

ATTACHMENT C
MITIGATED NEGATIVE DECLARATION



CITY OF LOMPOC

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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: Ocean Plaza Development – GP 08-02, ZC 08-04, CUP 08-05, LOM 586-P

Location: 1420 East Ocean Avenue & 1401 East Cypress Avenue
(Assessor Parcel Numbers: 85-150-17 & -18)

Description:

Michael Letzt of BJ Gunner Investments, LLC, has requested Planning Commission review of the following:

- 1) GP 08-02 - A General Plan Amendment to amend the land use designation for the site from *General Commercial* to *Office Commercial*;
- 2) ZC 08-04 - A Zone Change to amend the City's Zoning Map designation from *Planned Commercial Development (PCD)* to *Commercial Office (CO)*;
- 3) CUP 08-05 - A Conditional Use Permit for eighty (80) senior apartment units, 13,079 square feet of commercial office space, and 4,251 square feet of commercial retail, and/or restaurant space; and
- 4) LOM 586-P - A Vesting Tentative Parcel Map requesting subdivision of an approximately 2.69 acre site to create six (6) commercial condominiums and one (1) residential condominium.

The project includes a request for a density bonus on the site to allow the number of senior housing residential units at 37% greater than the standard density allowed in a High Density Residential District.

The project is proposed on two (2) existing adjacent parcels totaling approximately 2.69 acres in size, located at 1420 East Ocean Avenue (APN: 85-150-18) and 1401 East Cypress Avenue (APN: 85-150-17), in the southeast portion of the City of Lompoc.

The City of Lompoc has determined that:

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

MITIGATION AND MONITORING

The following Mitigation Measures shall be Conditions of Approval for the Ocean Plaza Development project (GP 08-02, ZC 08-04, CUP 08-05, LOM 586-P).

I. AESTHETICS

Mitigation:

In order to assure that no additional light and glare spills off of the project site into the existing neighborhood, the applicant will submit a lighting plan showing: lumens, fixture type, placement, and height of any lighting proposed for the development.

Monitoring:

The applicant will submit a lighting plan showing any proposed lighting for the development. City staff will review the adequacy of the plan during plan check.

III. AIR QUALITY

Mitigation:

Based on forecasted vehicle trip generation, emissions attributable to the project would not exceed County APCD or City thresholds. Because of the potential for the project to result in exposure of future site occupants to air quality nuisances, the following mitigation measure is required.

- All construction activity shall be required to incorporate the APCD requirements pertaining to minimizing construction-related emissions. The APCD does not have quantitative thresholds of significance for construction emissions since they are considered to be short term and temporary. However, dust reduction measures are required for all discretionary construction activities. The following requirements shall be considered standard construction conditions:
 - **Dust Generation.** If the construction site is graded and left undeveloped for over four weeks, the applicant shall employ the following methods immediately to inhibit dust generation:
 - Seeding and watering to revegetate graded areas; and/or
 - Spreading of soil binders; and/or
 - Other soil stabilization methods deemed appropriate by the Planning Department.
 - **Watering.** Water trucks shall be used during construction to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would require two daily waterings.
 - **Soil Stockpiling.** If importation, exportation, or stockpiling of fill material is undertaken, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Vehicles transporting soil material shall be covered with tarps from the point of origin to the point of disposition.
 - **Land Clearing.** After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading soil binders until the area is paved or otherwise developed.
 - **Recording of Dust Control Requirements.** Prior to land use clearance, the applicant shall include, as a note on a separate informational sheet to be recorded with any map, the aforementioned dust control requirements. All requirements shall be shown on grading and building plans.
 - **Monitoring of Dust Control Program.** The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress.

- **Construction Equipment.** In order to reduce NO_x and ROC emissions, any construction equipment used on the site must meet the following conditions:
 - Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) should be used wherever feasible;
 - The engine size must be the minimum practical size;
 - The number of pieces of equipment operating simultaneously must be minimized through efficient management practices;
 - Construction equipment must be maintained in tune per manufacturer's specifications;
 - Equipment shall be equipped with 2 to 4-degree engine timing retard or precombustion chamber engines;
 - Catalytic converters shall be installed, if feasible;
 - Diesel catalytic converters shall be installed, if available;
 - Diesel-powered equipment such as booster pumps or generators should be replaced by electric equipment, if feasible; and
 - Construction worker trips should be minimized by requiring carpooling and by providing for lunch on-site.

Monitoring:

Planning Division will verify inclusion of the required mitigation measure prior to grading clearance.

VIII. HYDROLOGY AND WATER QUALITY

Mitigation:

The applicant shall install sedimentation and grease filters, employing Best Management Practices (BMP) to assure that all water draining from on-site pavement will be properly filtered prior to entering the City's storm drain system.

Monitoring:

Staff will review the grading plan to ensure that sedimentation and grease filters, employing Best Management Practices (BMP), are shown. Once in place, staff will inspect the filters to ensure that they were installed correctly.

XI. NOISE

Mitigation:

In order to limit short-term noise impacts, which will result during the construction phase, limits will be placed on the allowed hours of construction.

Monitoring:

Hours of construction shall be limited to:

Monday through Friday - between the hours of 7:30 am and 5 pm


Saturday - between the hours of 8 am and 5 pm

Sunday - None

Minor modifications to the hours of construction may be granted by the Community Development Director.

July 18, 2008

Date



Keith C. Neubert, Principal Planner