration of a two (2) year time extension for the Central Coast Business Park Tentative Map. The project site is within the Central Coast Business Park Specific Plan located at 1101, 1301 and 1401 West Central Avenue (APN's: 093-450-014, 093-450-015 and 093-450-016) in the Business Park (BP) zoning district and includes the subdivision of twelve (12) lots on a 40 acre project site; and

**WHEREAS**, on October 20, 2015, the City Council adopted Resolution No. 6011 (15) approving LOM 599 with an initial two-year term to expire on October 20, 2017; and

**WHEREAS**, on September 13, 2017, the Planning Commission adopted Resolution No. 867 (17) approving a one (1) year time extension for LOM 599 to expire on October 20, 2018; and

**WHEREAS**, on September 12, 2018, the Planning Commission adopted Resolution No. 887 (18) approving a one (1) year time extension for LOM 599 to expire on October 20, 2019; and

**WHEREAS**, on October 9, 2019, the Planning Commission adopted Resolution No. 918 (19) approving a one (1) year time extension for LOM 599 to expire on October 20, 2020; and

**WHEREAS**, a request for a two-year time extension was received by the applicant on September 30, 2020; and

**WHEREAS**, the request was considered by the Planning Commission at a duly-noticed public meeting on November 18, 2020; and

**WHEREAS**, at the meeting of November 18, 2020, \_\_\_\_\_ was present to answer Planning Commissioners' questions and address their concerns; and

**WHEREAS**, at the meeting of November 18, 2020, \_\_\_\_\_ spoke in favor of or in opposition to the project; and

**WHEREAS**, a Final Environmental Impact Report (SCH # 2014021048) for the Central Coast Business Park Specific Plan was previously certified by the City Council through adoption of Resolution No. 6010 (15), completing the required CEQA findings of fact for LOM 599. Mitigation Measures were adopted as a part of the environmental process and were incorporated into the project approval. An Addendum to the EIR has been prepared pursuant to CEQA for the time extension.

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

**SECTION 1:** The Planning Commission has reviewed and hereby accepts the findings and determinations in the Environmental Impact Report Addendum (Attachment 4) to the staff report for this agenda item, and hereby adopts the Addendum.

**SECTION 2:** The time extension request for LOM 599 was made in a timely manner and the approved project meets applicable City standards. Therefore, the Planning Commission finds that granting the extension of time meets the provisions of the City's Subdivision Ordinance and the legislative intent of the State and is consistent with the City's General Plan and the Central Coast Business Park Specific Plan.

**SECTION 3:** Subject to the attached Conditions of Approval, LOM 599 is extended for two (2) years and this action results in a cumulative seven (7) year life of the map. The map will expire on October 20, 2022.

The foregoing Resolution was adopted, on motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at the Planning Commission meeting of November 18, 2020 by the following vote:

**AYES:**

**NOES:**

\_\_\_\_\_  
Brian Halvorson, Secretary

\_\_\_\_\_  
Federico Cioni, Chair

Attachment: Exhibit A – Conditions of Approval

**DRAFT CONDITIONS OF APPROVAL  
LOM 599 VESTING TENTATIVE MAP  
CENTRAL COAST BUSINESS PARK SPECIFIC PLAN  
1101, 1301 AND 1401 WEST CENTRAL AVENUE  
APN(S): 093-450-014, 093-450-015 & 093-450-016**

The following Draft Conditions of Approval apply to the Central Coast Business Park Vesting Tentative Map (LOM 599) time extension request by Chad Penrod, representing the McGaelic Group, received by the Planning Division on September 30, 2020 and reviewed by the Planning Commission on November 18, 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. In conformity with Section 1.24.010 of the Lompoc City Code, a violation of the Lompoc City Code and the Lompoc City Zoning Code 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, sub-lessees, 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 sub-lessees, 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 City Council Resolution No. 6011 (15) and Planning Commission Resolution No. 867 (17). In the case of any conflicts, the conditions listed herein shall prevail.
- P5. Planning Commission approval of the LOM 599 time extension is valid for two (2) year. The Tentative Map shall expire on October 20, 2022, unless the applicant requests a time extension as outlined by City standards.
- 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.
- P7. Lompoc Municipal Code Section 17.612.030 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.

I do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of a time extension for the Central Coast Business Park Vesting Tentative Map (LOM 599) time extension. As the applicant representative, I agree to comply with these conditions and all other applicable laws and regulations at all times.

\_\_\_\_\_  
Chad Penrod, Parkstone Companies  
Representative for the McGaelic Group

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sean McGrath, The McGaelic Group  
Property Owner

\_\_\_\_\_  
Date



# Attachment 2 Vicinity Map



## Legend

- Streets
- Project Site





September 30, 2020

Mr. Brian Halverson  
Planning Division  
City of Lompoc  
100 Civic Center Plaza  
Lompoc, CA 93438

RE: 1401 West Central Ave/Central Coast Business Park  
EIR 14-01, SP 14-01, DR 13-14, LOM 599  
Lompoc, CA

Dear Mr. Halverson:

At this time, we are requesting a one (1) year time extension for the Central Coast Business Park approvals (EIR 14-01, SP 14-01, DR 13-14, LOM 599).

Should you have any questions or need additional information, please do not hesitate to contact our offices.

Sincerely,  
PARKSTONE COMPANIES  
*As Agent for the McGaelic Group*

A handwritten signature in blue ink, appearing to read "CP", is written over a faint, light blue circular stamp.

Chad Penrod

**LEGAL DESCRIPTION:**

THAT CERTAIN REAL PROPERTY COMMONLY KNOWN AS LOMPOC RANCH, PARCEL NUMBERS 093-450-011, 093-450-015 AND 093-450-016, (SANTA BARBARA COUNTY) MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 PARCEL 093-450-014 AND 093-450-015:  
 THE PORTION OF FARM LOT 25 OF THE SUBDIVISION OF RANCHO LOMPOC AND MISSION VEA, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1, PAGE 45 OF MAPS AND SURVEYS, IN THE OFFICE OF THE COUNTY CLERK OF SANTA BARBARA COUNTY, CALIFORNIA, AND THE SOUTHWEST CORNER OF SAID FARM LOT 25, THENCE EAST 15 CHAINS, THENCE NORTH 70 CHAINS, THENCE WEST 15 CHAINS, THENCE SOUTH 20 CHAINS TO THE POINT OF BEGINNING;  
 PARCEL 093-450-016:  
 THE PORTION OF FARM LOT 25 OF THE SUBDIVISION OF RANCHO LOMPOC AND MISSION VEA, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1, PAGE 45 OF MAPS AND SURVEYS, IN THE OFFICE OF THE COUNTY CLERK OF SANTA BARBARA COUNTY, CALIFORNIA, AND THE SOUTHWEST CORNER OF SAID FARM LOT 25, THENCE EAST 15 CHAINS, THENCE NORTH 70 CHAINS, THENCE WEST 15 CHAINS, THENCE SOUTH 20 CHAINS TO THE POINT OF BEGINNING.

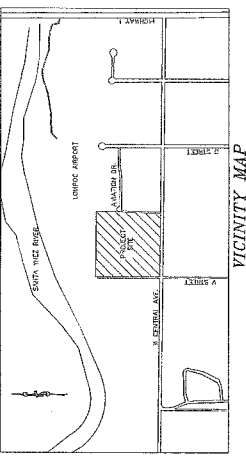
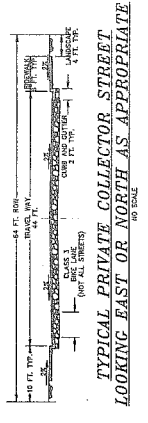
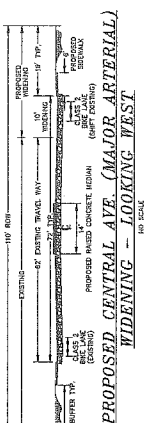
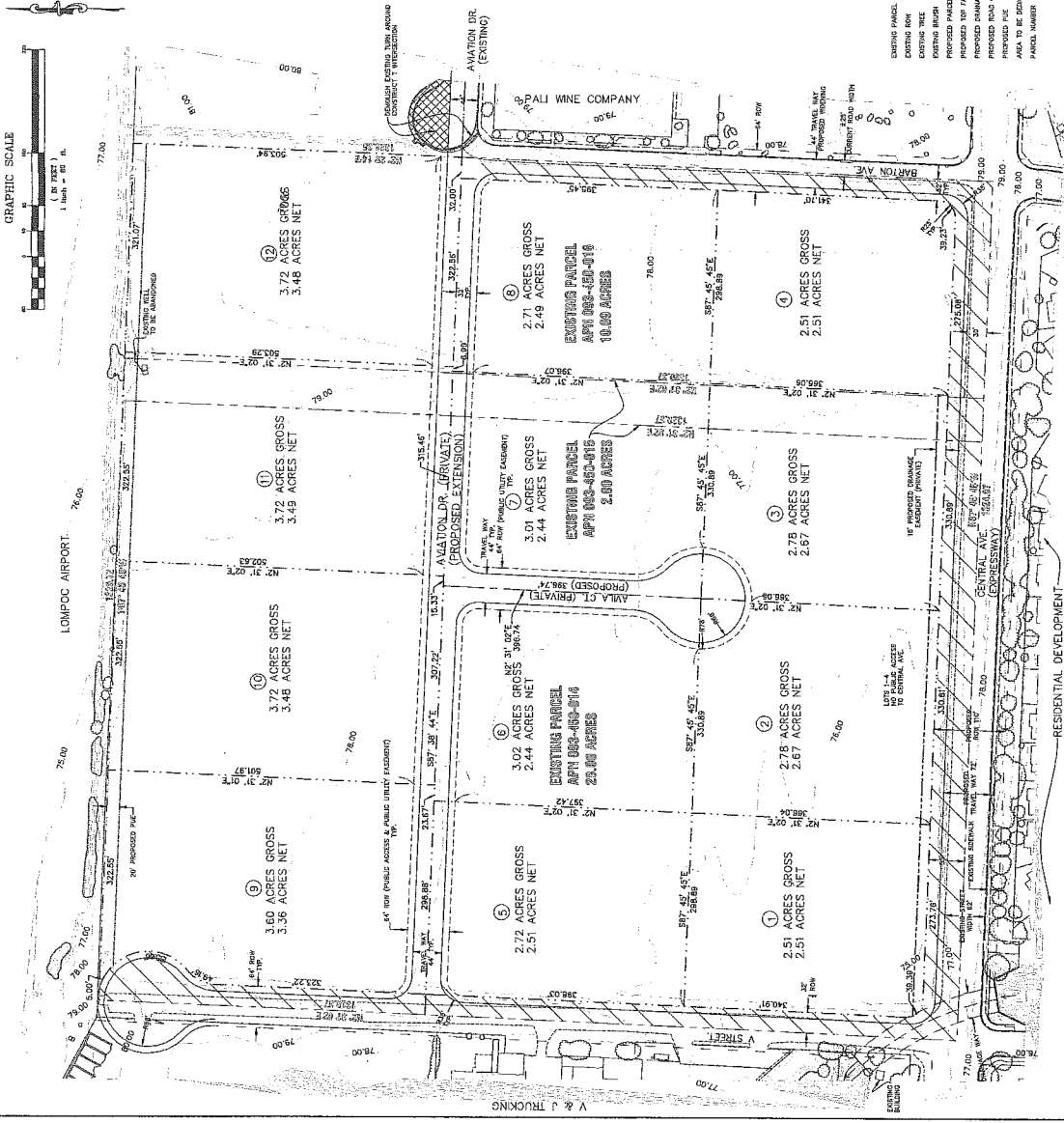
**PROJECT DATA:**

APN: 093-450-014, 093-450-015, 093-450-016  
 CURRENT ZONING: BUSINESS PARK (BP)  
 CURRENT OWNERS: MCGOALIC GROUP  
 CURRENT OWNERS ADDRESS: 800 HAMPDEN ROAD, SUITE U  
 PROPOSER: 13 LOTS INTENDED FOR RESIDENTIAL USE

UNIT/PRICE	TYPE/DATE OF SURVEY	DATE
1/4 ACRES	1/10/2008	1/10/2008
1/4 ACRES	1/10/2008	1/10/2008
1/4 ACRES	1/10/2008	1/10/2008
1/4 ACRES	1/10/2008	1/10/2008
1/4 ACRES	1/10/2008	1/10/2008
1/4 ACRES	1/10/2008	1/10/2008
1/4 ACRES	1/10/2008	1/10/2008
1/4 ACRES	1/10/2008	1/10/2008
1/4 ACRES	1/10/2008	1/10/2008
1/4 ACRES	1/10/2008	1/10/2008
1/4 ACRES	1/10/2008	1/10/2008

**ENGINEERS CERTIFICATE**  
 I HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES.  
 SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

**AUTHORIZED AGENTS CERTIFICATE**  
 I HEREBY APPLY FOR APPROVAL OF THE DIVISION OF REAL PROPERTY SHOWN ON THIS MAP AND CERTIFY THAT I AM THE AUTHORIZED AGENT FOR THE PROPOSER AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
 SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_



- LEGEND:**
- EXISTING PARCEL BOUNDARY
  - EXISTING ROAD
  - EXISTING EASEMENT
  - EXISTING EASEMENT
  - PROPOSED PARCEL BOUNDARY
  - PROPOSED TOP FACE OF CURB
  - PROPOSED SIDEWALK
  - PROPOSED SIDE DRIVEWAY
  - PROPOSED SIDE DRIVEWAY
  - PROPOSED SIDE DRIVEWAY
  - AREA TO BE ADJUSTED
  - PARCEL NUMBER

REVISION	DATE	DESCRIPTION
1	1/10/2008	ISSUED
2	1/10/2008	REVISION
3	1/10/2008	REVISION
4	1/10/2008	REVISION
5	1/10/2008	REVISION
6	1/10/2008	REVISION
7	1/10/2008	REVISION
8	1/10/2008	REVISION
9	1/10/2008	REVISION
10	1/10/2008	REVISION
11	1/10/2008	REVISION
12	1/10/2008	REVISION

**TE TARTAGLIA ENGINEERING**  
 CIVIL ENGINEERS  
 1000 W. HAMPDEN ROAD, SUITE U  
 SANTA BARBARA, CA 93103  
 PHONE: 805-962-1111  
 FAX: 805-962-1112  
 DATE: 1/10/2008

**MCGOALIC GROUP**

**CENTRAL COAST BUSINESS PARK**  
 TENTATIVE TRACT MAP - LOM 559  
 APN NUMBERS 093-450-014, 093-450-015, 093-450-016

**UNDERGROUND SERVICE ALERT**  
 DIAL 811  
 TWO WORKING DAYS BEFORE YOU DIG

**ADDENDUM TO FINAL ENVIRONMENTAL IMPACT REPORT  
FOR THE CENTRAL COAST BUSINESS PARK SPECIFIC PLAN  
LOCATED AT 1101, 1301 AND 1401 WEST CENTRAL AVENUE  
AND VESTING TENTATIVE MAP (LOM 599)  
2-YEAR TIME EXTENSION  
APN(S): 093-450-014, 093-450-015 & 093-450-016  
SCH # 2014021048**

**Background:**

The Lompoc City Council certified the Final Environmental Impact Report (FEIR) for the Central Coast Business Park Specific Plan Project on October 20, 2015. On September 13, 2017, September 12, 2018, October 9, 2019, the Planning Commission approved one-year time extensions which extended the map to October 20, 2018, October 20, 2019, and October 20, 2020. The applicant has applied for a fourth time extension of two (2) years.

In accordance with State CEQA Guidelines Sections 15162 and 15164, this Addendum serves to analyze and disclose any environmental effects due to changes in the environmental baseline or revisions to the project since certification of the FEIR.

**Project Description:**

No changes to the proposed project description or design have been made. No changes to the environmental and regulatory setting have occurred.

Pursuant to Government Code Section 66474.2.(a), "in determining whether to approve or disapprove an application for a tentative map, the local agency shall apply only those ordinances, policies, and standards in effect at the date the local agency has determined that the application is complete pursuant to Section 65943 of the Government Code." Therefore the discrepancy in time between the certification of the FEIR in 2015 (when the Tentative Map application was submitted and deemed complete) to present day, would not change the standards that apply to the map.

**Environmental Determination:**

The FEIR is hereby incorporated by reference.

Section 15164(b) of the CEQA Guidelines states "*An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*"

Section 15162(a) of the State CEQA Guidelines limits the preparation of a subsequent EIR to three situations:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

After review of the current environmental conditions and review of the LOM 599 FEIR, staff has determined that:

1. The two (2) year time extension of LOM 599 is not a substantial change to the Specific Plan project or to LOM 599 and will not create new significant impacts;
2. No substantial changes have occurred with respect to the circumstances in which the Specific Plan project or LOM 599 will be undertaken which would involve new significant environmental impacts resulting from the project; and
3. No new information has become available since the preparation of the previous FEIR for the Specific Plan project which would result in new significant impacts, an increase in severity of significant impacts, or affect the feasibility of mitigation measures, or provide for different methods of mitigating significant impacts.
4. The two (2) year time extension is only a minor change or addition to the LOM 599 project.

Therefore, this Addendum is prepared to affirm no changes to the analysis which was conducted for the LOM 599 FEIR are required.