

**CITY OF LOMPOC
PLANNING COMMISSION STAFF REPORT**



DATE: June 15, 2016
TO: Members of the Planning Commission
FROM: Lucille T. Breese, AICP, Planning Manager
RE: Lot Line Adjustment – LOM 604

AGENDA ITEM NO. 2

A request from Rob Lewis, representing property owner Tom Hauenstein, for Planning Commission consideration of a lot line adjustment taking approximately 812 sf from three parcels and adding 812 sf to an interior parcel. The proposal involves adjustment of the rear yard boundaries of 209, 213, and 217 South Seventh Street (APNs 085-260-051;-052; and 053) with the adjoining parcel APN 085-260-040 (1412 East Cypress). The proposed parcels are located in the *Single Family Residential 7-R-1* Zoning District. This action is not required to comply with the California Environmental Quality Act (CEQA) because it is not a "project" for CEQA purposes.

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 of Fact in the Resolution can be made.

The Planning Commission has the authority to approve, conditionally approve, or deny a Lot Line Adjustment (Lompoc City Code Section 16.16.070). 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, or relate to utilities. (Gov. Code 66412(d).)

Planning Commission Action:

- 1) Adopt Resolution No. 835(16) based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval; or
- 2) Provide alternate direction.

Site Data:

1. Property Owner..... Tom Hauenstein
2. Site Location..... 209, 213, 217 South Seventh Street
and 1412 East Cypress
3. Assessor Parcel Number 085-260-051;-052; -053; and 085-260-040
4. Site Zoning 7-R-1 Single Family Residential
5. General Plan Designation..... LDR Low Density Residential
6. Site Use..... Single-family residential
7. Surrounding Uses/Zoning North: 7-R-1/ Single Family Residences
South: 7-R-1/ Single Family Residences
East: 7-R-1/ Single Family Residences
West: 7-R-1/ Single Family Residences

Proposal:

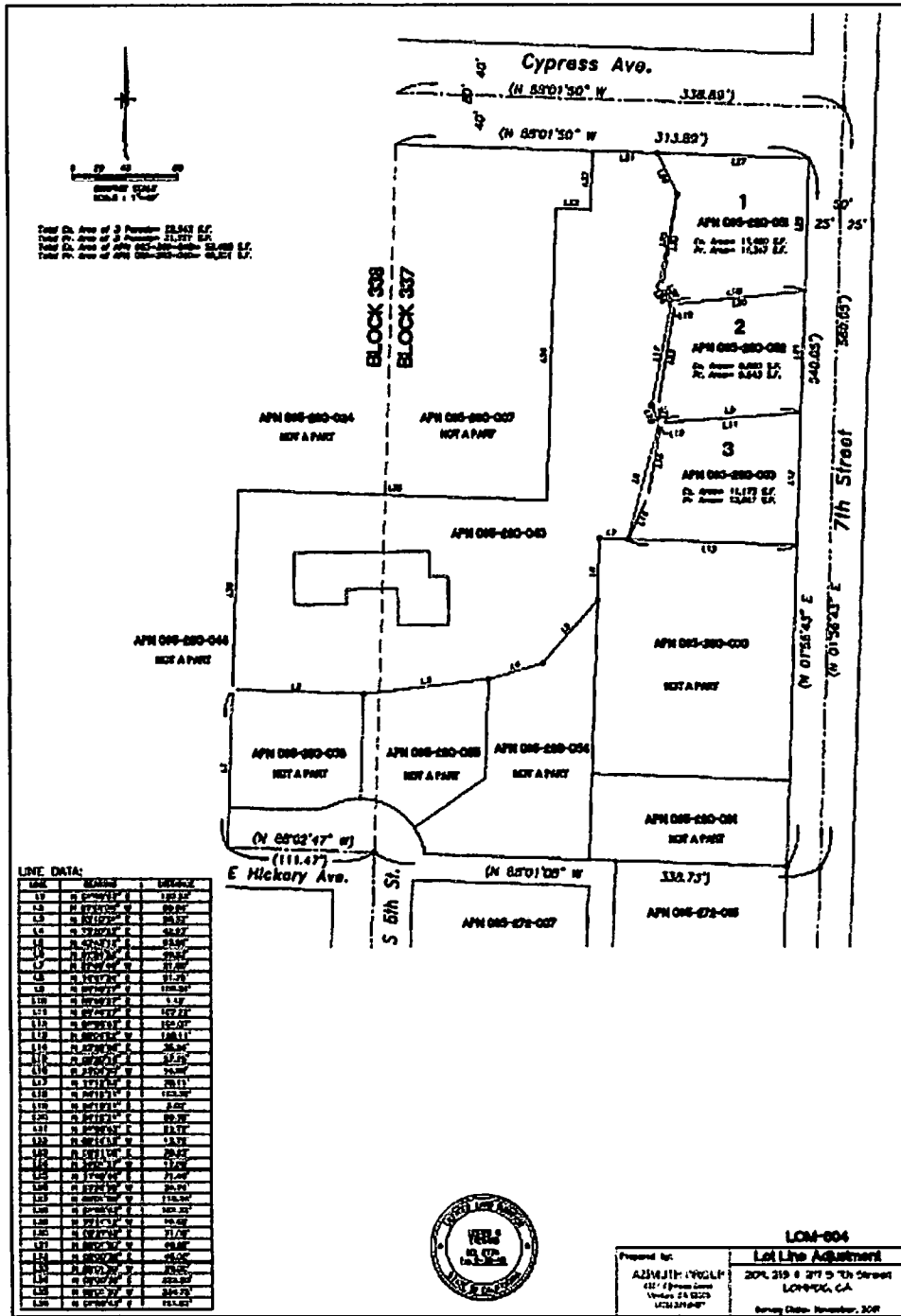
The proposal is for minor adjustments between the rear yard boundaries of the smaller parcels (085-260-051;-052; -053) with the larger parcel 085-260-040. The purpose of the proposed adjustments is to move the rear yard boundaries of the individual parcels to the top of the slope rather than at the toe of the slope. The existing rear yards of the lots fronting Seventh Street presently end at the toe of the slope on the south side of 1412 East Cypress. The reconfiguration of the parcel boundaries will keep all of the hillside slopes under the ownership of the single property owner rather than divided between the separate property owners. This will keep drainage and maintenance of the slopes under one owner, which is considered a benefit.

The boundary lines are adjusted from 0 –5 feet and each parcel adjusted will be reduced in size by approximately 140-340 sq.ft.. All of the parcels will exceed the minimum size of 7,000 sq.ft. following the adjustments.

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 (COA P4).

Aerial View





LOM-604
 Prepared by: AZN&LH-1702LP
 422 1/2 Brown Lane
 Ventura 94 8225
 VCS 031607

Lot Line Adjustment
 209, 213 & 217 So 7th Street
 LOMA, CA
 Survey Date: November, 2007

As shown in the table below, the project meets Zoning Ordinance Standards for the *R-1 Single Family Residential (7-R-1)* Zoning District listed in Chapter 17.020:

Category	Required/Minimum	Proposed
Building Site Area	7,000 square feet	Parcel 1 – Before: 11,490 sf After: 11,347 sf Parcel 2 – Before: 9,880 sf After: 9,543 sf Parcel 3 - Before: 11,173 sf After: 10,841 sf Parcel 4 – Before: 59,488 sf After: 60,301 sf
Minimum Lot Width	65 feet	Parcel 1 – 100 feet Parcel 2 – 90 feet Parcel 3 – 100 feet Parcel 4 – 140 feet

Based upon the information provided and the conditions of approval imposed upon the project, Lot Line Adjustment LOM 604 will be in conformance with the Zoning Ordinance.

Conformance with Subdivision Ordinance:

Section 16.24.030 of the Subdivision Ordinance requires Subdivision Review Board (SRB) review of subdivisions. The SRB is required to report its findings to the Planning Commission. Plans were routed to the SRB/DRB on May 10, 2016 and draft Conditions of Approval were formulated.

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 16.16.050 of the Lompoc City Code, the SRB recommends that the Planning Commission approve the proposed Lot Line Adjustment with the attached conditions of approval.

Environmental Review:

A lot line adjustment is not a “project” for CEQA purposes, and therefore no CEQA compliance is required for this item. (*Sierra Club v. Napa County Bd. of Supervisors* (2012) 205 Cal.App.4th 162, 179-181.) Alternatively, the project is categorically exempt from review pursuant to Section 15315, Minor Land Divisions, and Section 15305 for minor lot line adjustments, of the California Environmental Quality Act (CEQA). A Notice of Exemption will be filed pursuant to CEQA requirements following the Commission action.

Noticing:

On June 5, 2016:

- 1) Notice of the Public Hearing was published in the Lompoc Record;

On June 3, 2016:



- 2) Notices were mailed to property owners within 300 feet by US mail;
- 3) Notice was posted on the City website; and
- 4) The project site was posted by City staff.

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 \$257.80.

Attachments:

- 1. Draft Resolution No. 835(16) and Conditions of Approval
- 2. LOM 604 Map
(Planning Commission only – plans available in Planning Division for review)

Staff Report has been reviewed and approved for submission to the Planning Commission			
	6-6-16		June 6 2016
Teresa Gallavan Economic Development Director/ Assistant City Manager	Date	Lucille T. Breese, AICP Planning Manager	Date

RESOLUTION NO. 835(16)

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
LOMPOC APPROVING A LOT LINE ADJUSTMENT LOM 604**

WHEREAS, a request from Rob Lewis, representing property owner Tom Hauenstein, for Planning Commission consideration of a lot line adjustment taking approximately 812 sf from three parcels and adding 812 sf to an interior parcel. The proposal involves adjustment of the rear yard boundaries of 209, 213, and 217 South Seventh Street (APNs 085-260-051;-052; and 053) with the adjoining parcel APN 085-260-040 (1412 East Cypress).

WHEREAS, the request was considered by the Planning Commission at a duly-noticed public meeting on June 15, 2016; and

WHEREAS, at the meeting of June 15, 2016, _____ was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of June 15, 2016, _____ spoke in favor of the project; and _____ spoke in opposition to the project; and

WHEREAS, this item is not a "project" for purposes of the California Environmental Quality Act (CEQA), or alternatively is exempt from CEQA under Section 15315, Minor Land Divisions, and Section 15305 for minor lot line adjustments.

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 *Low Density Residential (LDR)* which is consistent with the *Single Family Residential (7-R-1)* zoning, and the staff analysis concludes the proposed Lot Line Adjustment is consistent with the applicable General Plan objectives, policies, land uses and programs; therefore, the proposed Lot Line Adjustment is consistent with the General Plan.
- B. The proposal maintains lots that are of reasonable size to support existing and future development; therefore, the adjusted land is physically suitable for the type and density for low density residential.
- C. The proposed lot line adjustment is in general compliance with the City's policies and ordinances, as conditioned; therefore, the proposed Lot Line Adjustment is not likely to cause environmental damage or substantially and unavoidable injure fish or wildlife or their habitat or cause serious public health problems.

SECTION 2: This item is not a "project" for purposes of the California Environmental Quality Act (CEQA), or alternatively is exempt from CEQA under Section 15315, Minor Land Divisions, and Section 15305 for minor lot line adjustments. A Notice of Exemption will be filed pursuant to CEQA requirements following the Commission action.

SECTION 3: Based upon the foregoing, LOM 605 is approved as proposed on June 15, 2016, 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 June 15, 2016 by the following vote:

AYES:

NOES:

Lucille T. Breese, AICP, Secretary

Ron Fink, Chair

Attachment: Exhibit A - Conditions of Approval

CONDITIONS OF APPROVAL
LOM 604 – 209, 213, AND 217 SOUTH SEVENTH & 1412 EAST CYPRESS
APNS: 085-260-051; -052; -053 AND 085-260-040

The following Conditions of Approval apply to LOM 604, a lot line adjustment map prepared by Licensed Surveyor Lester Everard on April 27, 2016, and reviewed by the Planning Commission on June 15, 2016.

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 17.140.010, 17.152.010, and 17.152.020 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 Sections 1.24.010 and 1.24.060 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. The applicant is advised that certain fees and charges will be collected by the City prior to issuance of building permits and/or prior to issuance of certificates of occupancy.
- P4. Approval of this Lot Line Adjustment will expire twenty-four months from the date of approval on June 15, 2018. The applicant may request a time extension prior to the expiration date.

II. ENGINEERING

Engineering – General Conditions

- EN1. No Parcel Map will be required for this lot line adjustment per Section 16.08.010 of the City of Lompoc Municipal Code.
- EN2. The Engineering Division will conduct technical review and approval of the Lot Line Adjustment documents. The Lot Line Adjustment shall be in conformance with procedures and requirements set forth in Engineering Division's current Lot Line Adjustment Requirements posted on the City web site:

<http://www.cityoflompoc.com/PublicWorks/engineering.htm>

Engineering – No Project Specific Conditions

- III. **ELECTRIC** -- No General or Project Specific Conditions
- IV. **SOLID WASTE** -- No General or Project Specific Conditions
- V. **WATER** -- No General or Project Specific Conditions
- VI. **WASTEWATER**

Wastewater – Project Specific Conditions

WW1. The existing City of Lompoc sewer main easement crossing APN 085-260-040 must be shown on the LLA Exhibit B. The existing easement must be maintained such that the LLA does not impact its location and/or size.

- VII. **AVIATION/TRANSPORTATION** -- No General or Project Specific Conditions
- VIII. **BUILDING AND LIFE SAFETY**

Building -- No General or Project Specific Conditions

Fire – Project Specific Conditions

F1. Weed abatement shall be maintained in a manner that reduces the risk of wildfire by keeping all weeds and dry brush trimmed. Hillsides shall be maintained if associated with the parcel. Removal of weeds before the dry season annually is required and may include additional clearances depending on rainfall and fuel growth.

- IX. **GRADING** -- No General or Project Specific Conditions
- X. **STORMWATER POST-CONSTRUCTION PROJECTS** -- No General or Project Specific Conditions

I, Rob Lewis, representative for the property owner, Tom Hauenstein, do hereby declare under penalty of perjury that the applicant accepts all conditions imposed by the Planning Commission in their approval of the Lot Line Adjustment – LOM 605 and the applicant agrees to comply with these conditions and all other applicable laws and regulations at all times.

By: _____
 Rob Lewis, Coastal Movers

_____ Date