

**CITY OF LOMPOC
PLANNING COMMISSION STAFF REPORT**



MEETING DATE: MARCH 8, 2004

TO: MEMBERS OF THE PLANNING COMMISSION

FROM:  BRIAN BURROWS, ASSISTANT PLANNER

RE: CUP 04-05 – CONDITIONAL USE PERMIT

AGENDA ITEM NO. 4

A request by Misael Juarez of Endless Possibilities Thrift Shop, for Planning Commission review and consideration of a Conditional Use Permit (CUP 04-05) to establish a thrift shop at 301 West Ocean Avenue (Assessor Parcel Number 91-082-09). The project is proposed in an existing space of approximately 630 square feet. The site is zoned Old Town Commercial and thrift stores are a use requiring a Conditional Use Permit. A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

AUTHORITY:

The Planning Commission has the authority to approve, conditionally approve, modify, or deny a Conditional Use Permit (LCC Section 8882 d).

SITE DATA:

1. Property Owner. Louisa Anderson, Trustee
2. Site Location. 301 West Ocean Avenue
3. Assessor Parcel Number. 91-082-09
4. Site Zoning. Old Town Commercial (OTC)
5. General Plan Designation. Old Town Commercial (OTC)
7. Surrounding Uses/Zoning. North: High Density Residential/R-3
East: Retail Use/OTC
South: Restaurant Use/OTC
West: Retail Use/OTC
8. Site area. 21,004 square foot parcel

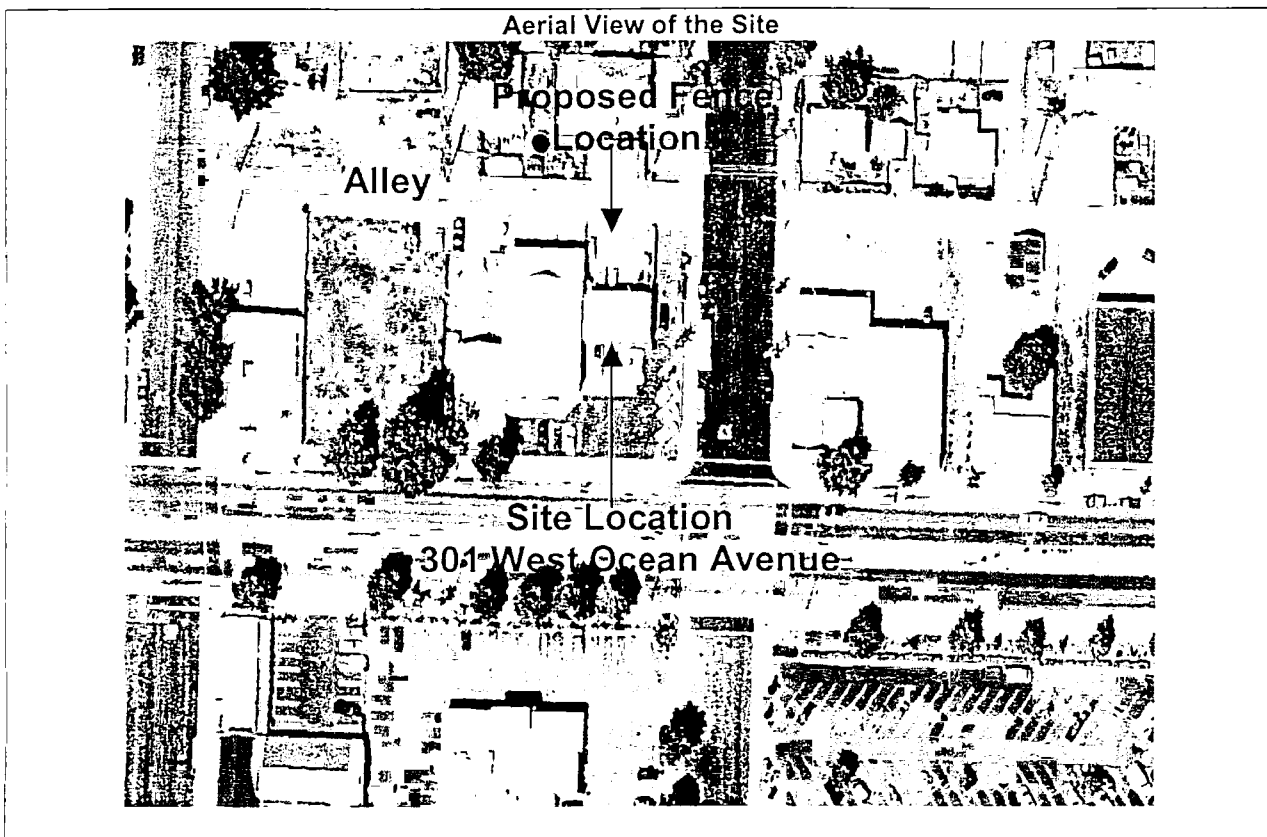
BACKGROUND:

On June 5, 2001, the Council adopted Ordinance No. 1461 (01), changing the zoning designation from *Central Business District (C-2)* with a *Downtown Overlay (DO)* to *Old Town Commercial (OTC)*. The Zone Change was established to be in conformance with the Old Town Specific Plan.

The Old Town District is in the early stages of redevelopment to make it a vibrant district with retail stores, restaurants, offices, and a variety of specialty stores to give it an Old Town charm. A Conditional Use Permit is required for a thrift store within the *Old Town Commercial Zone* to assure compatibility with surrounding land uses.

PROPOSAL:

The applicant is proposing to establish a thrift shop in a 630 square foot existing building located at 301 West Ocean Avenue. The business will sell second hand items, which will be obtained from estate sales and community donations. Items that will be sold at the thrift shop may include furniture, household items, clothing, books, toys, appliances, and other reusable items. The proposed hours of operation are from 11:00 a.m. to 7:00 p.m., Wednesday through Sunday. The store will be closed on Mondays and Tuesdays. The applicant may adjust the hours of operation as the business becomes established.



The applicant is proposing to install a six (6) foot high fence at the rear of the property. An existing fence is located on the east and west sides of the lot, on the rear half of the parcel, aligned with the building. The applicant would like to install the fence to enclose the rear half of the lot to prevent unlawful dumping of materials. A Condition of Approval has been added requiring the proposed fence to be comparable to the existing fence on site (COA P15).

The Architectural Review Guidelines state on page 3 that “*architectural review is a process to review development before something is built or modified*”. The proposed thrift shop will be utilizing an existing building and does not propose any exterior modifications to the structure. The proposed project will not require architectural review. A thrift shop is a use that requires a Conditional Use Permit due to potential incompatibilities with surrounding uses.

CONFORMANCE WITH THE ZONING ORDINANCE:

The building was constructed in 1952 and has had several uses. When the City adopted the Old Town Specific Plan in 2000, the site was being utilized as an automotive service station, which is prohibited under the *Old Town Commercial Zone*, the service station was classified as a legal non-conforming use. The automotive service station vacated the building in February of 2002 and the use ceased for more than six months, losing its legal non-conforming status.

The proposed thrift shop building is located next to a carpet store and is across the street from a bicycle shop. The thrift shop is similar to its neighboring businesses as all the stores in the general vicinity are retail based. The proposed thrift shop will contribute to the pedestrian, oriented retail environment. There are no parking requirements for the zone, however; four (4) parking spaces are available on the east side of the parking lot in front of the building. The carpet store and proposed thrift shop are located on the same parcel and will share the parking spaces.

Signage –

The applicant is proposing a freestanding sign for the proposed thrift shop. Freestanding signage and monument signs are not permitted forms of signage for the *Old Town Commercial zone*. Signage permits will be reviewed at staff level to assure that signage for the proposed thrift shop will be in conformance with the *Old Town Commercial zone* requirements (COA P6).

Landscaping –

Landscaping is an integral part of the *Old Town Commercial zone*. A Condition of Approval has been added requiring that boxed and/or potted plants in clay, stone, or wood containers be placed on the site (COA P16). Landscaping in the form of planter boxes or potted plants will enhance the pedestrian oriented environment and will draw people into the shop.

Based upon the information provided on the plans and the conditions imposed upon the project, the development would be in conformance with the Lompoc City Zoning Ordinance.

GENERAL PLAN:

The General Plan Designation for the project is *Old Town Commercial*. The purpose of the *Old Town Commercial* designation is: *"to provide pedestrian-oriented commercial areas made up of street-front stores and offices that have a sufficient variety and depth of goods and services to meet the retail, business, and cultural needs of residents of the City and region. To provide limited residential opportunities which are in close proximity to the area's goods, services, and amenities"*.

The proposed thrift store would be consistent with the General Plan designation.

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:

Notice of Public Hearing was published in the Lompoc Record on February 13, 2004 and all property owners of record within 300 feet of the subject property were notified by U.S. Mail on February 27, 2004.

STAFF REVIEW:

A Development Review Board (DRB) meeting was not held for this project as it is located in an existing, vacant building with no proposed modifications to the building. The project plans were routed to the DRB members and Conditions of Approval were generated and returned to the Planning Division.

Project specific conditions are included when staff can determine what they should be from the conceptual plans provided for Commission review. A complete plan check occurs after plans have been submitted to the Building Division for building permits. Please note that not all COA included with the Planning Commission Resolution for the project will be required. If the applicant has questions and/or concerns regarding specific conditions, he/she should contact the department/division that is recommending the condition. DRB members do not attend the Commission meeting and Planning staff cannot answer specific questions regarding conditions recommended by other departments/divisions. The DRB recommends approval of CUP 04-05 subject to the attached Conditions of Approval.

RECOMMENDATIONS:

Staff recommends that the Planning Commission:

- 1) Certify the Negative Declaration; and
- 2) Adopt Resolution No. 336 (04) approving CUP 04-05 allowing operation of Endless Possibilities Thrift Shop located at 301 West Ocean Avenue based on the Findings of Fact in the Resolution and subject to the draft Conditions of Approval.

ATTACHMENTS:

1. Draft Resolution No. 336 (04) and Conditions of Approval
2. Initial Environmental Study and Negative Declaration
3. Site Plan
(Planning Commission only – plans available in the Planning Division for review)

RESOLUTION NO. 336 (04)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A CONDITIONAL USE PERMIT (CUP 04-05) TO ALLOW OPERATION OF A THRIFT STORE LOCATED IN AN EXISTING BUILDING LOCATED AT 301 WEST OCEAN AVENUE

WHEREAS, a request by Misael Juarez of Endless Possibilities Thrift Shop, for Planning Commission review and consideration of a Conditional Use Permit (CUP 04-05) to establish a thrift shop at 301 West Ocean Avenue (Assessor Parcel Number 91-082-09). The project is proposed in an existing space of approximately 630 square feet. The site is zoned *Old Town Commercial* and thrift stores are a use requiring a Conditional Use Permit, and:

WHEREAS, the matter was considered by the Planning Commission at a duly-noticed public meeting on March 8, 2004; and

WHEREAS, at the meeting of March 8, 2004, _____, was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of March 8, 2004, _____ spoke in favor of, and _____ spoke in opposition to, the proposal.

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 the proposed thrift shop, as conditioned, meets the requirements of the Lompoc City Code and is consistent with the applicable policies and development standards, therefore it can be found that:

- A. The proposed use, as conditioned, is consistent with the applicable policies and development standards set forth in Lompoc City Code Section 8106.
- B. The site for the proposed use is adequate in size and topography to accommodate said uses, and all yards, spaces, walls and fences, parking, loading, and landscaping are adequate to properly adjust such use with the land and uses in the vicinity.
- C. The conditions stated in the decision are deemed necessary to protect the public health, safety, and welfare.

- D. The site of the proposed thrift shop relates to streets and highways adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed uses.
- E. The proposed thrift shop will have no adverse effect upon the abutting and surrounding property from the permitted use thereof.

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:

- F. The proposed thrift shop, as conditioned, does not have a significant effect on the environment; and
- G. Any effect of the proposed use 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, CUP 04-05 is approved as proposed on March 8, 2004, 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 March 8, 2004 by the following vote:

AYES:

NOES:

Arleen T. Pelster, AICP, Secretary

Jack Rodenhi, Chair

Attachment: Exhibit A - Conditions of Approval

CONDITIONS OF APPROVAL – CUP 04-05
Endless Possibilities Thrift Shop
301 West Ocean Avenue – APN: 91-082-09

The following Conditions of Approval apply to the plans for a Conditional Use Permit to operate a thrift shop, received by the Planning Division and stamped on February 10, 2004, and reviewed by the Planning Commission on March 8, 2004.

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. 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.
- P3. These conditions of approval shall be noted on the construction drawings filed for any building permits, including the Planning Commission resolution number and the applicant's signed affidavit agreeing to comply with the conditions.
- P4. All revisions made by the Planning Commission and specified in the planning conditions of approval shall be shown on a revised site plan, which shall be reviewed by the Planning Division prior to submittal of construction drawings.
- P5. Minor changes to the site plan, architectural elevations, landscape plans, or hours of operation shall be reviewed by the Community Development Director and approved if acceptable. Major changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the Planning Commission and approved if acceptable.
- P6. Prior to the installation of any signage or sign related construction the applicant shall obtain all appropriate permits to assure conformance with the Old Town Commercial zone requirements. Approval of these plans with signage indicated does not imply approval of signage.
- P7. Applicant shall defend, indemnify, and hold harmless the City of Lompoc and its agents, officers, and employees from any claim, action, or proceeding brought within statutory time periods against the City and/or its agents, officers, and employees to attack, set aside, void, or annul any approval by the City concerning the project. The City shall promptly notify the applicant of any claim, action, or proceeding, and the City shall cooperate fully in the defense.

Planning - Conditional Use Permit Conditions

- P8. The right to use an occupancy permit shall be contingent upon the fulfillment of any general and special conditions imposed by the conditional use permit procedure.
- P9. All of the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors or assigns and a covenant to the effect may be required.
- P10. All of the conditions shall be consented to in writing by the applicant.
- P11. The resolution granting the application, together with all consent forms and a description of the property shall be recorded by the Recorder of the County of Santa Barbara.
- P12. The use permit granted is conditioned upon the rights or privileges acquired thereby being utilized within one year after the effective date of approval, and should the rights or privileges authorized hereby fail to be executed or utilized within said year, or when a building permit has not been issued within said year, or when some form of work is involved which has not actually commenced within said year, or if so commenced, is null and void; unless such permit has not been utilized or such construction work started or completed within such one year period by reason of delays caused by the City in approving plans, in which event the Community Development Director shall grant and record a commensurate extension. The Planning Commission may, at its discretion, and with the consent or upon request of the permittee, for any cause, grant a reasonable extension of time in addition to the one (1) year period hereinabove provided. Such a request for extension shall have been filed with the Secretary of the Planning Commission fifteen (15) days prior to the expiration of the one (1) year.
- P13. This Conditional Use Permit may be reviewed and reconsidered by the Planning Commission at any time for the purpose of imposing new conditions to mitigate a nuisance or to revoke the permit to abate a nuisance.

Planning - Site Plan Conditions

- P14. No outside vending machines, except fully enclosed newspaper racks, shall be allowed on site.
- P15. Proposed fencing shall be comparable to the existing fencing on site and shall not exceed six (6) feet in height.
- P16. Landscaping should be added to the site in the form of boxed and potted plants in clay, stone, or wood containers.

II. BUILDING AND FIRE SAFETY

Building - General Conditions

- B1. Project shall comply with the most recent adopted City and State building codes.
- a. The Building Code requires that no change of occupancy shall be made in the character of occupancies or use of any building unless such building is made to comply with the most recent edition of the Building/Fire Codes.
- B2. 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)
- B3. California disabled access regulations shall be incorporated within the plans when required.
- B4. Buildings shall comply with the State's Energy Regulations when applicable.

III. FIRE

- F1. All fire extinguishers required to have an 'A' rating shall have a minimum rating of 2A10BC. Location, number and types shall be in accordance to UFC Standard 10-1.

IV. PARKS & URBAN FORESTRY – no project specific conditions

V. AVIATION/TRANSPORTATION – no project specific conditions

VI. POLICE DEPARTMENT – no project specific conditions

VII. ENGINEERING – no project specific conditions

VIII. SOLID WASTE – no project specific conditions

IX. ELECTRIC – no project specific conditions

X. WATER – no project specific conditions

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 thrift shop 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 thrift shop will not substantially damage scenic resources within a state scenic highway, as the site is not located adjacent to a state scenic highway.
- c) The proposed thrift shop will be operating an existing building and will not degrade the existing visual character or quality of the site and its surroundings.
- d) The proposed thrift shop will be operating in an existing building and will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

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 thrift shop 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 as the site is within the existing City limits and was previously developed.
- b) The proposed thrift shop will not conflict with existing zoning for agricultural use, or a Williamson Act contract as the site was previously developed.
- c) The proposed thrift shop 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	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 standard or contribute substantially to an existing or projected air quality violation. The thrift shop will utilize an existing building and therefore, no construction will take place that will violate any air quality standard.
- e) The thrift shop will not create any objectionable odors affecting a substantial number of people.

IV. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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				

IV. BIOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 thrift shop 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 thrift shop is proposed on a site that was previously developed in an urbanized area and 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 use is proposed on property within an urbanized area on a site that was previously developed. 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 thrift shop.

V. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a 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

V. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

Comments:

a-b) The proposed thrift shop will not cause a substantial adverse change in the significance of a 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 a historical or archaeological resource on the site.

c) The proposed thrift shop 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 thrift shop 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 Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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
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 spreading, 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

VI. GEOLOGY AND SOILS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 thrift shop 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
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

VII. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 thrift shop will not create a significant hazard to the public or the environment as no hazardous materials will be used or stored on the site.

d) The proposed thrift shop 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 thrift shop is not located within the Lompoc Municipal Airport land use plan nor is the site located within the vicinity of a private airstrip, based on a review of the Lompoc Airport Master Plan and the Lompoc General Plan. The Lompoc Municipal Airport, at approximately 2 miles away, is the closest airfield to the project site.

g) The proposed thrift shop 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 thrift shop 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 site of the proposed thrift shop is located in the urbanized area of the City of Lompoc.

VIII. HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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
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

VIII. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 thrift shop will not violate any water quality standards or waste discharge requirements; the thrift shop will not substantially deplete groundwater supplies or interfere with groundwater recharge; the thrift shop will not substantially alter the existing drainage pattern of the site or area; the thrift shop 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.

f) The proposed thrift shop will not otherwise substantially degrade water quality. There are no rivers or creeks within the project area.

g) The proposed thrift shop are located in Zone X of Community Panel No. 060334-0003D, revised 05 June 97 outside the 500-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

h) The proposed thrift shop 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 thrift shop 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 very 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
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Comments:

- a) The proposed use will not physically divide an established community as it is located within the existing City limits in an established neighborhood.
- b) The proposed thrift shop 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 effect as the proposed use is consistent with the City General Plan and Zoning Ordinance. The City Planning Commission will review the plans to assure conformance with the City's 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 Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 thrift shop 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

XI. NOISE Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 thrift shop 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
- c) The proposed thrift shop 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 thrift shop will not create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.
- e-f) The proposed thrift shop is not located within an airport land use plan or within the vicinity of a private air strip.

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 thrift shop will not 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).
- b-c) The proposed thrift shop will not displace any people or housing, necessitating the construction of replacement housing elsewhere.

XIII. PUBLIC SERVICES Would the project result in:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 thrift shop 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 Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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-b) The proposed thrift shop will not 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.

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 thrift shop will not 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) because the use will not induce a substantial increase in traffic or impact street capacity.
- b) The proposed thrift shop 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 thrift shop will not substantially increase the amount of traffic in the area.
- c) The proposed thrift shop 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 thrift shop are located a substantial distance from the Lompoc Airport and the Vandenberg Air Force Base Airfield.
- d) The proposed thrift shop will not substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment) as an existing building will be utilized on a previously developed site.
- e-f) The proposed thrift shop will not result in inadequate emergency access or parking capacity, as the project will not result in blocked roadways and on site parking will be provided.
- g) The proposed thrift shop 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.

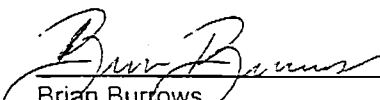
XVI. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the Central Coast Region of the Regional Water Quality Control Board?				X
b) Require 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 thrift shop will not exceed wastewater treatment requirements of the Central Coast Region of the Regional Water Quality Control Board.
- b-c) The proposed thrift shop will not require the construction of new water or wastewater treatment facilities, or expansion of existing facilities.
- d-e) The project site is located within the City of Lompoc city limits, and 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 proposed use. 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.


 Brian Burrows
 Assistant Planner

2-13-04
 Date



CITY OF LOMPOC

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: Conditional Use Permit – CUP 04-05


Location: 301 West Ocean Avenue (Assessor Parcel Number: 91-082-09)

Description: A request by Misael Juarez of Endless Possibilities Thrift Shop, for Planning Commission review and consideration of a Conditional Use Permit (CUP 04-05) to establish a thrift shop at 301 West Ocean Avenue (Assessor Parcel Number 91-082-09). The project is proposed in an existing space of approximately 630 square feet. The site is zoned Old Town Commercial and thrift stores are a use requiring a Conditional Use Permit.

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.

February 17, 2004
Date



Brian Burrows Assistant Planner
for Planning Division