



PLANNING COMMISSION STAFF REPORT

DATE: June 12, 2024
TO: Members of the Planning Commission
FROM: Greg Stones, Principal Planner
RE: Wolf Tentative Parcel Map (LOM 640)

AGENDA ITEM NO. 2

Planning Commission review of a Tentative Parcel Map to merge eight (8) existing non-conforming lots (totaling approximately 0.69 acres) and then subdivide the 0.69 acres into two (2) lots located at 315 East Chestnut Avenue (APN 085-031-003) in the Industrial zoning district. This action is categorically exempt from environmental review pursuant to Section 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA) Guidelines.

Scope of Review

The Planning Commission is being asked to consider if the proposed Tentative Parcel map meets the following:

- Is consistent with the 2030 General Plan;
- Is consistent with and meets applicable requirements in Lompoc Municipal Code Title 16 (Subdivisions) and Title 17 (Zoning);
- The design and improvements of the proposed subdivision are consistent with the applicable General Plan designation and policies.
- The proposed parcels are of reasonable size to support the type of subdivision proposed by the applicant; therefore, the site is physically suitable for the type and density of the subdivision proposed.
- The proposed subdivision of land is in compliance with the City's policies and ordinances, as conditioned; therefore, the design of the proposed subdivision and improvements is not likely to cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

- The design of the proposed subdivision of land, as conditioned, will not conflict with easements of record or established by judgment, acquired by the public at large, for access through or use of, property within the proposed subdivision; therefore it can be found that the proposed conditions of approval are necessary to provide adequate access to the public.
- If the required Findings in the Resolution can be made; and
- If the Conditions of Approval are appropriate for the map.

Staff Recommendation

1. Adopt Resolution No. 1005 (24) 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: | Gary Wolf |
| 2. Applicant: | Kyle Huerth |
| 3. Site Location: | 315 East Chestnut Avenue |
| 4. Assessor Parcel Number: | 085-031-003 |
| 5. General Plan Designation: | Industrial (I) |
| 6. Zoning District: | Industrial (I) |
| 7. Current Site Use: | Storage on a paved lot |
| 8. Surrounding Zoning/Uses: | North – I / City of Lompoc (Electric Utility)
South – I & R2 / Industrial and residential
East – I / Industrial
West – I / Industrial |
| 9. Project Site Area: | 0.69 acres |

Background

The site is currently developed with an approximately 650 square foot building (used for private storage) and includes paving, property boundary fence and gates. The site is currently being used for storage. Access to the site is from East Chestnut and North F Street via two existing driveways. Previously a temporary use permit (TUP 2019-17) was approved here for Toyota to store additional vehicles.

Staff Review & Analysis

The project proposes to merge eight (8) existing non-conforming lots (totaling approximately 0.69 acres) and then subdivide 0.69 acres into two (2) lots as depicted on the Tentative Parcel Map (Attachment 3). Each proposed lot will be approximately 0.34 acres (14,810 square feet) in size. Access to parcel 1 would be from North F Street and access to parcel 2 from East Chestnut Avenue. The existing building will be located on parcel 2. The purpose of this subdivision is to create usable industrial parcels; however, no development is being proposed at this time.

Conformance with General Plan

The project is consistent with numerous General Plan Land Use Element Policies (3.1, and 3.3) and Economic Development Element Policies (2.1, and 3.2):

- Land Use Element Policy 3.1: Ensure that a sufficient and balanced supply of land continues to be available for residential, commercial, and industrial uses, with priority given to underdeveloped and vacant land within the City boundaries.
- Land Use Element Policy 3.3: Protect existing commercially- and industrially-designated lands to ensure adequate space for non-residential development, to attract new business and employment centers, and to help achieve a jobs to housing balance in the City.
- Economic Development Element Policy 2.1 The City shall preserve suitable industrial and commercial sites to provide a choice among sites for new industrial development prior to actual demand.
- Economic Development Element Policy 3.2 The City should retain existing commercial, industrial, and mixed use lands to accommodate reasonable and sensible growth.

The proposed parcel map is consistent with the existing land use and the General Plan Land Use Designations (I) and the stated purpose of these designations. Although no development plan is proposed at this time, the subdivision would promote future infill development of underutilized properties.

Conformance with Zoning Code / Subdivision Ordinance

The proposed parcels would meet development standards set forth in Lompoc Municipal Code Title 17 (Zoning) for the Industrial zoning district and would eliminate existing nonconforming lots on the property. The proposed map also conforms to the provisions provided by the Subdivision Map Act and Lompoc Municipal Code Title 16 (Subdivisions). Prior to the development of new buildings or structures on any of the proposed parcels, Architectural Design and Site Development Review by the Commission or Director may be required depending on the size and of the future development in accordance with Lompoc Municipal Code Chapter 17.512.

Staff Departmental Review / Subdivision Review Board

Section 16.24.030 of the Subdivision Ordinance requires the Subdivision Review Board (SRB) to review Tentative Parcel Maps for conformance with the criteria listed in the Ordinance and the SRB is required to report its findings to the Planning Commission. A Subdivision Review Board (SRB) meeting was held on May 16, 2024, to review the proposed map, draft Conditions of Approval and discuss the proposed map.

In accordance with the LMC, the SRB and staff recommend that the Planning Commission adopt the Resolution approving LOM 640 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. Following the Planning Commission's action, a Notice of Exemption will be filed for the project.

Noticing

On May 29, 2024, a public hearing notice was published in the Lompoc Record. In addition, on May 31, 2024, required notices were mailed by US mail to property owners within 300 feet of the site, and a notice was posted at the project site.

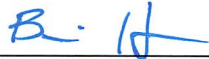
Appeal Rights

Any person has the right to appeal the Planning Commission's 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

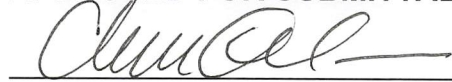
1. Resolution No. 1005 (24)
2. Project Vicinity Map
3. Tentative Parcel Map

Respectfully submitted,



Brian Halvorson, AICP
Planning Manager

APPROVED FOR SUBMITTAL TO THE PLANNING COMMISSION:



Christie Alarcon
Community Development Director

RESOLUTION NO. 1005 (24)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A TENTATIVE PARCEL MAP (LOM 640) TO MERGE EIGHT (8) EXISTING NON-CONFORMING LOTS (TOTALING APPROXIMATELY 0.69 ACRES) AND THEN SUBDIVIDE 0.69 ACRES INTO TWO (2) LOTS LOCATED AT 315 EAST CHESTNUT AVENUE (APN: 085-031-003)

WHEREAS, the City received an application for the Wolf Tentative Parcel Map to merge eight (8) existing non-conforming lots (totaling approximately 0.69 acres) and then subdivide the 0.69 acre lot into two (2) lots located at 315 East Chestnut Avenue (APN 085-031-003) in the Industrial zoning district; and

WHEREAS, the matter was considered by the Planning Commission at a duly-noticed public meeting on June 12, 2024; and

WHEREAS, at the meeting of June 12, 2024, staff was present, and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of June 12, 2024, _____ spoke in favor of project and _____ spoke in opposition to 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 project, 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 staff analysis provides a basis for the recommendation; therefore, the design and improvements of the proposed subdivision are consistent with the applicable General Plan and Specific Plan designation and policies.
- B. The proposed parcels are of reasonable size to support the type of subdivision proposed by the applicant; therefore, the site is physically suitable for the type and density of the subdivision proposed.

- C. The proposed subdivision of land is in compliance with the City's policies and ordinances, as conditioned; therefore, the design of the proposed subdivision and improvements is not likely to cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.
- D. The design of the proposed subdivision of land, as conditioned, will not conflict with easements of record or established by judgment, acquired by the public at large, for access through or use of, property within the proposed subdivision; therefore it can be found that the proposed conditions of approval are necessary to provide adequate access to the public.

SECTION 2: The project is categorically exempt from review under the California Environmental Quality Act (CEQA) 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.

SECTION 3: Based upon the foregoing, LOM 640 is approved on June 12, 2024, 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 June 12, 2024, by the following vote:

AYES:

NOES:

ABSENT:

Brian Halvorson, AICP, Secretary

Federico Cioni, Chair

Attachment

Exhibit A: Draft Conditions of Approval

**DRAFT CONDITIONS OF APPROVAL
WOLF TENTATIVE PARCEL MAP (LOM 640)
315 EAST CHESTNUT AVENUE (APN 085-031-003)**

The following Conditions of Approval apply for the Tentative Parcel Map (LOM 640) deemed complete on May 6, 2024, and reviewed by the Planning Commission on June 12, 2024, to merge eight (8) existing non-conforming lots (totaling approximately 0.69 acres) and then subdivide 0.69 acres into two (2) lots located at 315 East Chestnut Avenue in the Industrial zoning district. This action is categorically exempt from environmental review pursuant to Section 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA) Guidelines.

Expiration: The approval granted by the Planning Commission is valid for 24 months from the date of approval and will expire on June 12, 2026. A time extension may be granted if the applicant files a written request for an extension prior to the expiration of the approval.

I. PLANNING DIVISION

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. LMC Section 17.612.030 allows any person to appeal a decision by filing a written notice of appeal with the City Clerk prior to the time the decision becomes final in compliance with LMC Section 17.552.020 or if the decision is not addressed in Section 17.552.020, or becomes effective immediately, then within ten days after the 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.
- P4. 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.

- P5. Owner and Applicant jointly and severally agree 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 and Applicant further agree, jointly and severally, 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.

- P6. The map shall comply with all applicable sections of Lompoc Municipal Code Title 16 (Subdivisions).

PLANNING DIVISION – PROJECT SPECIFIC CONDITIONS

- P7. Planning Commission approval of the Map is valid for twenty-four (24) months. Prior to the expiration of the Map, the applicant may request a time extension. The Map shall expire on June 12, 2026 unless the applicant requests a time extension as outlined by City standards.

II. BUILDING AND FIRE SAFETY DIVISION

- B1. No General or Project Specific Conditions

III. FIRE DEPARTMENT

FIRE - GENERAL CONDITIONS

- F1. An address shall be displayed so that from each new parcel the address is outside of the fence facing street side.

IV. ENGINEERING DEPARTMENT

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 Parcel 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 for recordation.
- EN2. The Parcel map shall be prepared by, or under the direction of, a registered Civil Engineer or licensed Land Surveyor.
- EN3. After the 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 the first plan check. The first submittal shall also include a Title Report current within 90 days and closure calculations for the new Parcels.
- EN4. The Parcel Map shall comply with Engineering Division's "Development Assistance Brochure" entitled "Checklist for Completeness of Subdivision Maps," available on the City of Lompoc web page.
- EN5. In conformance with Title 16, Section 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 for transfer to the City Geographic Information System at the time of map approval.
- EN6. Compliance with the Subdivision Map Act pertaining to the 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 the 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 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
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. Dedicate on the Parcel Map a two-foot (2') strip along the southern property line (Chestnut Avenue) for a PUE to the City of Lompoc for the existing water meter box (and any future water meters) to be within the public easement.

V. STORMWATER

STORMWATER - GENERAL CONDITIONS

No General or Project Specific Conditions

VII. SOLID WASTE DIVISION

No General or Project Specific Conditions

VIII. ELECTRIC DIVISION

No General or Project Specific Conditions

IX. WATER DIVISION

No General or Project Specific Conditions

X. WASTEWATER DIVISION

No General or Project Specific Conditions

XI. POLICE DEPARTMENT

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 this map. As the project applicant/owner, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Kyle Huerth, Applicant

Date

Gary Wolf, Property Owner

Date

Attachment 2
Vicinity Map

ALLEY

ALLEY

LAUREL

LAUREL

CHESTNUT

ALLEY

ALLEY

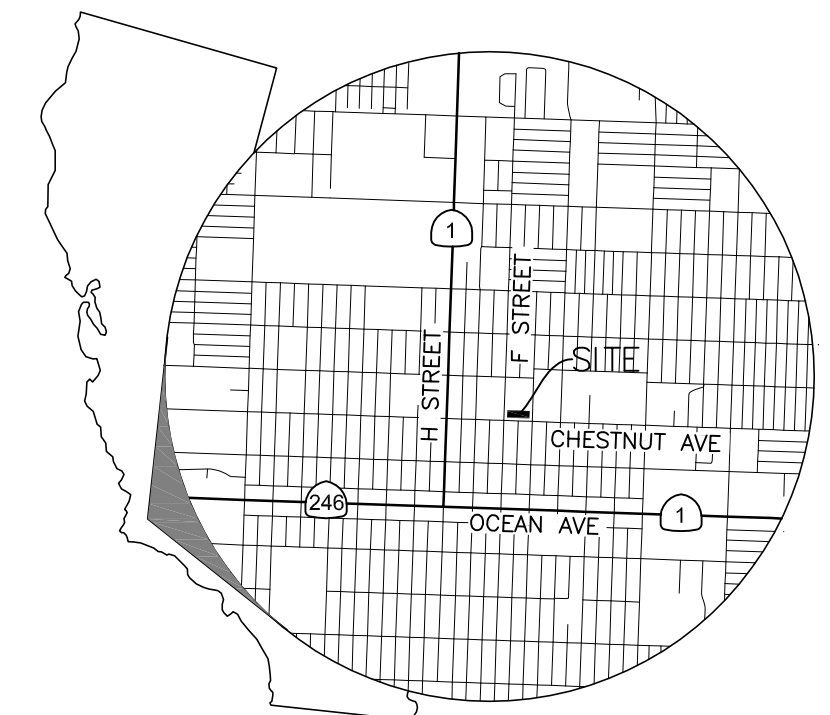
ALLEY

Legend

 Streets

 Project Site

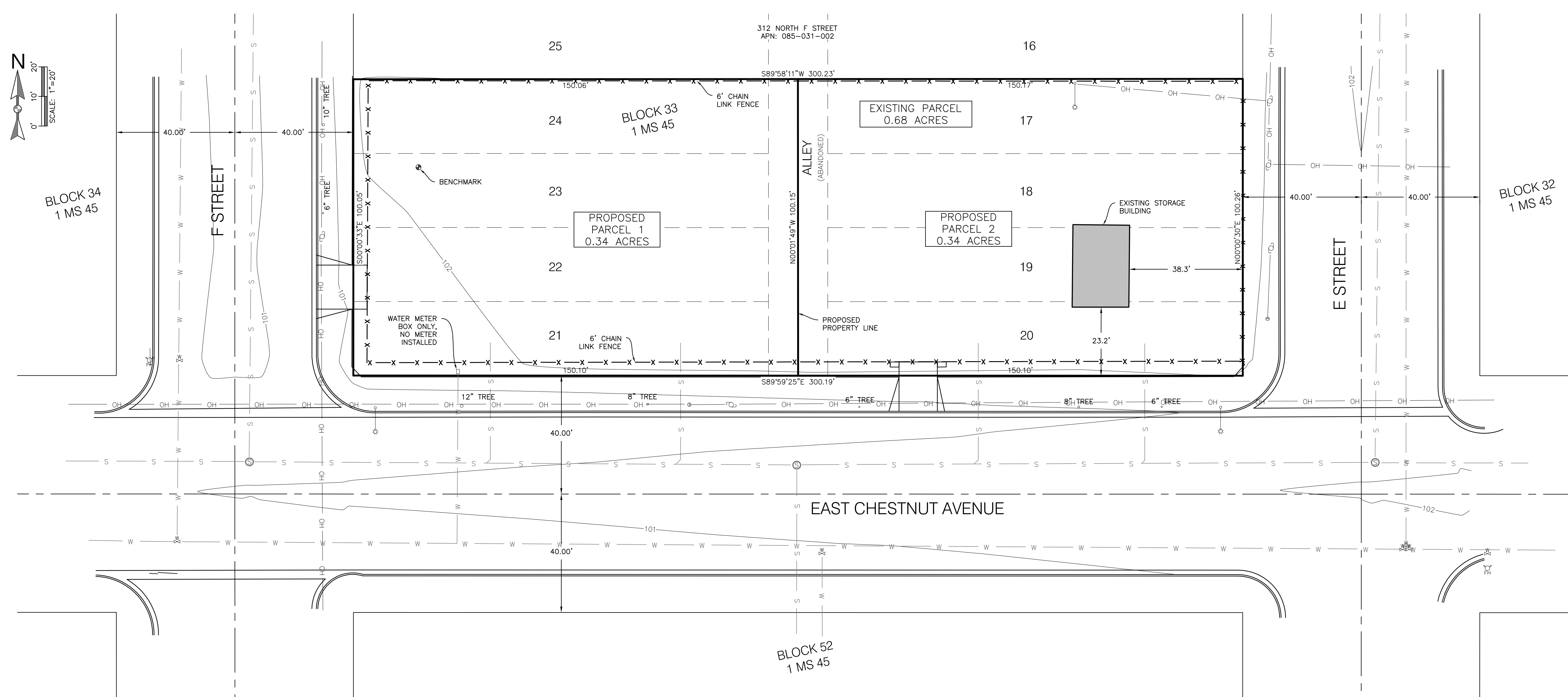




VICINITY MAP
NOT TO SCALE

LEGEND

- BENCHMARK
- POWER POLE
- GUY WIRE
- STREET LIGHT
- WATER VALVE
- FIRE HYDRANT
- SEWER MANHOLE



- PROJECT NOTES**
- PROJECT DESCRIPTION: A PROPOSED DIVISION OF 0.69 ACRES INTO 2 PARCELS AT 0.35 ACERS AND 0.34 ACRES
 - APN: 085-031-003
 - ADDRESS: 315 EAST CHESTNUT AVE, LOMPOC
 - ZONING: INDUSTRIAL (I)
 - UTILITIES:
 - WATER: CITY OF LOMPOC
 - SEWER: CITY OF LOMPOC
 - ELECTRIC: CITY OF LOMPOC
 - GAS: SOUTHERN CALIFORNIA GAS
 - TELEPHONE: FRONTIER
 - CABLE TV: COMCAST
 - CONTOURS AND ELEVATIONS SHOWN HEREON ARE BASED ON A FIELD SURVEY PERFORMED ON DECEMBER 13, 2023.
 - THIS TENTATIVE MAP USED A PRELIMINARY TITLE REPORT FROM PACIFIC COAST TITLE COMPANY ORDER NO. 10286244 DATED NOVEMBER 23, 2023.
 - NO EXISTING EASEMENTS ARE DEFINED IN SAID TITLE REPORT FOR THE SUBJECT PROPERTY.
 - NO EASEMENTS ARE PROPOSED AS PART OF THE SUBDIVISION.
 - THE BOUNDARY INFORMATION SHOWN HEREON IS BASED ON 143 RS 37' BLOCK 33 BREAKDOWN.
 - UTILITIES SHOWN ARE BASED ON SURFACE EVIDENCE AND INFORMATION PROVIDED BY THE CITY.
 - THE PROPERTY IS CURRENTLY USED AS OVERFLOW PARKING FOR AN AUTOMOTIVE SALES BUSINESS AND A STORAGE AREA FOR A PRIVATE ENTITY. BUILDING SHALL REMAIN AT ITS CURRENT USE.
 - THE EXISTING BUILDING IS ONLY USED FOR STORAGE WITH ELECTRIC CONNECTION ONLY, NO WATER OR SEWER CONNECTIONS EXIST.
 - ONCE THE FINAL MAP FOR LOM 640 RECORDS THE UNDERLYING LOTS BASED ON 1 MAPS 45, WILL NO LONGER EXIST.
 - NO ADDITIONAL UTILITIES OR UNDERGROUND STRUCTURES ARE KNOWN TO EXIST ON SITE OTHER THAN WHAT IS SHOWN HEREON.

BENCHMARK
THE BENCHMARK FOR THIS PROJECT IS BASED ON AN OPUS SOLUTION AT POINT 1000 AS SHOWN. ELEVATION = 102.21' (NAVD88)

LEGAL DESCRIPTION
LOTS 17 THROUGH 24 IN BLOCK 33 OF MAPS AND SUBDIVISIONS OF THE RANCHO LOMPOC AND MISSION VIEJA, IN THE CITY OF LOMPOC, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 1, PAGE 45 OF MAPS AND SURVEYS IN THE RECORDER'S OFFICE OF SAID COUNTY.
TOGETHER WITH THAT PORTION OF THE ALLEY LYING WITHIN SAID BLOCK 33 ADJOINING SAID LOTS 17 THROUGH 24, VACATED AND ABANDONED BY THE CITY OF LOMPOC, REFERENCED IN A RESOLUTION OF INTENTION NO. 4 DATED JULY 20, 1927, LYING SOUTHERLY OF THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID LOT 17 AND THE NORTHERLY OF THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT 20.

OWNERS CERTIFICATE
(I, WE) HEREBY APPLY FOR THE DIVISION OF REAL PROPERTY AS SHOWN ON THIS PLAT AND CERTIFY THAT (I, WE) (AM/ARE) THE LEGAL OWNER(S) OR THE AUTHORIZED AGENT(S) OF THE LEGAL OWNER(S) AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF (MY/OUR) BELIEF AND KNOWLEDGE.
GARY R. WOLF, AS TRUSTEE OF THE GARY RICHARD WOLF TRUST CREATED ON JUNE 25TH 2004
SIGNATURE _____ DATE _____
NAME PRINTED: _____
ADDRESS: 2720 CEBADA CANYON ROAD, LOMPOC, CA 93436
PHONE: (805) 570-2221

SURVEYORS STATEMENT
I HEREBY STATE THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION UNDER THE PROVISIONS OF SECTION 8726 OF THE LAND SURVEYOR'S ACT AND THAT SAID SURVEY CORRECTLY SHOWS THE TOPOGRAPHIC FEATURES.
KYLE E. HUERTH, PLS 9375
DATE _____

**TENTATIVE PARCEL MAP
LOM 640**

A PROPOSED DIVISION OF LOTS 17 THROUGH 24 IN BLOCK 33 OF MAPS AND SUBDIVISIONS OF THE RANCHO LOMPOC AND MISSION VIEJA, IN THE CITY OF LOMPOC, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 1, PAGE 45 OF MAPS AND SURVEYS IN THE RECORDER'S OFFICE OF SAID COUNTY

