



# PLANNING COMMISSION STAFF REPORT

**Planning Commission Meeting Date:** March 10, 2021

**TO:** Members of the Planning Commission

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

**RE:** Lewis Vesting Tentative Parcel Map – LOM 628

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## **AGENDA ITEM NO. 1**

A request from Rob Lewis (owner/applicant) for Planning Commission consideration to subdivide an approximately 33 acre parcel of land into two (2) parcels (with one remainder parcel for the California Department of Transportation right-of-way) located at 2200 East Highway 246 and 100 South Highway 1 (APN's: 083-060-016 & 083-060-017) in the Industrial (I) and Residential Agriculture (RA) Zoning districts. This action is categorically exempt pursuant to Section 15315 (Minor Land Division) of the CEQA Guidelines.

## **Scope of Review**

The Planning Commission is being asked to consider:

- If the proposed map is consistent with and meets applicable requirements in Lompoc Municipal Code Title 16 (Subdivisions) and Title 17 (Zoning);
- If the Conditions of Approval are appropriate for the project; and
- If the required Findings in the Resolution can be made.

## **Staff Recommendation**

1. Adopt Resolution No. 942 (21) 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/Applicant: Rob Lewis
2. Site Location: 2200 East Hwy 246 and 100 South Hwy 1
3. Assessor's Parcel Numbers: 083-060-016 and 083-060-017
4. General Plan Designations: Industrial (I)  
Open Space (OS)  
Very Low Density Residential (VLDR)
5. Zoning: Industrial (I)  
Open Space (OS)  
Residential Agriculture (RA)
6. Current Site Use: Vacant
7. Surrounding Uses/Zoning: North – Winery / BP, PCD  
South – Caltrans Easement/County  
East – Caltrans Easement/County  
West – Vacant & Open Space / PCD, OS
8. Project Site Area: 33 acres

**Discussion:**

The project site is located at 2200 East Highway 246 and 100 South Highway 1 (Attachment 2, Vicinity Map). The proposed map is to create two parcels with one remainder parcel (Caltrans easement between the two parcels) as depicted on the Vesting Tentative Parcel Map (Attachment 3). The purpose of this subdivision is to officially record a map, and update the deed in preparation for a future development on the northern parcel (Parcel 1).

**Conformance with Zoning/Subdivision Ordinance:**

The proposed lots would meet development standards set forth in Lompoc Municipal Code Title 17 (Zoning) and would not create non-conformities. The map also conforms to the provisions for Tentative Maps as provided by the Subdivision Map Act and Lompoc Municipal Code Title 16 (Subdivisions). Prior to development of new buildings or structures on any of the proposed lots, Architectural Design and Site Development Review is required in accordance with Lompoc Municipal Code 17.512.

**Subdivision Review Board:**

A Subdivision Review Board (SRB) meeting was held for this project and Conditions of Approval (COA) have been drafted to advise the applicant of requirements during the development review process. Staff recommends that the Planning Commission approve the proposed Tentative Parcel Map 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 final recordation processing to ensure it is in substantial conformance with the map reviewed by the Planning Commission.

### **Environmental Determination**

The project is categorically exempt from review pursuant to Section 15315, Minor Land Division, of the CEQA Guidelines because (i) the property is in an urbanized area, (ii) it is zoned for residential, commercial, or industrial use, (iii) no variances or exceptions are required, (iv) all services and access to the proposed parcels are available in accordance with City standards, (v) the parcel has not been involved in the division of a larger parcel in the last two years, and (vi) the parcel does not have an average slope greater than 20 percent. A Notice of Exemption will be filed for the project following the Planning Commission action.

### **Noticing**

On February 26, 2021, a notice was mailed to property owners within 300 feet by US mail, posted on the City's website, and the project site was posted by City staff. In addition, on February 24, 2021, 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. 942 (21)
2. Project Vicinity Map
3. LOM 628 Vesting Tentative Parcel Map

Respectfully submitted,

  
\_\_\_\_\_  
Brian Halvorson  
Planning Manager

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

  
\_\_\_\_\_  
Christie Alarcon  
Community Development Director

**RESOLUTION NO. 942 (21)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A VESTING TENTATIVE PARCEL MAP (LOM 628) LOCATED AT 2200 EAST HIGHWAY 246 AND 100 SOUTH HIGHWAY 1 (APN'S: 083-060-016 AND 083-060-017)**

**WHEREAS**, the City received a request from Rob Lewis (owner/applicant) for Planning Commission consideration to subdivide approximately 33 acres of land into two (2) parcels (with one remainder parcel for the California Department of Transportation right-of-way) located at 2200 East Highway 246 and 100 South Highway 1 (APN's: 083-060-016 & 083-060-017) in the Industrial (I), Open Space (OS) and Residential Agriculture (RA) Zoning districts; and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on March 10, 2021; and

**WHEREAS**, at the meeting of March 10, 2021, \_\_\_\_\_ was present, and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of March 10, 2021, \_\_\_\_\_ spoke in favor of the project 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 subdivision, as conditioned, is consistent with the applicable policies and development standards set forth in the City of Lompoc Subdivision Ordinance, Zoning Code, and the California Subdivision Map Act.
- B. The proposed subdivision is consistent with the applicable 2030 General Plan objectives, policies, land uses and programs; therefore, the proposal is consistent with the 2030 General Plan.
- C. The proposed site is of reasonable size to support existing and future development.

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

**SECTION 2:** The project is categorically exempt from review pursuant to Section 15315, Minor Land Division, of the CEQA Guidelines. A Notice of Exemption will be filed for the project following the Planning Commission action.

**SECTION 3:** Based upon the foregoing, LOM 628 is approved on March 10, 2021, 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 March 10, 2021 by the following vote:

**AYES:**

**NOES:**

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

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

Attachment: Exhibit A – Draft Conditions of Approval

**Draft Conditions of Approval  
Lewis Vesting Tentative Parcel Map (LOM 628)  
2200 East Highway 246 / 100 South Highway 1 (APN's: 083-060-016 & 083-060-017)**

The following draft Conditions of Approval apply to the plans for the Lewis Vesting Tentative Parcel Map (LOM 628) to establish two separate parcels (with one remainder parcel for the California Department of Transportation right-of-way) located at 2200 East Highway 246 and 100 South Highway 1 (APNs: 083-060-016 & 083-060-017) in the Industrial (I), Open Space (OS), and Residential Agriculture (RA) Zoning districts prepared by Omni Design Group and reviewed by the Planning Commission on March 10, 2021.

## **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 LMC Sections 1.24.060, 17.104.040, and 17.628.010, the violation of any condition listed herein shall constitute a nuisance and a violation of the Lompoc Municipal Code. In conformity with LMC Section 1.24.010, a violation of the Lompoc Municipal Code is punishable as an infraction, unless specifically declared to be a misdemeanor. 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. Prior to development of new buildings or structures on any the properties, Architectural Design and Site Development Review is required in accordance with the Lompoc Municipal Code 17.512.
- P5. The Vesting Tentative Parcel map shall expire twenty-four months from the date the map is approved (March 10, 2023).
- 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.

#### **Planning – No Project Specific Conditions**

- II. FIRE – No General or Project Specific Conditions**
- III. GRADING- No General or Project Specific Conditions**
- IV. AVIATION/TRANSPORTION – No General or Project Specific Conditions**
- V. ENGINEERING**

#### **Engineering – General Conditions**

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

- EN3. After the Vesting Tentative Parcel Map has been prepared and is ready for review, the Applicant's Engineer shall submit three (3) sets of prints to the Engineering Division for first plan check.
- EN4. The Vesting Tentative Parcel Map shall comply with Engineering Division's "Development Assistance Brochure" entitled "Checklist for Completeness of Subdivision Maps," available at the Engineering Division. "Development Assistance Brochures" can be obtained at the Engineering Division or downloaded from the City Engineering web page:

<http://www.cityoflompoc.com/PublicWorks/pdf/E90.pdf>

- EN5. In conformance with Title 16, Chapter 16.16.010 of the Lompoc City Code, the Parcel Map shall be prepared based upon the control monuments as established by the City of Lompoc Coordinate Control System by Record Of Survey filed August 22, 2003, in Book 172, Pages 4 through 7, Santa Barbara County Records. The Parcel Map shall indicate and identify the control monuments utilized in the preparation thereof. The Parcel Map shall be delivered in a computer format readily compatible for transfer to the City Geographic Information System at the time of map approval. The following computer formats are acceptable for delivery: DGN; DWG; DXF.
- EN6. Compliance with the Subdivision Map Act pertaining to monument security, Section 66496, is required if the interior monuments are not set at the time the Parcel Map is recorded. The Monument security shall be received and approved by the Engineering Division prior to final acceptance of the Parcel Map.

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

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

1. Written notice from the engineer or surveyor indicating that the final monuments have been set.
2. Evidence indicating payment has been made to the engineer or surveyor for setting the final monuments.



EN7. At completion of plan review and before final approval of the Parcel Map, the Engineering Division will submit a letter to the Applicant, or his/her representative, requesting the following documentation, fees, and submittals:

1. A Title Report current within the last ninety (90) days.
2. A Parcel Map Application Fee per current fee schedule at time Parcel Map is filed.
3. Recording Fees and Duplicating Fees.
4. Monument Security (if required)
5. Proof "TAX BOND" has been posted with County of Santa Barbara.
6. Parcel Map delivered in a computer format readily compatible for transfer to the City Geographic Information System.

### **Engineering – Project Specific Conditions**

EN8. Dimensions of lots shall reflect net and gross area as defined below, where applicable. The net and gross area of each lot shall be shown in square feet. All lots over one acre shall be expressed in both square feet and acre.

- (a) "Gross Area" shall mean the total land area of a parcel or parcels including portions that cannot be developed (e.g., right-of-way, open space).
- (b) "Net Area" shall mean the total land area of a parcel or parcels exclusive of area within any existing or proposed public or private street, road, or easement for ingress and egress and exclusive of the area within any existing or proposed easement wherein the owner of the parcel is prohibited from using the surface of the ground. Included in the "net area" is the area laying within public utility easements, sanitary sewer easements, landscaping easements, and public service and tree maintenance easements.

EN9. Per Lompoc Municipal Code Section 16.24.050, the certification for required onsite and offsite improvements shall be noted on the map as follows:

"I certify that the following on-site and off-site improvements for the parcel or parcels being created by this map were required by the City of Lompoc and construction of these improvements is required prior to the issuance of a building permit or other grant of approval for the development of said parcel or parcels. The following listed improvements are all to be constructed in accordance with standard plans and designs, therefore, on file in the office of the Community Development Director or designee of the City of Lompoc."

The improvements shall note a sewer mainline extension to serve each parcel. The improvement plans to provide sewer to the parcels created by LOM 628 must be completed and approved prior to the recordation of the Parcel Map. Construction of the improvements are required prior to the issuance of a building permit or other grant of approval for development of the property (Government Code Section 6411.1).

**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**

**Wastewater – General Conditions**

WW1. All new sewer main and lateral installations will be of Polyvinyl Chloride Plastic (PVC) SDR35 sewer pipe, including all pipe fittings 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. 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.

WW4. All Users proposing to dispose of industrial waste into the City’s sanitary sewer shall apply and obtain a wastewater discharge permit prior to connection and/or discharging into the City’s sanitary sewer.

WW5. All wastewater improvements shall comply with Federal, State and City requirements for the protection of the City’s Wastewater System.

**Wastewater – No Project Specific Comments**

**X. STORMWATER – No General or Project Specific Conditions**

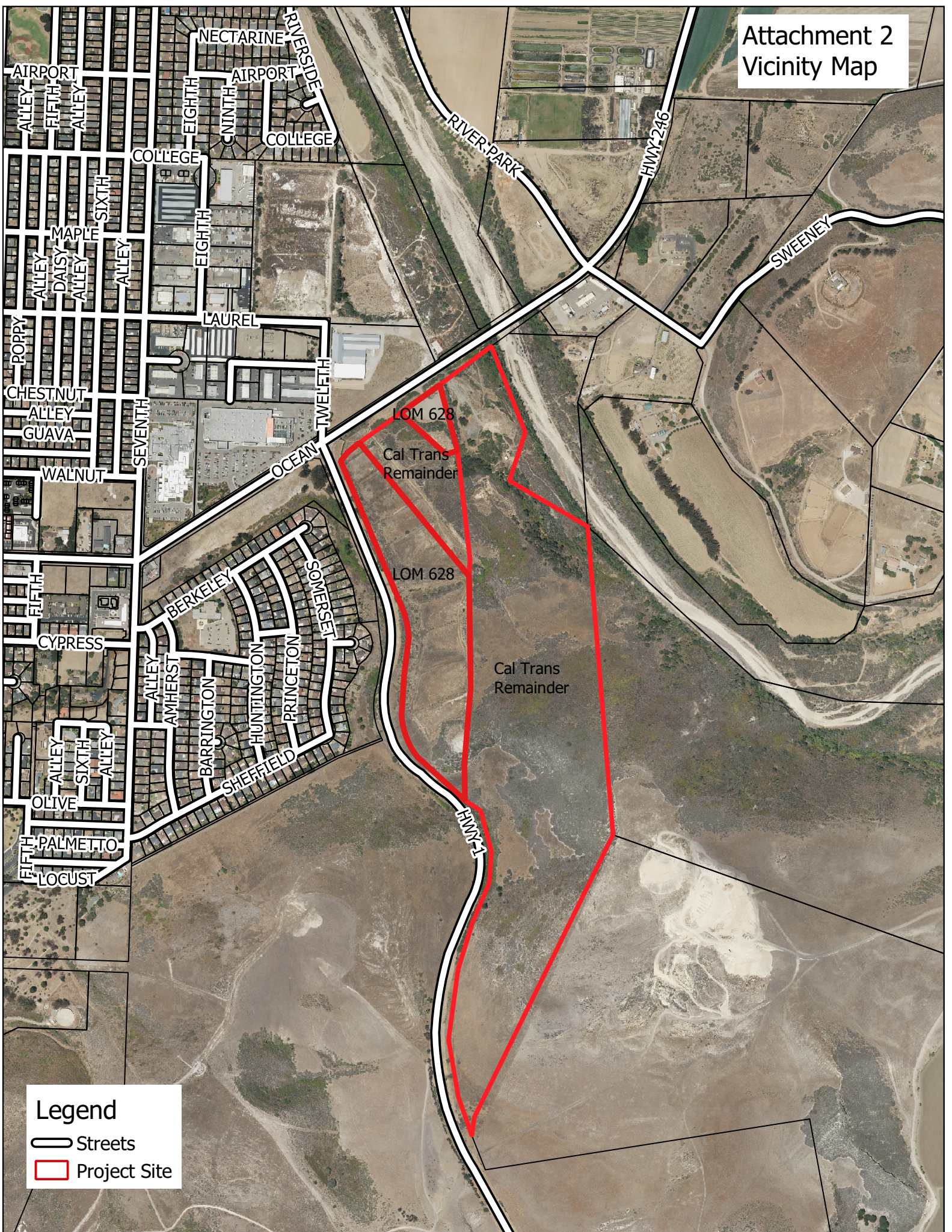
**XI. POLICE – No General or Project Specific Conditions**

I, Rob Lewis, property owner/applicant, 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.

\_\_\_\_\_  
Rob Lewis, Property Owner/Applicant

\_\_\_\_\_  
Date

# Attachment 2 Vicinity Map

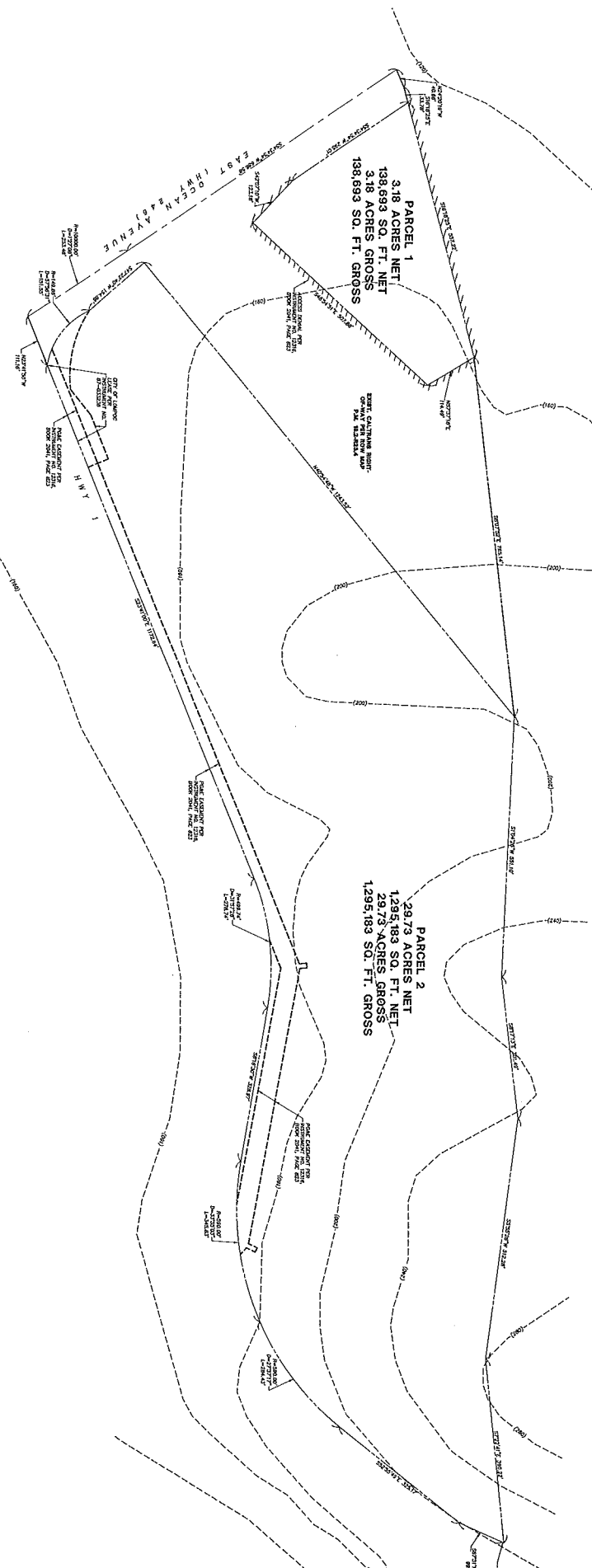
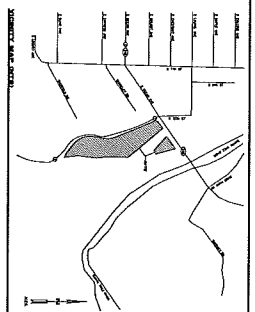


**Legend**

-  Streets
-  Project Site

### VESTING TENTATIVE PARCEL MAP LOM 628

A PORTION OF FARM LOT ONE HUNDRED ONE (101) OF THE RANCHOS LOMPOC AND MISSION VIEJA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 1, PAGE 45 OF MAPS AND SURVEYS, RECORDS OF COUNTY OF SANTA BARBARA, APN 083-060-016 AND 083-060-017



**BASIS OF BEARINGS:**  
THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED UPON CALIFORNIA COORDINATE SYSTEM, ZONE 5, NAD 83

**ASSESSOR'S PARCEL NO.:**  
083-060-016 AND 083-060-017

**REFERENCE MAPS:**  
R RECORD DATA PER 107 NS 60

**OWNER:**  
INVESTMENT GROUP  
2200 E. HIGHWAY 246  
LOMPOC, CA 93448

**PROJECT NOTES:**  
THIS SURVEY WAS CONDUCTED FOR THE PURPOSE OF DIVIDING THE LAND DESCRIBED IN THE MAP INTO TWO PARCELS, PARCEL 1 AND PARCEL 2, FOR THE PURPOSES OF THE LOMPOC AND MISSION VIEJA TRACT MAP NO. 1297-01

**LEGEND**

---	BOUNDARY
- - - - -	ADJACENT PROPERTY
---	RIGHT-OF-WAY
---	ROAD
---	RAILROAD
---	WATER
---	WATER RIGHT
---	EASEMENT
---	ENCUMBRANCE
---	UTILITY RIGHT
---	ADJACENT PROPERTY
---	RAILROAD
---	WATER
---	WATER RIGHT
---	EASEMENT
---	ENCUMBRANCE
---	UTILITY RIGHT
---	ADJACENT PROPERTY
---	RAILROAD
---	WATER
---	WATER RIGHT
---	EASEMENT
---	ENCUMBRANCE
---	UTILITY RIGHT



**pg omni**

DATA ACQUISITION  
SURVEYING  
ARCHITECTURE  
ENGINEERING  
CONSULTING

1297-01\_TM

REVISIONS		Lompoc Investment Group TENTATIVE PARCEL MAP	
NO.	DESCRIPTION	DATE	BY

SCALE: 1" = 100'  
1297-01\_TM