

RESOLUTION NO. 5660 (10)

**A Resolution Of The City Council Of The City Of Lompoc,
County Of Santa Barbara, State Of California,
Approving A Density Bonus For A Twenty-Four (24) Unit Apartment
Complex
(Planning Division File No. DR 09-11)**

WHEREAS, a request was submitted by Kerry Moriarty, property owner, for consideration of a Density Bonus to allow the number of residential units at 20% greater than the standard density allowed in a High Density Residential District. The Density Bonus would allow construction of a 24-unit apartment complex with on-site parking and landscaping at 109 South Third Street (APN: 85-150-17);

WHEREAS, the Planning Commission held a duly noticed public hearing on January 13, 2010, to review the Density Bonus; and after considering the staff report, and hearing testimony from the applicant and members of the public, the Planning Commission adopted Resolution No. 668 (10) recommending that the City Council approve the Density Bonus (DR 09-11);

WHEREAS, a Mitigated Negative Declaration has been certified for this request in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the City Council held a duly noticed public hearing on August 3, 2010 to consider this proposed Density Bonus.

NOW, THEREFORE, THE CITY COUNCIL RESOLVES AND DETERMINES AS FOLLOWS:

SECTION 1. Based upon the testimony and other evidence received at the public hearing, staff written and oral analysis, and considering the recommendation made by the Planning Commission, the City Council finds that:

- a) The proposed density bonus is consistent with the criteria identified in Government Code Section 65915(b)(1) allowing a 20% density bonus if a project designates 5% of the total units for a very low income household.
- b) The proposed density bonus is not materially detrimental to the public health, safety, and welfare, nor injurious to property and/or improvements in the vicinity of the development.
- c) The proposed density bonus does not result in an overall development pattern that is incompatible with other structures in the immediate vicinity.

- d) Council directs staff to work with the applicant and return with a Density Bonus Development Agreement for Council review and approval prior to issuance of building permits for the project.

SECTION 2. This Resolution is effective upon adoption.

NOTICE: Pursuant to Code of Civil Procedure (CCP), Section 1094.6, please be advised the above decision of the City Council is a final decision from which there is no provision of reconsideration or other administrative action. The above constitutes an announcement of the decision as of August 3, 2010. Accordingly, judicial review of the above decision pursuant to CCP, Section 1094.5 requires a petition for writ of administrative mandate be filed in superior court within 90 days after this notice is mailed to the applicant.

The foregoing Resolution was proposed by Councilmember _____, seconded by Councilmember _____, and duly passed and adopted by the City Council of the City of Lompoc at its regular meeting on August 3, 2010 by the following electronic vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

Michael A. Siminski, Mayor
City of Lompoc

ATTEST:

Donna Terrones, CMC,
City Clerk, City of Lompoc