



Planning Commission Agenda Item

Planning Commission Meeting Date: February 14, 2018

TO: Members of the Planning Commission

FROM: Cody Graybehl, Assistant Planner
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SUBJECT: Tentative Parcel Map – LOM 610
Fagerdala USA – Lompoc, Inc.

AGENDA ITEM NO. 2

A request by John Ballinger, representing property owner for Fagerdala USA – Lompoc, Inc., for Planning Commission consideration of a proposal to subdivide an approximately 8.05 acre parcel of land into two (2) parcels located at 1017 West Central Avenue (APN: 093-450-046) in the *Business Park (BP)* Zoning District. This action is categorically exempt pursuant to Section 15315 (Minor land division) of the California Environmental Quality Act (CEQA).

Scope of Review

The Planning Commission is being asked to consider:

- If the project meets the property development standards for the *Business Park (BP)* Zoning District;
- If the proposal is consistent with the Subdivision Review Ordinance;
- If the required Findings of Fact in the Resolution can be made; and
- If the Conditions of Approval are appropriate for the project.

Planning Commission Action

1. Adopt Resolution No. 874 (18), approving Tentative Parcel Map LOM 610 for Fagerdala USA – Lompoc, Inc., based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval; or
2. Provide other direction.

Site Data:

1. Property Owner: Fagerdala USA – Lompoc, Inc.
2. Site Location: 1017 West Central Avenue
3. Assessor’s Parcel Number: 093-450-046
4. Site Zoning: Business Park
5. General Plan Designation: Business Park
6. Site Use: Denmat Facility
7. Surrounding Uses/Zoning:

North-	Vacant/Public Facilities (PF)
South-	Single Family Residential/ Medium Density Residential (R-2)
East-	Aceco Equipment/BP
West-	Wine Production Facility/BP
8. Site Area: 350,658 Square Feet /8.05 acres

Conformance with General Plan

The General Plan Land Use designation for this property is *Business Park (BP)* and the stated purpose is:

To provide areas for clean and attractive planned industrial centers on large, integrated parcels of land upon which all activities are conducted indoors (Lompoc 2030 General Plan, Land Use Element, Table LU-1).

The project proposes to divide an existing parcel of 8.05 acres into two (2) separate parcels. No development is being proposed at this time and a Development Plan (DR 16-01) has previously been approved at the site. Therefore, as conditioned, Tentative Parcel Map LOM 610 would be in conformance with the General Plan.

Conformance with Zoning Ordinance

The zoning for the site is *Business Park (BP)*. The purpose of this zone is:

To provide for planned industrial complexes in appropriate areas with sound development standards. The intent is to have primary users share common building complexes with common sign programs, building architecture, utility networks, and landscape areas in compatibly planned developments (Lompoc Municipal Code Section 17.064.010).

The project, as conditioned, is consistent with the site’s zoning and in general meets the development standards identified in Table 1 below.

Table 1: Business Park (BP) District Development Standards		
Category	Development Standard	Proposed
Building Site Area	Two (2) acres. Any proposed subdivision creating parcels of less than ten acres must be accompanied by conceptual development plan approval.	Parcel A – 6.20 Acres Parcel B – 1.85 Acres*
Minimum Lot Width	Minimum 150 foot frontage.	Parcel A – 481 Feet Parcel B – 481 Feet

**The minimum requirement of two (2) acres for a new parcel would be difficult to achieve due to the existing building on the adjacent site. The 1.84 acre parcel is substantially in conformance with the minimum site area required and was previously reviewed and approved with a Development Plan (DR 16-01).*

Conformance with Subdivision Ordinance

Section 16.24.030 of the Subdivision Ordinance requires that the Subdivision Review Board (SRB) review subdivisions with development plans for conformance with the design criteria listed in the Ordinance. The SRB is required to report its findings to the Planning Commission. A Tentative Parcel Map (LOM 610) is being considered at this time and a SRB meeting was not held due to the lack of changes from the expired Tentative Parcel Map (LOM 598) at this location, which previously held an SRB meeting. The applicant submitted a Development Permit (DR 16-01) that was approved by the Planning Commission on June 15, 2016 for future development of Parcel B that conforms to the required development standards for an industrial warehousing project as well as the City's General Plan Land Use Designation and Zoning Ordinance.

Parcel Map

The project site is located east of the Central Coast Business Park Specific Plan area and currently contains one existing building on Parcel A. Parcel A fronts onto West Central Avenue while Parcel B would front on Aviation Drive. Access to the site is provided to both parcels from Cordoba Avenue. Proposed Parcel B is vacant but is partially improved with an existing parking lot and future development is proposed on Parcel B. This map would create two lots and each lot is required to meet development standards as demonstrated with the previously approved Development Plan.

Environmental Determination

The project is categorically exempt from review pursuant to Section 15315, Minor land division, of the California Environmental Quality Act (CEQA). A Notice of Exemption will be filed for the project following the Planning Commission action.

Noticing

On January 31, 2018:

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

On February 4, 2018:

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

Appeal Rights

Any person has the right to appeal the Planning Commission action to the City Council within ten days of the action. Contact a Planning Division staff member for the required appeal form; the fee is \$257.80.

Attachments

1. [Vicinity Map](#)
2. [Tentative Parcel Map](#)
3. [Draft Resolution No. 874\(18\) approving LOM 610 and Conditions of Approval](#)

Staff Report has been reviewed and approved for submission to the Planning Commission			
Christie Alarcon Interim Economic Development Director		Brian Halvorson Planning Manager	
Date		Date	

Attachment 1
Vicinity Map



Project Site

AVIATION

CORDOBA

CENTRAL

BARTON

BELLFLOWER

CAMELLIA

ASTER

VIOLA

STONEBROOK

Legend

- Streets
- Project Site

RESOLUTION NO. 874 (18)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A TENTATIVE PARCEL MAP (LOM 610) FOR THE FAGERDALA USA-LOMPOC, INC. LOCATED AT 1017 WEST CENTRAL AVENUE

WHEREAS, a request by John Ballinger, representing property owner for Fagerdala USA – Lompoc, Inc., for Planning Commission consideration of a proposal to subdivide an approximately 8.05 acre parcel of land into two (2) parcels located at 1017 West Central Avenue (APN: 093-450-046) in the *Business Park* (BP) zone; and

WHEREAS, the matter was considered by the Planning Commission at a duly-noticed public meeting on February 14, 2018; and

WHEREAS, at the meeting of February 14, 2018, ___ was present, and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of February 14, 2018, ___ spoke in favor of or in opposition to the project; and

WHEREAS, this action is exempt pursuant to Section 15315 (Minor land division) of the California Environmental Quality Act (CEQA).

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

SECTION 1: After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that the proposal, as conditioned, meets the requirements of the Lompoc Municipal Code and is consistent with the applicable policies and development standards. The Planning Commission finds that:

- A. The General Plan designation for the site is *Business Park* (BP) which is consistent with the Business Park zoning. Based on the analysis in the staff report for this item, the proposed Tentative Parcel Map is consistent with the applicable General Plan objectives, policies, land uses and programs, and is overall, consistent with the General Plan, the Zoning Ordinance, the California Subdivision Map Act, the City's Subdivision Ordinance, and all other applicable plans and policies of the City.
- B. The proposed site creates lots that are of reasonable size to support existing and future development; therefore, the subdivided land is physically suitable for the type and density of the business park development.

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

SECTION 2: Based upon the foregoing, the proposal under LOM 610 located at 1017 West Central Avenue is approved on February 14, 2018, subject to the conditions attached as Exhibit A, which are incorporated by reference as if fully set forth herein.

The foregoing Resolution was adopted, on motion by Commissioner ____, seconded by Commissioner ____, at the Planning Commission meeting of February 14, 2018 by the following vote:

AYES:

NOES:

ABSENT:

Brian Halvorson, Secretary

Ron Fink, Chair

Attachments: [Exhibit A – Conditions of Approval](#)

**DRAFT CONDITIONS OF APPROVAL
LOM 610 – Fagerdala USA – Lompoc, Inc.
1017 West Central Avenue (APN 093-450-046)**

The Conditions of Approval apply to LOM 610 plans prepared by Fagerdala USA – Lompoc, Inc. dated November 30, 2017, received by the Planning Division on December 5, 2017 and reviewed by the Planning Commission on February 14, 2018.

I. PLANNING

Planning - General Conditions

- P1. All applicable provisions of the Lompoc City Code are made a part of these conditions of approval in their entirety, as if fully contained herein.
- P2. In conformity with Sections 17.140.010, 17.152.010, and 17.152.020 of the Lompoc City Zoning Ordinance, the violation of any condition listed herein shall constitute a nuisance and a violation of the Lompoc City Zoning Ordinance and the Lompoc City Code. In conformity with Sections 1.24.010 and 1.24.060 of the Lompoc City Code, a violation of the Lompoc City Code and the Lompoc City Zoning Ordinance is a misdemeanor and shall be punishable as provided by law. In addition to criminal penalties, the City may seek injunctive relief. The applicant agrees to pay for all attorney's fees and costs, including, but not limited to, staff time incurred by the City in obtaining injunctive relief against the applicant as a result of a failure of the applicant to fully perform and adhere to all of the Conditions of Approval.
- P3. 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 610 is valid for twenty-four (24) months, prior to the expiration of the Map the applicant may request a twelve (12) month extension. LOM 610 shall expire on February 14, 2020, unless the applicant requests a time extension as outlined by City standards.

Planning – No Project Specific Conditions

II. BUILDING- No General or Project Specific Comments

III. FIRE

Fire - General Conditions

- F1. Ensure proper licensing of fire protection system engineer(s) and California State Fire Marshal licensed installers for design specific systems. Additionally, a City of Lompoc business license may be required of any installers. Verify with the City Clerk any concerns for the local business license of project employees.
- F2. All FDC's and fire sprinkler risers shall be maintained with a protective coat of red paint (OSHA Red or similar) to protect against marine influences and rust for the life of the system.
- F3. All fire sprinkler systems are to be maintained accordingly. Annual flow testing is required and a current 5-year fire sprinkler certification is required for the life of the system.
- F4. All fire extinguishers required to have an 'A' rating shall have a minimum rating of 2A10BC. Location, number and types shall be in accordance the California Code of Regulations Title 19. Any areas of hazard may require larger extinguishers, consult Title 19.
- F5. All newly installed Fire Department connections will be required to install Knox brand FDC caps (or substantially similar as determined by the Fire Chief). Lompoc Ordinance No. 1601 Section 507.5.8.
- F6. A Knox key box shall be installed as directed by the Fire Code Official when a building permit is obtained for any work. The key box shall contain keys that will allow the fire department access to all portions of the building. The keys shall have tags affixed identifying their purpose. The nominal height of the Knox box installations shall be 5 feet above grade. Consult with the Fire Marshal for placement and specifications.
- F7. Fire alarms shall be tested on a routine basis, including annual audible testing with the Lompoc Fire Department present.
- F8. Any area that requires a red curb shall be maintained at all times. OSHA Red or similar paint is required with a highly reflective white paint stenciled on the red paint that reads: "FIRE LANE – NO PARKING" in repeating intervals.

Fire - Project Specific Conditions

- F9. Future development at Parcel B shall require access from Aviation Drive.

IV. GRADING- No General or Project Specific Comments

V. AVIATION/TRANSPORTION – No General or Project Specific Comments

VI. ENGINEERING

Engineering – General Conditions

- EN1. A Parcel Map shall be required for this project as per the Subdivision Map Act, Section 66463. Upon approval or conditional approval of the Tentative Map by the Planning Commission, a complete review by the Engineering Division of all plans and documentation required by the Subdivision Ordinance of the City of Lompoc shall be required before the acceptance of the Parcel Map by the City Engineer.
- EN2. The 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". "Development Assistance Brochures" can be obtained at the Engineering Division or downloaded from the City Engineering web page:

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

- EN5. In conformance with Title 16, Chapter 16.16.010 of the Lompoc City Code, the Parcel Map shall be prepared based upon the control monuments as established by the City of Lompoc Coordinate Control System by Record Of Survey filed August 22, 2003, in Book 172, Pages 4 through 7, Santa Barbara County Records. The Parcel Map shall indicate and identify the control monuments utilized in the preparation thereof. The Parcel Map shall be delivered in a computer format readily compatible for transfer to the City Geographic Information System at the time of map approval. The following computer formats are acceptable for delivery: DGN or DWG.
- 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. Recording Fees
 3. Monument Security (if required)
 4. Proof "TAX BOND" has been posted with County of Santa Barbara.
 5. Parcel Map delivered in a computer format readily compatible for transfer to the City Geographic Information System.
- EN8. Dimensions of lots shall reflect net and gross area as defined below, where applicable. The net and gross area of each lot shall be shown in square feet. All lots over one acre shall be expressed in both square feet and acre.
- (a) "Gross Area" shall mean the total land area of a parcel or parcels including portions that cannot be developed (e.g., right-of-way, open space).
 - (b) "Net Area" shall mean the total land area of a parcel or parcels exclusive of area within any existing or proposed public or private street, road, or easement for ingress and egress and exclusive of the area within any existing or proposed easement wherein the owner of the parcel is prohibited from using the surface of the ground. Included in the "net area" is the area laying within public utility easements, sanitary sewer easements, landscaping easements, and public service and tree maintenance easements.

Engineering – No Project Specific Conditions

VII. SOLID WASTE- No General or Project Specific Comments

VIII. ELECTRIC - No General or Project Specific Comments

IX. WATER

Water - No General Comments

Water – Project specific conditions

- W1. The existing waterline easement located along the proposed property line between Parcel A and Parcel B shall remain. No structures shall be built on this easement and access must be kept for City staff to maintain the waterline.

X. WASTEWATER – No General or Project Specific Comments

XI. STORMWATER - No General or Project Specific Comments

XII. POLICE – No General or Project Specific Comments

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

John Ballinger, Applicant

Date

Fagerdala USA – Lompoc, Inc., Property Owner

Date

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