

**CITY OF LOMPOC
PLANNING COMMISSION STAFF REPORT**



MEETING DATE: SEPTEMBER 11, 2006
TO: MEMBERS OF THE PLANNING COMMISSION
FROM: KEITH C. NEUBERT, ASSOCIATE PLANNER
RE: TENTATIVE PARCEL MAP - LOM 563-P

AGENDA ITEM NO. 2

A request by Morris Sobhani, the applicant, for Planning Commission review and consideration of a proposal to subdivide an approximately 1.62 acre parcel of land into two (2) parcels. The property is located in the Planned Commercial Development (PCD) Zoning District at 209 West Pine Avenue (Assessor Parcel Number: (89-070-49). A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

SITE DATA:

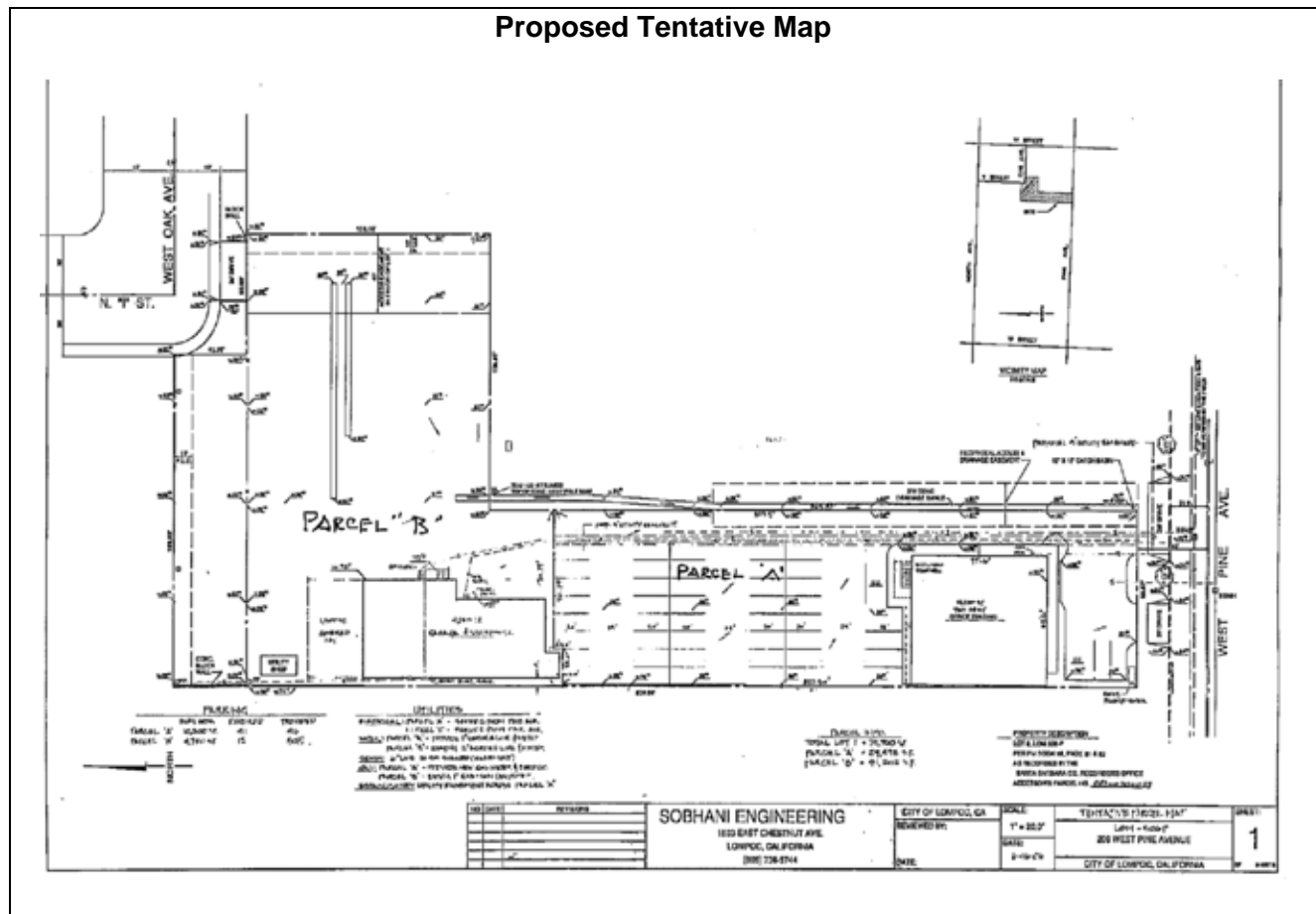
1. Property Owner. Gloria Sobhani
2. Site Location. 209 West Pine Avenue
3. Assessor Parcel Number. 89-070-49
4. Site Zoning. Planned Commercial Development (PCD)
5. General Plan Designation. General Commercial (GC)
6. Site Use. Existing Buildings
7. Surrounding Uses/Zoning. North: Residential (R-3)
South: Residential (R-3)
East: Commercial (PCD)
West: Residential (R-3)
8. Site area. approximately 1.62 acres

AUTHORITY:

The Planning Commission has the authority to approve, conditionally approve, or deny a Tentative Parcel Map (Lompoc City Code Section 2846). Once approved, the Tentative Parcel Map expires twenty-four months from the date of approval unless the applicant requests a time extension prior to the expiration. A condition of approval is included to advise the applicant of the map expiration date (COA P4).

PROPOSAL:

The current proposal is to subdivide the existing 1.62 acre parcel to form two (2) parcels. Parcel A will be 29,498 square feet in size and contain an existing building. Parcel B will be 41,202 square-feet in size and contain an existing building. No new construction is proposed on either parcel. The property is located in the *Planned Commercial Development (PCD)* zoning district at 209 West Pine Avenue (Assessor Parcel Number 89-070-49).



CONFORMANCE WITH GENERAL PLAN:

The General Plan designation for this property is General Commercial and the stated purpose is:

To provide commercial areas for a wide variety of retail, office and service oriented enterprises which meet the needs of residents and visitors. To accommodate commercial uses which operate more effectively outside other commercial areas of the community.

The purpose of the proposed parcel map is to subdivide the property for financial purposes. As conditioned, LOM 563-P will be in conformance with the General Plan.

CONFORMANCE WITH ZONING ORDINANCE:

The zoning for this site is *Planned Commercial Development (PCD)*. The purpose of this zone is:

To provide for the orderly development of commercial centers in conformance with the comprehensive land use element of the City. This district is intended to provide flexibility in the design arrangements of various types of commercial developments.

The purpose of the proposed parcel map is to subdivide the property for financial purposes. No changes to the existing buildings on the site are proposed at this time.

As shown in the table below, the project meets Zoning Ordinance Section 8003 Standards of Development for the C2/PCD zone.

Category	Minimum Building Site Required	Proposed
Building Site Area	7,000 Square Feet	Parcel A – 29,498 Sq. Ft. Parcel B – 41,202 Sq. Ft.
Minimum Lot Depth	No minimum	Parcel A – 322 feet Parcel B – 218 feet
Minimum Lot Width	60 Feet	Parcel A – 89 feet Parcel B – 100 feet

Based upon the information provided and the conditions of approval imposed upon the project, Parcel Map LOM 563-P will be in conformance with the Zoning Ordinance.

CONFORMANCE WITH SUBDIVISION ORDINANCE:

Section 2844 of the Subdivision Ordinance requires Subdivision Review Board (SRB) review of Tentative Parcel Maps for conformance with the criteria listed in the Ordinance. The SRB is required to report its findings to the Planning Commission.

A Subdivision Review Board (SRB) meeting was held to review the Tentative Parcel Map on August 7, 2006. The applicant met with staff to discuss the proposal and draft Conditions of Approval for the Tentative Parcel Map were formulated. No project specific comments were received.

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 2844 of the Lompoc City Code, the SRB recommends that the Planning Commission approve the proposed Tentative Parcel Map with the attached Conditions of Approval.

ENVIRONMENTAL REVIEW:

An Initial Environmental Study has been performed for the proposed use. Pursuant to the provisions of the California Environmental Quality Act (CEQA) a Negative Declaration has been prepared. It is recommended that the Commission review the document and certify the Negative Declaration for the proposal. A Notice of Determination will be filed following the Planning Commission action.

NOTICE:

On August 18, 2006:

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

On September 1, 2006:

- 1) Notices were mailed to property owners within 300 feet by US mail; and
- 2) 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 for appeal is \$36.70.

RECOMMENDATION:

It is recommended that the Planning Commission:

1. Review the draft Initial Study and certify the Negative Declaration; and
2. Adopt Resolution No. 509 (06) approving LOM 563-P, a Tentative Parcel Map, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.

ATTACHMENTS:

1. [Draft Resolution No. 509 \(06\) and Conditions of Approval](#)
2. [Initial Environmental Study and Negative Declaration](#)
3. Tentative Parcel Map
(Planning Commission only – plans available in Planning Division for review)

Staff Report has been reviewed and approved for submission to the Planning Commission			
Arleen T. Pelster, AICP Community Development Director	Date	Lucille T. Breese, AICP City Planner	Date

RESOLUTION NO. 509 (06)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A TENTATIVE PARCEL MAP TO SUBDIVIDE A 1.62 ACRE PARCEL OF LAND INTO TWO (2) PARCELS (LOM 563-P)

WHEREAS, a request was received from Morris Sobhani, the applicant, for Planning Commission review and consideration of a proposal to subdivide an approximately 1.62 acre parcel of land into two (2) parcels. The property is located in the Planned Commercial Development (PCD) Zoning District at 209 West Pine Avenue (Assessor Parcel Number: (89-070-49) and;

WHEREAS, the request was considered by the Planning Commission at a duly-noticed public meeting on September 11, 2006; and

WHEREAS, at the meeting of September 11, 2006, _____, was present, and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of September 11, 2006, _____ spoke in favor of, and _____ spoke in opposition to, the project.

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

SECTION 1: After 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 *General Commercial* which is consistent with the *Planned Commercial Development (PCD)* zoning, and the staff analysis provides a basis for the recommendation; therefore, it can be found that the proposed Tentative Parcel Map is consistent with the applicable General Plan designation and policies.
- B. The proposed Tentative Parcel Map creates lots that are of reasonable size to support the existing development; therefore, it can be found that the subdivided land is physically suitable for the type and density of commercial development.
- C. The proposed Tentative Parcel Map is in general compliance with the City's policies and ordinances, as conditioned; therefore, it can be found that the proposed Tentative Parcel Map is not likely to cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat or cause serious public health problems.

SECTION 2. Pursuant to Public Resources Code Section 21089 and Section 15074 of the California Environmental Quality Act Guidelines, the Initial Environmental Study and Negative Declaration which have been prepared for the proposal show no substantial evidence that the project may have a significant effect on the environment, and therefore it can be found that:

- D. The proposed Tentative Parcel Map, as conditioned, does not have a significant effect on the environment; and
- E. Any effect of the proposed project upon fish and wildlife is de minimis and therefore no filing fee is required pursuant to the Fish and Game Code Section 711.4.

SECTION 3: Based upon the foregoing, LOM 563-P is approved as proposed on September 11, 2006, 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 September 11, 2006 by the following vote:

AYES:

NOES:

Arleen T. Pelster, AICP, Secretary

Jack Rodenhi, Chair

Attachment: Exhibit A - Conditions of Approval

**CONDITIONS OF APPROVAL
LOM 563-P – TENTATIVE PARCEL MAP
209 WEST PINE AVENUE - APN: 89-070-49**

The following Conditions of Approval apply to the plans for LOM 563-P, prepared by Sobhani Engineering, received by the Planning Division and stamped on June 20, 2006, and reviewed by the Planning Commission on September 11, 2006.

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 8900, 8935, and 8936 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 Section 0107 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. 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.

- P4. Planning Commission approval of LOM 563-P is valid for twenty-four (24) months, prior to the expiration of the Map the applicant may request a twelve (12) month extension. LOM 563-P shall expire on September 11, 2008 unless the applicant requests a time extension as outlined by City standards.

II. BUILDING AND FIRE SAFETY

Building - General Conditions

- B1. Project shall comply with the most recent adopted City and State building codes. New locations of property lines shall not create any violations of the California Building or Fire Code.
- B2. Plans shall be submitted by a California licensed architect and/or engineer.
- B3. Approved fire-resistive assemblies shall be provided for occupancy and/or exterior wall protection. Parapets may be required in accordance with the UBC and UFC.
a. New locations of property lines create Building and Fire Code violations regarding exterior wall and opening protection at existing buildings. Plans and specifications mitigating violations shall be submitted to the Building and fire Safety Division. Permits shall be required for alterations to the existing buildings.
- B4. Dimensioned building setbacks and property lines, street centerlines, and between buildings or other structures shall be designated on plot plans.
- B5. All property lines and easements must be shown on the plot plan. A statement that such lines and easements are shown is required.
- B6. The Title Sheet of the plans shall include:
a. Occupancy group
b. Description of use
c. Type of construction
d. Height of the building
e. Floor area of building(s)

This information is required to determine required mitigation for existing buildings. (Exterior wall and opening protection and emergency access

- B7. California disabled access regulations shall be incorporated within the plans.

Retrofitting of disabled access may be required depending upon the extent of building retrofitting.

III. FIRE

Fire - Access Conditions

- F1. All required access roads on the site should be clearly indicated on the plans for both new parcels.
- F2. Fire Department access shall comply with UFC Appendix 3-D and UFC Chapter 9.

Fire - Water Supply Conditions

- F3. Fire Hydrants shall be provided in accordance with UFC Chapter 9 and UFC Appendix 3-B.
 - a. The number and spacing of fire hydrants shall be in accordance to UFC Table A-3-B-1.
 - b. Fire Department access and water supply shall be in accordance with UFC Article 9 and UFC Appendix 3-A.

Locate all fire hydrants on the plans to determine minimum compliance with the California Fire Code.

IV. POLICE DEPARTMENT

No General or Project Specific Conditions

V. ENGINEERING

Engineering – General Conditions

Parcel Map

- 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 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 first plan check.

- EN4. Parcel Map shall comply with Engineering Division's "Development Assistance Brochure" entitled "Checklist For Completeness of Subdivision Maps," available at the Engineering Division.
- EN5. In conformance with Chapter 27, Section 2824 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 (native Microstation); DWG (same as or less than Version 14); 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.

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

No General or Project Specific Conditions

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

Name

Date

**CONDITIONS OF APPROVAL
LOM 563-P – TENTATIVE PARCEL MAP
209 WEST PINE AVENUE - APN: 89-070-49**

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- 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, 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.

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Locate all fire hydrants on the plans to determine minimum compliance with the California Fire Code.

IV. POLICE DEPARTMENT

No General or Project Specific Conditions

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Engineering – General Conditions

Parcel Map

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the City Geographic Information System.

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No General or Project Specific Conditions

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IX. WASTEWATER

No General or Project Specific Conditions

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

Name

Date

**CITY OF LOMPOC
ENVIRONMENTAL CHECKLIST FORM**

A. PROJECT INFORMATION:

Project Title: Tentative Parcel Map	Project No: LOM 563-P																		
Lead Agency Name and Address: City of Lompoc 100 Civic Center Plaza, Lompoc, CA 93436 P.O. Box 8001, Lompoc, CA 93438-8001	Contact Person and Phone Number: Keith Neubert Associate Planner (805) 875-8277																		
PROJECT DESCRIPTION / LOCATION: A request by Morris Sobhani, the applicant, for Planning Commission consideration of a proposal to subdivide an approximately 1.62 acre parcel of land into two (2) parcels. The site is located in the Planned Commercial Development (PCD) Zoning District at 209 West Pine Avenue (Assessor Parcel Number: 89-070-49).																			
Public Agencies with Approval Authority (Including permits, funding, or participation agreements): City of Lompoc																			
Project Applicant, Name and Address: Morris Sobhani 1503 East Chestnut Avenue Lompoc, CA 93436 (805) 736-5744	Project Consultant: same as applicant																		
General Plan Designation: General Commercial	City Zoning Designation: Planned Commercial Development (PCD)																		
Surrounding Land Use Designations: North – High Density Residential South – High Density Residential East – General Commercial West – High Density Residential	Surrounding Land Uses: North – Residential South – Residential East - Commercial West - Residential																		
Environmental Setting: Existing urbanized area.																			
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact”, as indicated by the checklist on the following pages.																			
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><input type="checkbox"/> Aesthetics</td> <td style="width: 33%;"><input type="checkbox"/> Agriculture Resources</td> <td style="width: 33%;"><input type="checkbox"/> Air Quality</td> </tr> <tr> <td><input type="checkbox"/> Biological Resources</td> <td><input type="checkbox"/> Cultural Resources</td> <td><input type="checkbox"/> Geology / Soils</td> </tr> <tr> <td><input type="checkbox"/> Hazards & Hazardous Materials</td> <td><input type="checkbox"/> Hydrology / Water Quality</td> <td><input type="checkbox"/> Land Use / Planning</td> </tr> <tr> <td><input type="checkbox"/> Mineral Resources</td> <td><input type="checkbox"/> Noise</td> <td><input type="checkbox"/> Population / Housing</td> </tr> <tr> <td><input type="checkbox"/> Public Services</td> <td><input type="checkbox"/> Recreation</td> <td><input type="checkbox"/> Transportation / Traffic</td> </tr> <tr> <td><input type="checkbox"/> Utilities / Service Systems</td> <td><input type="checkbox"/> Mandatory Findings of Significance</td> <td></td> </tr> </table>		<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality	<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology / Soils	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation / Traffic	<input type="checkbox"/> Utilities / Service Systems	<input type="checkbox"/> Mandatory Findings of Significance	
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B. ENVIRONMENTAL IMPACTS:

Identify the potential for significant adverse impacts below. Note mitigation measures, if available, for significant adverse impacts.

I. AESTHETICS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

Comments:

- a) The proposed tentative parcel map will not have a substantial adverse impact on a scenic vista as there is no scenic vista in the immediate area identified on the City of Lompoc Urban Design Features Map in the Urban Design Element of the City's General Plan, adopted in October of 1997.
- b) The proposed tentative parcel map will not substantially damage scenic resources within a state scenic highway, as the project is not located adjacent to a state scenic highway.
- c) The proposed tentative parcel map will not substantially degrade the existing visual character or quality of the site and its surroundings, as the site was previously developed.
- d) The proposed tentative parcel map will not create a new source of substantial light that would adversely affect day or nighttime views in the area, as the site was previously developed.

II. AGRICULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				X

Comments:

- a) The proposed tentative parcel map will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. The site is within the existing City limits, has not recently been utilized for farming, and was previously developed.
- b) The proposed tentative parcel map will not conflict with existing zoning for agricultural use, or a Williamson Act contract, as the site is zoned for commercial development and the size of the parcel is too small (less than 20 acres) for a Williamson Act contract to be implemented.
- c) The proposed tentative parcel map will not involve changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use, as the site was previously developed.

III AIR QUALITY Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

Comments:

- a-d) The proposed project will not conflict with, or obstruct implementation of, the applicable air quality plan, or violate any air quality standards, or contribute to an existing or projected air quality violation, because the proposed tentative parcel map will not result in a substantial increase in air emissions. According to Section 15315 of the California Environmental Quality Act, subdivisions of four or fewer parcels in urban areas are exempt.
- e) The proposed project will not create objectionable odors affecting a substantial number of people, as the project is a parcel map and does not involve construction.

IV. BIOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Comments:

- a-d) The proposed tentative parcel map will not have a substantial adverse effect on any species identified as a sensitive species in local or regional plans or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, nor will the project affect federally protected wetlands, nor will the project affect migratory wildlife corridors, nor will the project affect biological resources, because the project is proposed on a site in an urbanized area, which is not identified in the Lompoc General Plan as being in an area of biological significance.
- e) The site is not identified on the "Biologically Significant Areas" Map located in the City of Lompoc General Plan adopted October 1997.
- f) The project is proposed on property within an urbanized area. The City of Lompoc Biological Resources Study, prepared by Arthur D. Little in February 1987, identifies no biological resources that will be impacted by the tentative parcel map.

V. CULTURAL RESOURCES	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of an historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

Comments:

- a-b) The proposed tentative parcel map will not cause a substantial adverse change in the significance of an historical or archaeological resource, as identified in Section 15064.5, because the subject site is not identified in the City of Lompoc Cultural Resource Study as having an historical or archaeological resource on the site.
- c) The proposed tentative parcel map will not directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature. The site is not identified on the "Archeological Sensitivity Zones" Map located in the City of Lompoc General Plan adopted October 1997.
- d) The proposed tentative parcel map will not disturb any human remains, including those interred outside of formal cemeteries. The site is not identified on the "Archeological Sensitivity Zones" Map located in the City of Lompoc General Plan adopted October 1997.

VI. GEOLOGY AND SOILS	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X

VI. GEOLOGY AND SOILS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral reading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Comments:

- a) The site is not identified on the City of Lompoc General Plan "Geologic and Soils Hazards" Map as being located in an area subject to liquefaction, landslides, or seismic activity, therefore, the project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death.
- b-e) Based upon the 1987 study by the Morro Group, "City of Lompoc Seismic and Geologic Conditions Study", the area is not subject to unusual geologic activity nor does it have unique features.

VII. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X

VII. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Comments:

- a-c) The proposed tentative parcel map will not create a significant hazard to the public or the environment as hazardous materials will not be used, transported, stored, or disposed of on the site.
- d) The proposed tentative parcel map will not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment, based on a check of the lists prepared by the Certified Unified Program Agency of unauthorized releases and fuel tank locations.
- e-f) The proposed tentative parcel map is not located within the Lompoc Municipal Airport land use plan. The proposed project is not within the vicinity of a private airstrip, based on review of the Lompoc Municipal Airport land use plan and the Lompoc General Plan.
- g) The proposed tentative parcel map will not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan because the project will not involve the installation of permanent barriers to travel.
- h) The proposed tentative parcel map will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, because the project site is located in the urbanized area of the City of Lompoc.

VIII. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X

VIII. HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Comments:

- a-e) The tentative parcel map will not violate any water quality standards or waste discharge requirements; the project will not substantially deplete groundwater supplies or interfere with groundwater recharge; the project will not substantially alter the existing drainage pattern of the site or area; the project will not create or contribute run-off water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off. According to Section 15315 of the California Environmental Quality Act, subdivisions of four or fewer parcels in urban areas are exempt.
- f) The proposed tentative parcel map will not otherwise substantially degrade water quality. There are no rivers or creeks within the project area.
- g) The proposed tentative parcel map is located in Zone X of Community Panel No. 060334-0003D, revised 05 June 97 outside the 100-year flood hazard area as mapped on a Flood Insurance Rate Map. The "Flood Hazard Areas" map in the Lompoc General Plan, adopted October 1997, does not identify the project area as being within a flood hazard area.
- h) The proposed tentative parcel map will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

- i-j) The proposed tentative parcel map will not create a threat of inundation by seiche, tsunami, or mudflow. The subject site is located approximately 8 miles from the ocean, so tsunamis are very unlikely. The site is also not located near a water body or a significant slope or volcano, so mudflows and seiches are unlikely.

IX. LAND USE AND PLANNING	Potentially Significant Impact	Less than significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Comments:

- a) The proposed tentative parcel map will not physically divide an established community, as it is located within the existing City limits in an established area, and the proposed lot configuration is complimentary to the existing development pattern in the surrounding neighborhood.
- b) The proposed tentative parcel map will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental affect, as the proposed project is consistent with the City General Plan and Zoning Ordinance.
- c) There is not a habitat conservation plan or natural community conservation plan, which applies to the site, therefore, there will be no conflict with such a plan.

X MINERAL RESOURCES	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Comments:

- a-b) The proposed tentative parcel map will not result in a loss of availability of a known mineral resource that would be of value to the region and the residents of the state as the "Mineral Resources" Map in the Lompoc General Plan, adopted October 1997, does not identify the project area as being a locally important mineral resource recovery site.

XI. NOISE Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Comments:

- a-b) The proposed tentative parcel map will not expose persons to, or generate, noise levels in excess of standards established in the local general plan or noise ordinance, nor will it expose persons to excessive groundborne noise levels. No construction is proposed.
- c) The proposed tentative parcel map will not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- d) The proposed tentative parcel map will not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. No construction is proposed.
- e-f) The proposed tentative parcel map is not located within an airport land use plan, or within the vicinity of a private airstrip.

XII. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Comments:

- a) The proposed tentative parcel map will not induce substantial population growth in an area, either directly or indirectly, as this area has been identified in the General Plan and zoned for commercial development.
- b-c) The site of the proposed tentative parcel map will not displace any people or housing, necessitating the construction of replacement housing elsewhere.

XIII. PUBLIC SERVICES	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				X
b) Fire Protection?				X
c) Police protection?				X
d) Schools?				X
e) Parks?				X
f) Other public facilities?				X

Comments:

- a-f) The proposed tentative parcel map will not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Fire, Police, Schools, Parks, or other public services, because the site is currently within an urbanized area which is already adequately served by City services. The City has sufficient resources to provide required services.

XIV. RECREATION	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Comments:

- a) The proposed tentative parcel map will not substantially increase the use of existing neighborhood and regional parks or other recreation facilities such that substantial physical deterioration of the facility would occur or be accelerated. No construction is proposed.
- b) Because this project is a two-lot tentative parcel map, no construction or expansion of recreational facilities is required, and therefore no impact will result.

XV. TRANSPORTATION/CIRCULATION Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Comments:

- a) The proposed tentative parcel map will not cause an increase in traffic which is substantial, in relation to the existing traffic load and capacity of the street system, because the tentative parcel map will not induce a substantial increase in vehicle trips in such a manner that would impact road capacity or intersection congestion.
- b) The proposed tentative parcel map will not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways, because the tentative parcel map will not substantially increase the amount of traffic in the area.
- c) The proposed tentative parcel map will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks because the proposed project is a tentative parcel map.
- d) The proposed tentative parcel map will not substantially increase hazards due to a design feature or incompatible uses as the project is located on an infill parcel in an established commercial neighborhood, and is served by an existing paved roadway.
- e-f) The proposed tentative parcel map will not result in inadequate emergency access or parking capacity, as the project will not result in blocked roadways.

- g) The proposed tentative parcel map will not conflict with policies, plans or programs which support alternative transportation, including buses and bicycles, as the project will not result in blocked roadways, bikeways or reduced parking.

XVI. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the Central Coast Region of the Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Comments:

- a) The proposed tentative parcel map will not exceed wastewater treatment requirements of the Central Coast Regional Water Quality Control Board, as the site will be serviced by a sewer line and wastewater treatment facility that meets the standards set by the regional water quality control board.
- b-c) The proposed tentative parcel map will not require the construction of new water or wastewater treatment facilities, or expansion of existing facilities. No construction is proposed.
- d-e) The project site is located within the City of Lompoc city limits. The project was studied as part of the General Plan EIR update in October 1997. The City has sufficient resources to service the site with water and wastewater facilities.
- f-g) The City of Lompoc landfill has sufficient capacity to service the project. The project will conform to regulations regarding solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE Does the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				X
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

DETERMINATION: On the basis of this initial evaluation:	
X	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION , pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

CITY OF LOMPOC NEGATIVE DECLARATION

Pursuant to the State of California Public Resources Code and the California Environmental Quality Act, as amended to date, a Negative Declaration is hereby made on the following project:

- Title:** Tentative Parcel Map LOM 563-P
- Location:** 209 West Pine Avenue (Assessor Parcel Number: 89-070-49)
- Description:** A request by Morris Sobhani, the applicant, for Planning Commission consideration of a proposal to subdivide an approximately 1.62 acre parcel of land into two (2) parcels. The site is located in the Planned Commercial Development (PCD) Zoning District at 209 West Pine Avenue (Assessor Parcel Number: 89-070-49).

The Planning Division of the City of Lompoc has determined that:

- There are no significant adverse environmental impacts created by this project.
- There are no significant adverse environmental impacts associated with this project if the following conditions/mitigation measures are met.

August 15, 2006
Date

Keith Neubert, Associate Planner
for Planning Division