



# PLANNING COMMISSION STAFF REPORT

**Planning Commission Meeting Date:** December 9, 2020

**TO:** Members of the Planning Commission

**FROM:** Sara Farrell, Project Planner  
s\_farrell@ci.lompoc.ca.us

**RE:** Lot Line Adjustment – LOM 627

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## **AGENDA ITEM NO. 2**

A request from Ted Crocker (applicant) for Planning Commission consideration of a Lot Line Adjustment to remove an interior lot line between two lots that are 1.45 acres and 1.73 acres in size to create one 3.18 acre lot located at 224 North A Street and 812 East Chestnut Avenue (APN's: 085-110-001 and 085-110-011) in the Industrial (I) zone. This action is not subject to the California Environmental Quality Act (CEQA) because it does not involve the exercise of discretionary powers by a public agency. Alternatively, it is exempt from CEQA review under Section 15305 of the CEQA Guidelines (Minor Alterations in Land Use Limitations).

### **Scope of Review**

The Planning Commission is being asked to consider:

- If the proposed Lot Line Adjustment is consistent and meets applicable requirements in Lompoc Municipal Code Title 16 (Subdivisions) and Title 17 (Zoning);
- If the Conditions of Approval are appropriate for the project; and
- If the required Findings in the Resolution can be made.

### **Staff Recommendation**

1. Adopt Resolution No. 939 (20) based upon the Findings in the Resolution and subject to the attached draft Conditions of Approval; or
2. Provide other direction.

**Discussion**

The Planning Commission has the authority to approve, conditionally approve, or deny a Lot Line Adjustment. The Commission may deny a Lot Line Adjustment only if the adjustment does not comply with a City ordinance or the General Plan and may impose conditions only if the conditions are necessary to ensure compliance with a City ordinance or the General Plan, to require the prepayment of real property taxes prior to the approval of the Lot Line Adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements (Gov. Code 66412(d)).

**Site Data**

- |                               |   |
|-------------------------------|---|
| 1. Property Owner:            | Ted Crocker   |
| 2. Site Location:             | 224 North A Street and 812 E Chestnut Ave   |
| 3. Assessor's Parcel Numbers: | 085-110-001 and 085-110-011   |
| 4. General Plan Designation:  | Industrial (I)  |
| 5. Zoning:                    | Industrial (I)  |
| 6. Current Site Use:          | Vacant  |
| 7. Surrounding Uses/Zoning:   | North – Manufacturing / I<br>South – Fitness, Mobile Home / CB, PCD<br>East – Vacant Land/ I<br>West – Residential / R2 |
| 8. Project Site Area:         | 3.18 acres  |

**Discussion:**

The project site is located at 224 North A Street & 812 East Chestnut Ave (Attachment 2, Vicinity Map). The proposal is for a Lot Line Adjustment to remove the interior property line as depicted on the conceptual Lot Line Adjustment map (Attachment 3). The purpose of the adjustment is to prepare it for future development of the Crocker's Lockers project (DR19-05) which is a 104,804 square foot self storage facility with an on-site caretaker's unit which was previously approved by the Planning Commission on April 8, 2020.

With the proposed adjustment, the lot will meet development standards of the Zoning District and will not create non-conformities. Once approved by the Planning Commission, the Lot Line Adjustment will expire twenty-four months from the date of approval but the applicant may request a time extension prior to the expiration date. A Condition of Approval is included to advise the applicant of the map expiration date.

**Conformance with Subdivision Ordinance:**

A Subdivision Review Board (SRB) meeting was not held for this project. However, Standard Conditions of Approval (COA) have been drafted to advise the applicant of possible requirements during the development review process. Project specific conditions are included when staff can determine what they should be from the conceptual plans provided for Planning Commission review.

Staff recommends that the Planning Commission approve the Lot Line Adjustment based upon the Findings in the Resolution and subject to the attached Draft Conditions of Approval. The final map will be reviewed by staff prior to recordation to ensure it is in substantial conformance with the map reviewed by the Planning Commission. The proposed Conditions of Approval require the recordation of a Certificate of Compliance with the County of Santa Babara.

**Environmental Determination**

This action is not subject to the California Environmental Quality Act (CEQA) because a Lot Line Adjustment does not involve the exercise of discretionary powers by a public agency, or, in the alternative, it is exempt from CEQA pursuant to Section 15305 (Minor Alterations in Land Use Limitations). See CEQA Guidelines 15060(c)(1); *Sierra Club v. Napa County Bd. Of Supervisors* (2012) 205 Cal.App4th 162, 179-181.

**Noticing**

On November 25, 2020, a notice was mailed to property owners within 300 feet by US mail, posted on the City website, and the project site was posted by City staff. In addition, on November 29, 2020, a notice of the public hearing was published in the Lompoc Record newspaper.

**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 and the required filing fee of \$257.80.

**Attachments**

1. Resolution No. 939 (20)
2. Project Vicinity Map
3. Lot Line Adjustment Map

Respectfully submitted,



\_\_\_\_\_  
Brian Halvorson  
Planning Manager

**APPROVED FOR SUBMITTAL TO THE PLANNING COMMISSION:**



*FOR* \_\_\_\_\_  
Christie Alarcon  
Community Development Director

**RESOLUTION NO. 939 (20)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A LOT LINE ADJUSTMENT (LOM 627) LOCATED AT 224 NORTH A STREET AND 812 EAST CHESTNUT AVE (APN's: 085-110-001 and 085-110-011)**

**WHEREAS**, the City received a request from Ted Crocker (property owner) for Planning Commission consideration of a Lot Line Adjustment to remove an interior lot line between two lots that are 1.45 acres and 1.73 acres in size to create one 3.18 acre lot located at 224 North A Street and 812 East Chestnut Avenue (APN's: 085-110-001 and 085-110-011) in the Industrial (I) zone; and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on December 9, 2020; and

**WHEREAS**, at the meeting of December 9, 2020, \_\_\_\_\_ was present, and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of December 9, 2020, \_\_\_\_\_ spoke in favor of the project and \_\_\_\_\_ spoke in opposition of the project.

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

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

- A. The proposed Lot Line Adjustment, as conditioned, is consistent with the applicable policies and development standards set forth in the City of Lompoc Subdivision Ordinance, Zoning Code, and the California Subdivision Map Act.
- B. The proposed Lot Line Adjustment is consistent with the applicable General Plan objectives, policies, land uses and programs; therefore, the proposal is consistent with the General Plan.

C. The proposed site is of reasonable size to support existing and future development.

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

**SECTION 2:** This project is not subject to the California Environmental Quality Act (“CEQA”) because it does not involve the exercise of discretionary powers by a public agency (CEQA Guidelines 15060(c)(1)), or, in the alternative, it is exempt from CEQA pursuant to Section 15305 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines. Therefore, no environmental assessment is required or necessary.

**SECTION 3:** Based upon the foregoing, LOM 627 is approved on December 9, 2020, 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 December 9, 2020 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
Brian Halvorson, Secretary

\_\_\_\_\_  
Federico Cioni, Chair

Attachment: Exhibit A – Draft Conditions of Approval

**DRAFT CONDITIONS OF APPROVAL  
LOM 627 – Lot Line Adjustment  
224 North A Street and 812 East Chestnut Ave  
(APN's: 085-110-001 and 085-110-011)**

The following Conditions of Approval apply to the plans for a Lot Line Adjustment (LOM 627) to remove an interior lot line between two lots to create one lot located at 224 North A Street and 812 East Chestnut Avenue (APN's: 085-110-001 and 085-110-011) in the Industrial (I) zone, prepared by Fargen Surveys, Inc. received by the Planning Division and stamped on November 4, 2020 and reviewed by the Planning Commission on December 9, 2020.

**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 project shall be in compliance with the Subdivision Map Act.
- P3. In conformity with Section 1.24.010 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.
- P4. 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.

P5. Lompoc Municipal Code Section 17.612 allows any person to appeal a decision of the Planning Commission within 10 calendar days after the Planning Commission's decision. No grading, building, demolition, or other ministerial permit, nor any other discretionary permit, shall be issued by the City for the Project until the later of (1) the expiration of the 10-day appeal period, or (2) the City Council's decision on the appeal, if a timely appeal is filed.

P6. The applicant shall notify the City of Lompoc Planning Division of a change of ownership for the property or a change of project representative within 30 days of such change at any time during the City process prior to final Certificate of Occupancy.

### **Planning – Project Specific Conditions**

P7. An 8 ½" x 11" map and legal description of the parcels, each stamped by a licensed engineer or surveyor, shall be provided to the Planning Division prior to the issuance of a Certificate of Compliance.

P8. A Certificate of Compliance shall be recorded by December 9, 2022, or else the approval of the Lot Line Adjustment will expire. A time extension may be granted by the Planning Manager.

## **II. BUILDING AND FIRE SAFETY**

No General or Project Specific Conditions

## **III. POLICE DEPARTMENT**

No General or Project Specific Conditions

## **IV. ENGINEERING**

E1. Lot combination exhibits and documents must adhere to the requirements of

the Subdivision Map Act, as applicable.

- E2. Lot combination exhibits and documents must be submitted as noted in the City of Lompoc Engineering Division Lot Line Adjustment Requirements, latest edition.
- E3. Lot Line Adjustment (Merger) must be recorded prior to issuance of building permits for development on the proposed lot.
- E4. Provide current title reports for both APN 085-110-011 and APN 085-110-001 with submittal documents.

**V. SOLID WASTE**

No General or Project Specific Conditions

**VI. ELECTRIC**

No General or Project Specific Conditions

**VII. WATER**

No General or Project Specific Conditions

**VIII. WASTEWATER**

No General or Project Specific Conditions

**IX. STORMWATER**

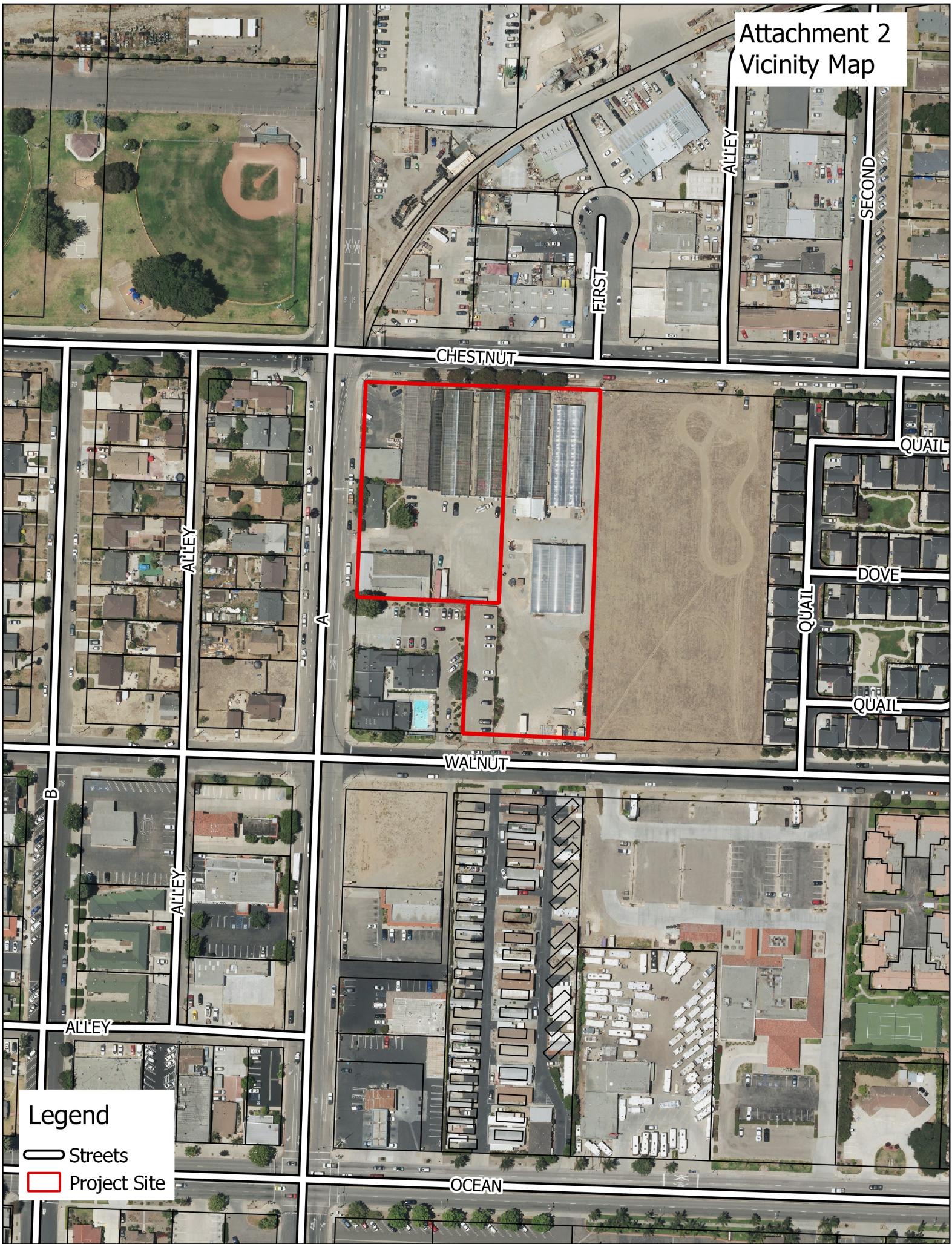
No General or Project Specific Conditions

I, Ted Crocker, property owner, 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.

\_\_\_\_\_  
Ted Crocker, Property Owner

\_\_\_\_\_  
Date

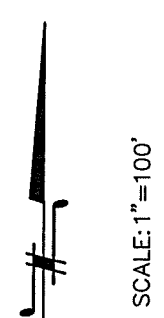
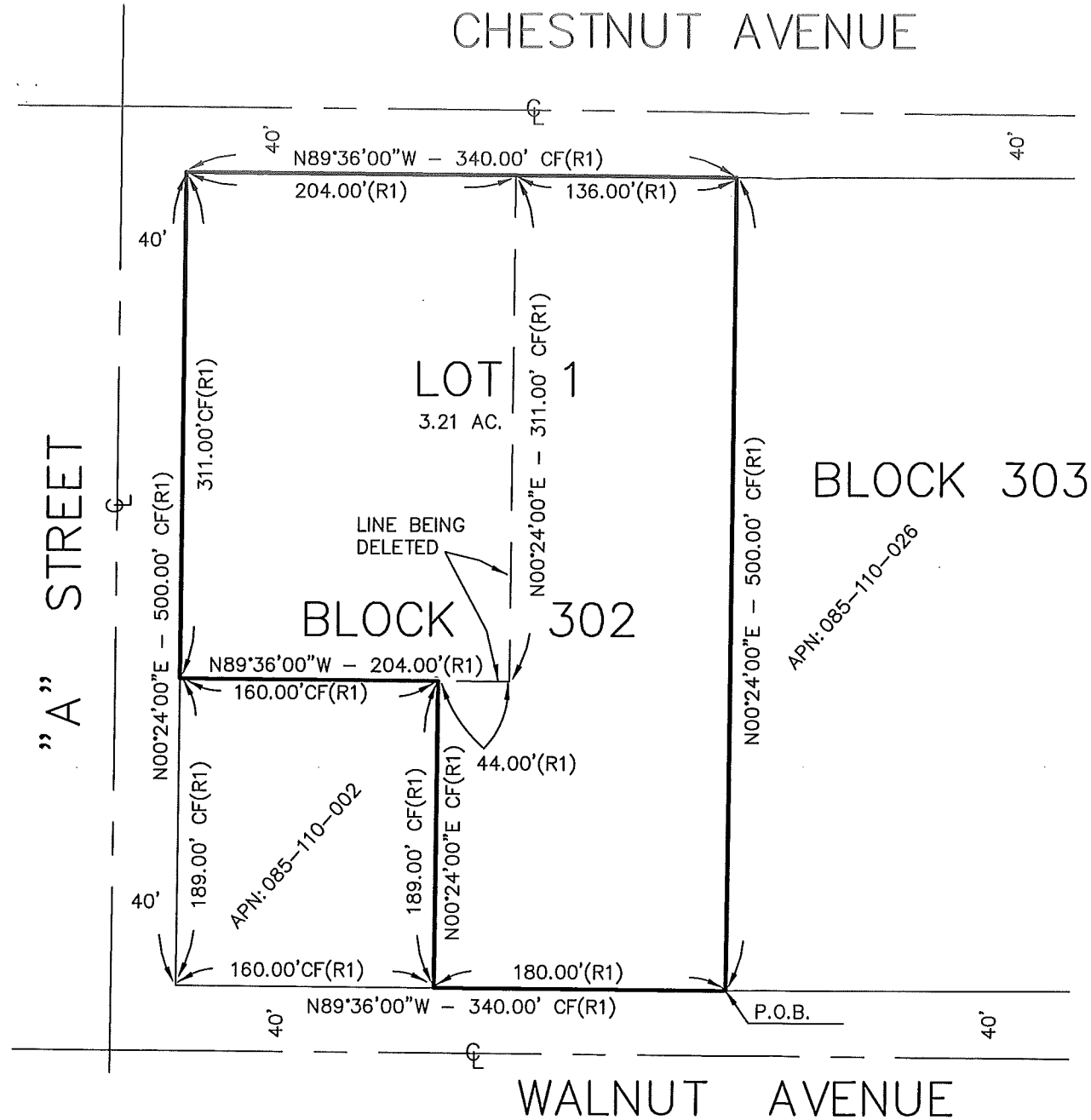
# Attachment 2 Vicinity Map



## Legend

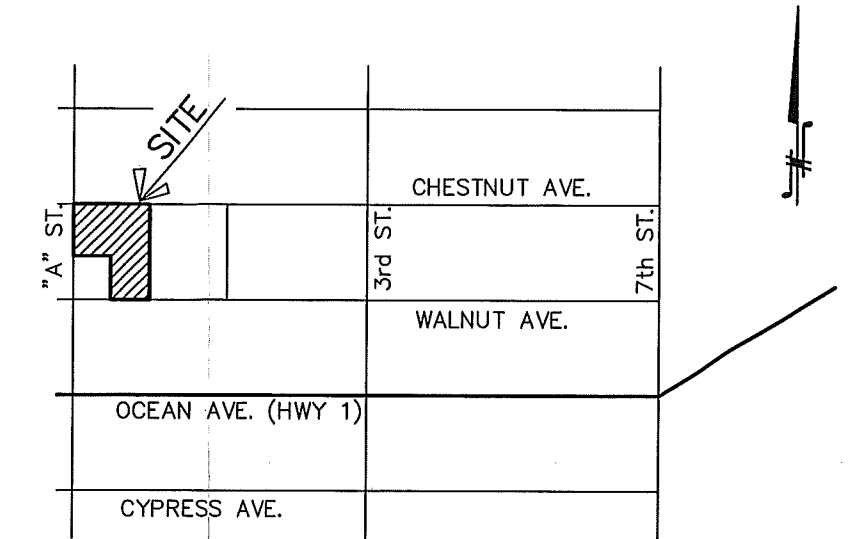
Streets

Project Site



**LEGEND**

CF DENOTES CALCULATED FROM  
 (R1) DENOTES RECORD DATA PER INST.#2019-0020067 O.R.  
 POB DENOTES POINT OF BEGINNING



**VICINITY MAP**

NO SCALE

RECEIVED

NOV - 4 2020

Planning Division

LLA LOM. \_\_\_\_\_

**SURVEYORS STATEMENT**

I HEREBY STATE THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION UNDER THE PROVISIONS OF SECTION 8726 OF THE PROFESSIONAL LAND SURVEYORS ACT AND THAT SAID SURVEY CORRECTLY SHOWS THE TOPOGRAPHIC FEATURES. THE CONTOURS ARE COMPUTER GENERATED.

*Kenny L. Fargen* 11-2-20  
 KENNY L. FARGEN L.S. 4597 DATE



2624 AIRPARK DRIVE  
 SANTA MARIA, CA 93455  
 PHONE: 805-934-5727  
 FAX: 805-934-3448  
 DATE: APRIL 20, 2020

**EXHIBIT B**

A PORTION OF SUBURBAN BLOCK 302 OF THE SUBDIVISION OF THE RANCHOS LOMPOC AND MISSION VIEJO, IN THE CITY OF LOMPOC, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, PER MAP RECORDED IN BOOK 1, PAGE 45 OF MAPS, RECORDS OF SAID COUNTY.