

**CITY OF LOMPOC  
PLANNING COMMISSION STAFF REPORT**



**MEETING DATE:** JULY 10, 2006

**TO:** MEMBERS OF THE PLANNING COMMISSION

**FROM:** KEITH C. NEUBERT, ASSOCIATE PLANNER

**RE:** THE OLSON COMPANY 60-UNIT PROJECT –  
ZONE CHANGE – ZC 05-04 / PRELIMINARY/  
PRECISE DEVELOPMENT PLAN – DR 05-30 /  
VESTING TENTATIVE SUBDIVISION MAP –  
LOM 555

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**AGENDA ITEM NO. 4**

Chandra Pesheck of The Olson Company, project representative, has requested Planning Commission review of the following:

- 1) **ZC 05-04** – A Zone Change to amend the City's Zoning Map designation from *Medium Density Residential (R-2)*, to *Medium Density Residential, Planned Development (R-2, PD)* which would conform to the City's General Plan Designation for the site of *Medium Density Residential*;
- 2) **DR 05-30** - A Preliminary/Precise Development Plan for the construction of a 60-unit detached single family residential project including on-site parking and landscaping; and
- 3) **LOM 555** - A Vesting Tentative Subdivision Map requesting subdivision of an approximately 5.13 acre site to create sixty (60) residential parcels and common area.

The property is approximately 5.13 acres in size and located at the southeast corner of Ocean Avenue and U Street (Assessor Parcel Numbers: 91-110-34, 35). A Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

**I. PROJECT DESCRIPTION**

The project site is approximately 5.13-acres located at the southeast corner of Ocean Avenue and U Street on a vacant parcel fronting Ocean Avenue and U Street. Surrounding uses include multi-family residences to the north, south and west, and a shopping center to the east.

The existing General Plan designation for the property is *Medium Density Residential*, and the existing zoning is *Medium Density Residential (R-2)*. The project includes a request for a Zone Change to amend the City's Zoning Map designation from *Medium Density Residential (R-2)* to *Medium Density Residential, Planned Development (R-2, PD)*.

The proposal consists of sixty (60) detached single-family homes. Of the 60 proposed units, nine will be designated as affordable. The project offers two floor plans. Plan One is 1,309 square-feet with three bedrooms, two and a half bathrooms and a two car, side by side, attached garage situated on a 31' X 60' lot. Plan Two is 1,690 square-feet with three bedrooms, two and a half bathrooms and a two car, side by side, attached garage situated on 36' X 60' lot. All units have a ten foot side yard. The project features four elevation styles including Spanish, Monterey, Eclectic, and Italian.

The site plan shows 11 homes fronting onto U Street with the remaining homes fronting onto open space. Access to the development is taken from Ocean Avenue and U Street with the garages facing interior alleys. Twenty-seven (27) guest parking spaces are illustrated on the site plan. The common area, including the internal drive aisle and open space, would be owned and maintained by a Homeowner's Association (HOA).

## **II. ENVIRONMENTAL REVIEW**

### **Description**

A Mitigated Negative Declaration (MND) has been prepared for the proposed project by City Staff. The MND was prepared pursuant to the provisions of the California Environmental Quality Act (CEQA) with the purpose of evaluating the project and identifying potential environmental impacts on the community.

The Draft MND was circulated to the State Clearinghouse on May 3, 2006 for distribution to responsible agencies (SCH No. 2006051019). A Notice of Intent to adopt a Mitigated Negative Declaration was filed with the Santa Barbara County Clerk of the Board, posted on the project site, and mailed to interested parties advising that the MND was available for public review and comment. The public review period for comments began on May 3, 2006 and ended on June 1, 2006.

Comments on the draft MND were received from four (4) individuals, agencies, and interested parties.

- 1) State of California – Governor's Office of Planning and Research (6/2/06)
- 2) State of California – Department of Transportation (5/31/06)
- 3) State of California – Public Utilities Commission (6/1/06)
- 4) Santa Ynez Band of Chumash Indians (5/10/06)

Responses to the comments on the Draft MND were prepared by Associated Transportation Engineers (ATE) and the City of Lompoc, dated June 9, 2006 and June 30, 2006. The comments and responses are included as Attachment No. 4.

### **Mitigable Impact Areas**

Areas that have impacts identified as *Less than Significant with Mitigation Incorporated* include:

- **Aesthetics**
- **Hydrology and Water Quality**
- **Transportation/Circulation**
- **Air Quality**
- **Noise**

A Mitigation Monitoring Program (MMRP) has been prepared that includes eight (8) Mitigation Measures.

Certification of the MND acknowledges that the document has:

- 1) been completed in compliance with CEQA,
- 2) was reviewed by the decision-making body, and
- 3) represents the City's independent judgment.

The MMRP is included in the Final Mitigated Negative Declaration and the Mitigation Measures are included as conditions of approval to the Preliminary/Precise Development Plan in Resolution No. 505 (06).

### **III. CONFORMANCE WITH ADOPTED CITY POLICIES**

#### **1. ZC 05-04 – Zone Change**

The request for a Zone Change is to amend the City's Zoning Map designation from *Medium Density Residential (R-2)* to *Medium Density Residential, Planned Development (R-2, PD)*.

The request for a change to *Medium Density Residential, Planned Development (R-2, PD)* would allow the Planning Commission and the City Council to consider a certain amount of flexibility from the strict adherence of the Zoning Ordinance in order to develop a quality project for the benefit of the community. The proposal would be consistent with the existing General Plan designation of *Medium Density Residential (MDR)*.

#### **2. DR 05-30– Preliminary/Precise Development Plan**

The applicant is requesting a re-zone of the property to *Medium Density Residential, Planned Development (R-2, PD)* in order to build the proposed residential development, including landscaping, parking, and amenities. The request for a Planned Development Overlay allows the City Council and the Planning Commission to consider a certain amount of flexibility from the strict adherence of the Zoning Ordinance in order to develop a quality project for the benefit of the community.



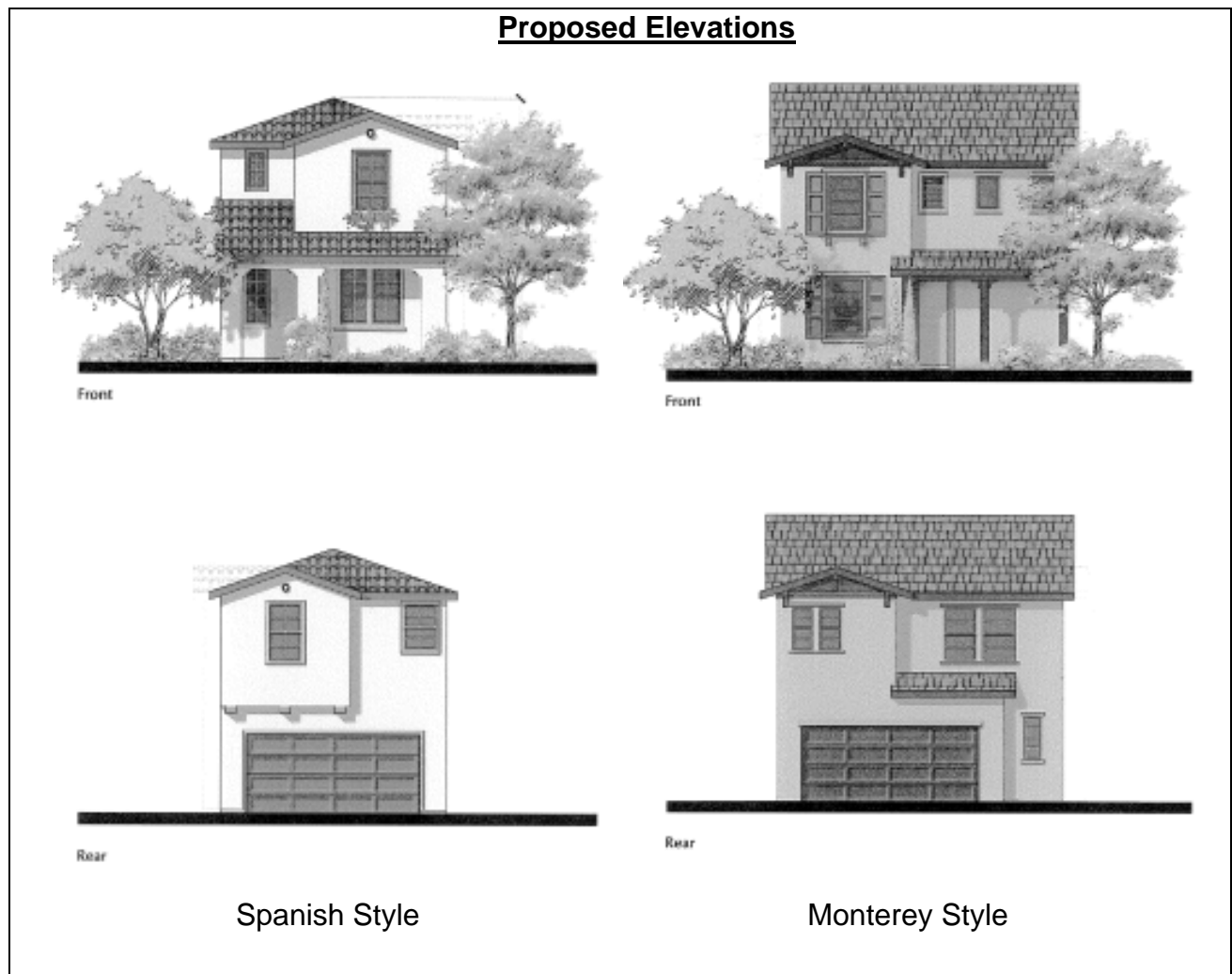
The City Architectural Review Guidelines provide a number of references to new residential developments and the design and placement of new homes on a lot. The Guidelines also contain suggestions concerning window placement to assure privacy between homes. The Guidelines provide the developer with information to provide potential residents with a well designed project which meets City Standards.

The Architectural Review Guidelines state:

- Page 5, No. 2      *For new residential developments a minimum of five different street frontage designs, not including mirror images, should be provided. A particular street frontage design, including its mirror image, should not appear more than every fourth house.*
- Page 5, No. 8      *Entry to garages should be incorporated into the architecture of the dwelling to minimize visual prominence.*
- Page 6, No. 13     *All building elevations visible to the public shall be designed and architecturally treated. The choice of materials, colors, and the level of detailing shall be thoughtfully integrated into the design. All elevations need not look alike; however, a sense of overall architectural continuity is encouraged.*
- Page 12, No. 4     *Consideration of sensitivity to potential neighbor's views in the placement and architectural appearance of the house is encouraged.*
- Page 13, No. 7     *Housing design should encourage the possibility of community interaction while affording privacy. Privacy within each unit and its immediate outdoor space should be carefully maintained, but an effort should be made through the placement of units to allow a natural public space pathway for interaction. The protection of privacy of adjacent residents should be a major design consideration.*
- *Structures and additions should be located to increase visual distance between buildings.*
  - *Upper floor balconies should be oriented toward the yard area.*
  - *Windows in adjacent homes should be offset from one another.*
  - *Translucent or high windows should be used to allow illumination while protecting privacy.*
  - *Areas that require more privacy should be located away from neighbors.*

The proposed homes are stucco with concrete roof tiles. Shutters, iron details, window surrounds and window popouts are provided to add architectural detail to the homes. Four (4) different color schemes are proposed for each architectural variation. The color schemes and architectural styles will be distributed throughout the project.

The architectural detail provided on the front elevations appears to be sufficient to meet the City standards. Wood fencing will be utilized along the sides and rear of the homes which will partially block the view of these elevations; however, little detail is provided above the fence line. All visible elevations, including side and rear elevations above the fence line shall be architecturally treated to meet the City's Architectural Review Guidelines. A Condition of Approval (PC Resolution No. 505 (06) COA P62) has been included requiring additional architectural treatment on the proposed homes. The changes will be reviewed by staff at plan check to ensure adequate architectural treatment has been added.



Color / material boards will be available at the meeting for review.

## Landscaping and Fencing

Landscaping is an integral component of any subdivision. Landscaping Conditions of Approval have been included (PC Resolution No. 505 (06) P23-P38). A conceptual landscape plan, prepared by Professional Design Inc. and dated June 20, 2006, was included in the project submittal. Preliminary review indicates that the plans are generally acceptable, final review and approval will occur during the plan check process.

Walls are proposed on the north, south and east boundaries of the site. A Condition of Approval is included to ensure review of wall treatment prior to issuance of grading permits for the project (PC Resolution No. 505 (06) COA P17).

As conditioned, the project would be consistent with the Architectural Review Guidelines.

### **Subdivision Ordinance:**

City Subdivision Review Ordinance *Section 2863 Planned Residential Developments* contains specific development standards for a Preliminary/Precise Development Plan. These standards are in addition to the standards in the Zoning Ordinance, which are discussed later in the staff report.

1. *Requires a minimum of three (3) amenities for residential developments of fifty to ninety-nine (50-99) dwelling units.*
2. *The developer shall propose the size and type of the amenities to be provided.*

The developer proposes four common open space areas. A tot lot is provided to the east, a picnic area with a barbeque at the northeast corner, a bocce court at the southeast corner and a second picnic area with a barbeque, a curved arbor and decorative art walls. The decorative art walls will contain art created by local Lompoc Valley artists. Additionally, 27 guest parking spaces are located along the internal circulation street system.

3. *Lot coverage shall not exceed that prescribed by the underlying zone classification.*

Medium Density Residential (R-2) maximum lot coverage is 50%. The applicant has provided the following statistics for the residential acreage:

Building Areas	26%
Landscape & Other	74%
Total	100%

4. *Required off-street parking shall be provided in accordance with the provisions of the Zoning Ordinance. Additional parking for storage of recreational vehicles, trailers, and other miscellaneous vehicles shall be provided at a rate of one (1) space for each seven (7) dwelling units. If spaces for such vehicles are not provided, then project codes, covenants, and restrictions shall prohibit recreational vehicle parking within the project.*

There is no location identified for parking of recreational vehicles on the site plan, therefore a Condition of Approval is included requiring a prohibition in the CC&R's (PC Resolution No. 505 (06) COA P52b).

5. *Minimum open space area shall be required for R-2 density of 50% of the project. At least one-half of the total open space requirement shall be devoted to open space usable by residents.*

The four common open space areas are all available to the residents.

**Zoning Ordinance:**

Zoning Ordinance Section 7501 Uses Permitted- states that single-family dwellings are permitted in the R-2 District. The purpose of the R-2 zone is to *stabilize and maintain the residential character of the district and permit a suitable environment for family living on a smaller scale by permitting a higher density with two families to the lot while maintaining individual privacy, open space and facilities.* Planning Commission review and approval of the proposed project will assure conformance with the stated Purpose of the Zoning District.

Development standards listed in Zoning Ordinance *Article 3* address specific criteria identified below:

Category	Required/Maximum	Proposed
Height	30 feet maximum	27 feet maximum
Lot Coverage	50 percent maximum	26 percent
Front Yard Setback	15 feet from property line	11-17 feet
Rear Yard Setback	10 feet from property line	3 feet
Side Yard Setback	5 feet from property line on interior lot line	0-10 feet
Minimum Building Site Required	6,000 square feet of land area per dwelling unit	1,860 sq. ft. to 2,160 sq. ft.
Parking	2 covered parking spaces per residential unit within a garage or carport	2-car garage per unit  27 guest parking spaces

The applicant is requesting exceptions from the Development Standards for the *Medium Density Residential (R-2)* for the setbacks as noted in the table above; and for the Minimum Building Site Required. Staff recommends that the Commission advise Council, by adopting Resolution No. 505 (06), that the required exceptions are acceptable and necessary to provide a quality project for the community.

Planning Commission review of the Preliminary/Precise Development Plan will assure conformance with Development Standards.

### **Redevelopment Agency**

The proposed project is located within the City of Lompoc Old Town Redevelopment Project Area, Amendment No. 2. Projects on sites over one acre in size and containing 10 or more residential units require Redevelopment Agency Board (RDA) review and approval. The project will be reviewed by the RDA following City Council review (PC Resolution No. 505 (06) COA P11).

### **Housing Element – Affordable Housing Requirements:**

The City has made a commitment to address its housing needs by implementing the policies of the Housing Element. One of the central goals identified in the Housing Element is the provision of a choice of housing opportunities for all economic segments of the community. This includes households unable to afford market-priced housing. Policy 1.11 of the Housing Element ensures that all residential projects address the need for affordable housing within the community and help satisfy the regional fair share housing allocation. This policy is provided below:

*Policy 1.11 Residential development projects within the Old Town Redevelopment Project, No. 2 area shall provide 15% of new housing affordable to low- and moderate-income households with at least 40% of those units to be used by very low-income households.*

The proposed project is located within the Old Town Redevelopment Project, Amendment No. 2 area, and at least fifteen (15) percent of all the units must be affordable. The proposed project consists of sixty (60) single-family residential units and nine (9) affordable units are required. The applicant must designate the affordable units on the site plan and record a covenant prepared by the RDA attorney prior to occupancy (PC Resolution 505 (06) COA P54).

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

### **3. LOM 555 – Vesting Tentative Subdivision Map**

The Planning Commission has the authority to approve, conditionally approve, or deny a Vesting Tentative Subdivision Map (Lompoc City Code Section 2846). Once approved, the Vesting Tentative Map expires twenty-four months from the date of approval unless the applicant requests a time extension prior to the expiration (PC Resolution 506 (06) COA P4).

The applicant has requested a Vesting Map, which allows the developer to pay the development fees the jurisdiction has in place at the time the completed application is accepted. LOM 555 was deemed complete on December 22, 2005.

Approval of Vesting Tentative Subdivision Map LOM 555 is contingent upon City Council approval of Preliminary/Precise Development Plan (DR 05-30), Zone Change (ZC 05-04) and Redevelopment Agency (RDA) review and approval (PC Resolution No. 506 (06) COA P6).

#### **Staff Review**

The Development Review Board/Subdivision Review Board convened June 6, 2006 to discuss the project with the applicant and develop Conditions of Approval. The following comments were received:

Engineering Division – discussed requirements for access ramps at specified locations, the requirement for a Caltrans Encroachment Permit and the need to address any additional traffic issues that are identified in the Final Traffic Study (PC Resolution No. 505 (06) COA EN26 – EN30); and private streets shall be dedicated as Public Utility Easements on the Final Map (PC Resolution No. 506 (06) COA EN8).

Electric Division – stated that Public Utility Easements shall be dedicated on the Map (PC Resolution No. 506 (06) COA EL1).

Solid Waste Division – discussed the location and accessibility of trash enclosures and it was determined that access is available from the alley via a locked gate from which the City will access with a code. (PC Resolution No. 505 (06) COA SW6);

Water Division – discussed water meter requirements, easements and the need to loop the water main back to the existing main at Ocean Avenue and T Street (PC Resolution No. 505 (06) COA W8 - W9).

Wastewater Division – discussed sewer main requirements and the need to construct a sewer maintenance hole at the end of all onsite public sewer mains (PC Resolution No. 502 (06) COA WW14 - W16).

The Development Review Board (DRB)/Subdivision Review Board (SRB) has developed a series of standard conditions of approval (COA) to advise applicants 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 Commission review. A complete plan check occurs after construction 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 may be applicable. 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.

#### **IV. NOTICING:**

On May 3, 2006:

- 1) A Notice of Intent to Adopt a Mitigated Negative Declaration was published in the Lompoc Record;
- 2) A Notice of Intent to Adopt a Mitigated Negative Declaration was mailed to property owners within 300 feet by US mail; and

On June 30, 2006:

- 1) Notice of the Public Hearing was published in the Lompoc Record;
- 2) Notice of the Public Hearing was mailed to property owners within 300 feet by US mail.
- 3) The project site was posted by City staff.

#### **V. 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 \$35.10.

#### **VI. PLANNING COMMISSION ACTION:**

**It is recommended that the Planning Commission:**

1. **Certify the Mitigated Negative Declaration;**
2. **Recommend that the City Council certify the Mitigated Negative Declaration (MND) (the Planning Commission can recommend Certification of the Environmental Document without recommending approval of the project);**

3. **Adopt Resolution No. 504 (06) (attachment 1) recommending that the City Council approve Zone Change ZC 05-04 for Assessor Parcel Numbers 91-110-34, 35 from *Medium Density Residential (R-2)* to *Medium Density Residential, Planned Development (R-2, PD)* as shown on Exhibit A of the Resolution;**
4. **Adopt Resolution No. 505 (06) (attachment 2) recommending that the City Council approve DR 05-30 as the Preliminary/Precise Development Plan for Assessor Parcel Numbers 91-110-34, 35 for the proposed residential development described in the staff report, subject to the attached draft Conditions of Approval; and**
5. **Adopt Resolution No. 506 (06) (attachment 3) approving Vesting Tentative Subdivision Map LOM 555 for Assessor Parcel Numbers 91-110-34, 35 subject to the attached draft Conditions of Approval.**

**VII. ATTACHMENTS:**

1. [Draft Resolution No. 504 \(06\) – Approve Zone Change ZC 05-04](#)
  2. [Draft Resolution No. 505 \(06\) – Approve Development Plan DR 05-30](#)
  3. [Draft Resolution No. 506 \(06\) – Approve Subdivision Map LOM 555](#)
  4. Final Mitigated Negative Declaration \*
  5. Site Plan/Map and Elevations \*
- (\* Planning Commission and City Council only, available in Planning Division)

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Staff Report has been reviewed and approved for submission to the Planning Commission			
<b>Arleen T. Pelster, AICP Community Development Director</b>	<b>Date</b>	<b>Lucille T. Breese, AICP City Planner</b>	<b>Date</b>

**RESOLUTION NO. 504 (06)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CHANGE (ZC 05-04) FOR THE OLSON COMPANY 60-UNIT RESIDENTIAL PROJECT**

**WHEREAS**, a request was received from Chandra Pesheck, representing The Olson Company, for consideration of a proposal to amend the City's Zoning Map for a 60-Unit residential project located at the southeast corner of Ocean Avenue and U Street. The request is to amend the City's Zoning Map designation from *Medium Density Residential (R-2)* to *Medium Density Residential, Planned Development (R-2, PD)* (Assessor Parcel Numbers: 91-110-34, 35); and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on July 10, 2006; and

**WHEREAS**, at the meeting of July 10, 2006, \_\_\_\_\_, was present, and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of July 10, 2006, \_\_\_\_\_spoke in favor of, and \_\_\_\_\_ spoke in opposition to, the project; and

**WHEREAS**, the Planning Commission has recommended City Council certification of the Mitigated Negative Declaration (SCH No. 2006051019) for the project as required by the California Environmental Quality Act (CEQA).

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

**SECTION 1:** The General Plan Land Use designation for the subject site is *Medium Density Residential*, which is consistent with the proposed *Medium Density Residential, Planned Development (R-2, PD)*; therefore, it can be found that:

- A. The proposed zoning is consistent with the General Plan Land Use Designation.

The site is adjacent to streets, which contain necessary infrastructure to support the proposed use of the property; therefore, it can be found that:

- B. The area is afforded the services and facilities appropriate for the proposed zoning.

The proposed Zone Change will provide a designation compatible with the existing adjacent land uses; therefore, it can be found that:

- C. The proposed modification is required for the public necessity, convenience, and general welfare.

**SECTION 2:** The Initial Environmental Study and Mitigated Negative Declaration prepared for the project show that there is no substantial evidence that the proposed project may have a significant effect on the environment, therefore, it can be found that:

- D. The proposed Zone Change does not have a significant effect on the environment; and
- E. Any effect of the proposed amendment upon fish and wildlife are de minimis and therefore no filing fee is required pursuant to Fish and Game Code Section 711.4 and Public Resources Code Section 21089.

**SECTION 3:** The Planning Commission resolves that this resolution shall be forwarded to the City Council with the Commission recommendation that the Council approve ZC 05-04 to change the zoning to *Medium Density Residential, Planned Development (R-2, PD)* as shown on Exhibit A, attached.

The foregoing Resolution, on motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, was adopted at the Planning Commission meeting of July 10, 2006 by the following vote:

**AYES:**

**NOES:**

\_\_\_\_\_  
Arleen T. Pelster, AICP, Secretary

\_\_\_\_\_  
Jack Rodenhi, Chair

Attachment: Exhibit A – Map

**RESOLUTION NO. 505 (06)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC, RECOMMENDING THAT THE CITY COUNCIL APPROVE PRELIMINARY/PRECISE DEVELOPMENT PLAN (DR 05-30) FOR THE OLSON COMPANY 60-UNIT RESIDENTIAL PROJECT**

**WHEREAS**, a request was received from Chandra Pesheck, representing The Olson Company, for consideration of DR 05-30 as the Preliminary/Precise Development Plan for a 60-unit residential project located at the southeast corner of Ocean Avenue and U Street. The project consists of sixty (60) individual residences with two car garages, including parking and landscaping (Assessor Parcel Numbers: 91-110-34, 35); and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on July 10, 2006; and

**WHEREAS**, at the meeting of July 10, 2006, \_\_\_\_\_, was present, and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of July 10, 2006, \_\_\_\_\_spoke in favor of, and \_\_\_\_\_ spoke in opposition to, the project; and

**WHEREAS**, the Planning Commission has recommended City Council certification of the Mitigated Negative Declaration (SCH No. 2006051019) for the project as required by 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 *Planned Development (PD)* zoning designation allows either more or less restrictive requirements, regulations, limitations and restrictions including height and bulk limitations, arrangements and spacing of buildings and other improvements, and the Preliminary/Precise Development Plan (DR 05-30) proposed for The Olson Company 60-unit Residential Project is designed to meet the needs of the proposed residential use, therefore it can be found that:

- A. The site for The Olson Company 60-unit Residential Project is adequate in size and topography to accommodate said use, and all yards, spaces, walls and fences, parking, and landscaping are adequate to properly adjust such use with the land and uses in the vicinity.
- B. The conditions stated in the decision are deemed necessary to protect the public health, safety, and welfare.

- C. The location of The Olson Company 60-unit Residential Project to streets and highways is adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed use.
- D. The Olson Company 60-unit Residential Project will have no adverse effect upon the abutting and surrounding property from the permitted use thereof.

**SECTION 2:** The Initial Environmental Study and Mitigated Negative Declaration prepared for the project show that there is no substantial evidence that the proposed project may have a significant effect on the environment, therefore, it can be found that:

- F. The proposed Preliminary/Precise Development Plan does not have a significant effect on the environment; and
- G. Any effect of the proposed development upon fish and wildlife are de minimis and therefore no filing fee is required pursuant to Fish and Game Code Section 711.4 and Public Resources Code Section 21089.

**SECTION 3:** Based upon the foregoing, the Planning Commission recommends City Council approval of the Preliminary/Precise Development Plan (DR 05-30), 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 Planning Commission meeting of July 10, 2006 by the following vote:

**AYES:**

**NOES:**

\_\_\_\_\_  
Arleen T. Pelster, AICP, Secretary

\_\_\_\_\_  
Jack Rodenhi, Chair

Attachments: Exhibit A – Conditions of Approval  
Exhibit B – Mitigation Measures  
Exhibit C – Site Plan  
Exhibit D – Elevations

**DRAFT CONDITIONS OF APPROVAL  
DR 05-30 – OLSON COMPANY 60-UNIT RESIDENTIAL PROJECT  
SOUTHEAST CORNER OF OCEAN AVENUE AND U STREET – APN: 91-110-34, 35**

The following Conditions of Approval apply to the plans for The Olson Company 60-Unit Residential Project, prepared by William Hezmalhalch Architects Inc. and Professional Design Inc., received by the Planning Division and stamped on June 19, 2006, and reviewed by the Planning Commission on July 10, 2006.

**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 8900, 8935, and 8936 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 Section 0107 and 0128 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 to specifically enforce the Conditions of Approval. 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. 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.
- P4. These conditions of approval shall be noted on the construction drawings filed for any building permits, including the City Council resolution number and the applicant's signed affidavit agreeing to comply with the conditions.
- P5. All revisions made by the Planning Commission and/or City Council 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.
- P6. Minor changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the Planning Commission and approved if acceptable. Major changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the City Council and approved if acceptable.
- P7. Prior to the installation of any signage or sign related construction the applicant

shall obtain all appropriate permits. Approval of these plans with signage indicated does not imply approval of signage.

- P8. 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.

- P9. A temporary use permit shall be obtained from the Planning Division prior to installation of construction and/or sales trailers on the project site.
- P10. Approval of Vesting Tentative Subdivision Map LOM 555 is contingent upon City Council approval of Preliminary/Precise Development Plan (DR 05-30), Zone Change (ZC 05-04) and Redevelopment Agency (RDA) review and approval.
- P11. The project is located within the City of Lompoc Old Town Redevelopment Area, Amendment No. 2 and final review and approval must be granted by the RDA Board.

### **Planning - Architectural Conditions**

- P12. The Architectural Review approval granted by the Planning Commission is valid for one year from date of approval and will expire on July 10, 2007. A one-year extension may be granted by the Community Development Director if the applicant so requests prior to the expiration date.
- P13. All facades which extend above the roof line shall be finished on all elevations

exposed to public view.

- P14. All mechanical and ventilation equipment on the roof shall be architecturally screened to prevent visibility from public view and shall be designed and placed to harmonize with the major structures on the site and with the neighborhood.
- P15. Protective bollards shall be installed near all down spouts that are adjacent to traffic.
- P16. The developer shall provide the Planning Division with a site map identifying the lot number, plan number, elevation, and color scheme of homes prior to issuance of individual building permits. This is to assure compliance with the Architectural Review Guideline limiting a street frontage design, which should not appear more than every fourth house.
- P17. Perimeter walls and fencing for the project shall be architecturally treated. The treatment shall be reviewed and approved by the Planning Division staff prior to issuance of grading permits.

### **Planning - Site Plan Conditions**

- P18. The applicant shall submit a lighting plan which incorporates the following:
  - a. All lighting shall be shielded to prevent glare and minimize light intrusion to adjacent properties. The adequacy and design of the on-site lighting and shielding shall be reviewed by staff at plan check. The plan shall provide specifics for external light fixtures both on and off the building, external illuminated signage, and any lighting fixtures at ground level.

### **Planning - Stormwater Conditions**

- P19. Filters that will remove sediment, oil, and grease shall be provided to treat all water that will drain from on-site paved areas. Filter(s) location(s) and type(s) shall be shown/detailed on grading and drainage plans.
- P20. As site is over 1-acre in size, an NPDES Phase II (National Pollution Discharge Elimination System) construction permit shall be obtained through the Regional Water Quality Control Board (RWQCB). A copy of the Notice of Intent and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the Planning Division for approval prior to issuance of the grading permit.
- P21. Grading and drainage plans and filter(s) location and type, the storm water pollution prevention plan, and associated maps, shall be reviewed by the City Planning and Engineering Divisions, prior to issuance of grading permits.
- P22. In residential subdivisions with public streets, storm water filters shall be placed in all affected downstream storm drain inlets, per the specifications of the City

Engineering Division. In residential subdivisions with private streets, storm water that flows over any paved surfaces or impervious areas shall be contained and filtered on-site before being released into the City's storm drain system.

### **Planning - Landscaping General Conditions**

P23. One set of the landscape and irrigation plans, shall be submitted to the Engineering Division with the grading plans. A separate submittal of two sets of the landscape and irrigation plans shall be made to the Planning Division simultaneously. The landscape and irrigation plans shall be reviewed and approved by the Planning Division and a Landscape Architect contracted by the City and paid for by the applicant, prior to issuance of grading or encroachment permits. After the final review and approval of these Plans, mylar copies shall be submitted to the Engineering Division with the grading and/or improvement plans.

These landscape and irrigation plans shall be prepared by a licensed landscape architect or other qualified professional project designer as designated by City staff; shall have overall dimensions of 24" x 36"; shall contain an approval block for the Community Development Director and contract Landscape Architect; and shall show all existing and proposed public utilities within the project limits.

P24. A Landscape Maintenance Agreement, in a form satisfactory to the City Attorney, shall be recorded prior to issuance of building permits for the project.

P25. The project must conform with the Urban Forestry Administrative Guidelines.

P26. The final landscaping Conditions of Approval shall be printed on the landscape plans filed with the City.

### **Planning - Landscaping Irrigation Conditions**

P27. The project must conform with sections 3331.1 - 3331.6 of the Lompoc City Code Water Efficient Landscape Standards.

P28. All irrigation must be low-water use, per manufacturer's specifications. A copy of the specifications must be provided to the contract Landscape Architect before installation. Installation must include check valves as needed to prevent runoff.

P29. All irrigation under paving must be Schedule 80 PVC or greater with tracer wires and sleeves.

### **Planning - Landscaping Tree Conditions**

P30. The number and size of trees installed on the site shall meet the tree density requirements, as set forth in Chapter 31 of the City Code. The density will be approved or denied during Plan Check.

P31. All trees must be planted at least ten feet away from public utilities, to include but not limited to water, sewer, electric, storm drain, cable, telephone, etc.

- P32. All trees must be installed with support staking. All nursery stakes must be removed from trees.
- P33. All trees and plant material selection shall be made with the concurrence of the contract Landscape Architect.

### **Planning - Landscaping Installation Conditions**

- P34. Installation of all irrigation and landscaping shall be performed by a licensed landscape contractor. Open trench inspection of the irrigation installation is subject to approval of City officials. Prior to the final inspection by the contract Landscape Architect, the installation shall be approved by the project designer and a letter of substantial conformance shall be submitted to the Planning Division.
- P35. A layer of bark two to four inches deep must be applied in all landscape areas. Type of bark must be approved by City Planning Division prior to issuance the first building permit for the project. The location and quality of the bark is subject to approval by the contract Landscape Architect, prior to installation.
- P36. All plant material is subject to inspection by the contract Landscape Architect and must be guaranteed for two years from the date of final inspection.
- P37. All common area landscaping must be installed and deemed in substantial conformance by the Landscape Architect, prior to final occupancy for the first unit.
- P38. Individual unit landscaping must be installed and deemed in substantial conformance by the Landscape Architect, prior to final occupancy for the individual unit.

### **Planning - Air Quality Conditions**

- P39. Dust (PM<sub>10</sub>) - a dust abatement program shall be prepared by the applicant. The program shall be reviewed and approved by the City Engineer, Senior Environmental Coordinator, and City Planner prior to issuance of grading permits. The dust abatement program shall include the following dust control measures:
- a. Sprinkle all construction areas with water (recycled when possible) at least twice a day, during excavation and other ground-preparing operations, to reduce fugitive dust emissions.
  - b. Construction sites shall be watered and all equipment cleaned in the morning and evening to reduce particulate and dust emissions.
  - c. Cover stockpiles of sand, soil, and similar materials, or surround them with windbreaks.
  - d. Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces

or have adequate freeboard to prevent spillage.

- e. Post signs that limit vehicle speeds on unpaved roads and over disturbed soils to 10 miles per hour during construction.
- f. Soil binders shall be spread on construction sites, on unpaved roads, and on parking areas; ground cover shall be re-established through seeding and watering.
- g. Sweep up dirt and debris spilled onto paved surfaces immediately to reduce resuspension of particulate matter through vehicle movement over those surfaces.
- h. Require the construction contractor to designate a person or persons to oversee the implementation of a comprehensive dust control program and to increase watering, as necessary.
- i. The name and 24/7 contact information for the person responsible for dust control shall be provided to the City prior to issuance of grading permits.
- j. If dust is not controlled on the site, the City shall shut down work on the project until the applicant can provide adequate dust control.
- k. Streets and alleys surrounding the project shall be kept clean and free of dirt.

P40. Ozone (O<sub>3</sub>) Precursors: (NO<sub>x</sub> and ROC)

- a. All construction equipment engines and emission systems shall be maintained in proper operating order, in accordance with manufacturers' specifications, to reduce ozone precursor emissions from stationary and mobile construction equipment.
- b. If feasible, electricity from power poles or ground lines shall be used in place of temporary diesel- or gasoline-powered generators.

P41. Conditions for Long-term and Operational Impacts:

- a. All residential construction or remodel projects of five or more residential units shall reduce long-term and operation emission of CO, NO<sub>x</sub>, and ROC from mobile sources.

## Planning – Cultural Resources Conditions

- P42. If archaeological artifacts are unearthed or exposed during construction, all ground disturbing work shall stop immediately and the artifacts and the site shall be evaluated by an experienced archaeologist. An appropriate plan for the preservation of the artifacts from the site shall be prepared and its implementation overseen by an experienced Archaeologist, prior to the restarting of ground disturbing work at the project site.
- P43. If paleontological artifacts are unearthed or exposed during construction, all ground disturbing work shall stop immediately and the City notified. The artifacts and site shall be evaluated by an experienced Paleontologist/cultural resources specialist. An appropriate plan for the preservation of the artifacts from the site shall be prepared and its implementation overseen by an experienced Paleontologist.
- P44. If human remains are accidentally discovered or recognized during construction, all excavation and ground disturbing work on or adjacent to the project site (or area of discovery) shall stop immediately. The County Coroner of the County in which the remains are discovered shall be contacted and the Native American Heritage Commission shall be notified immediately and their recommendations and requirements adhered to, prior to continuation of construction activity.

### **Planning – Mitigation Monitoring Conditions**

- P45. All mitigation measures set forth in the Mitigated Negative Declaration (SCH No. 2006051019) are hereby incorporated into these Conditions of Approval, as if fully contained herein, except those found infeasible pursuant to §15091 of the State CEQA Guidelines.
- P46. The applicant shall enter into a Mitigation Monitoring Agreement with the City of Lompoc, which shall assure continuing compliance with the Mitigation Measures set forth in the Final Mitigated Negative Declaration. The Agreement shall be reviewed and approved by the City Attorney, and shall be recorded prior to the issuance of any construction permit.
- P47. The applicant shall pay the costs associated with implementation of the Mitigation Monitoring Program prior to issuance of the first Certificate of Occupancy for any building in the project. The costs associated with implementation of Mitigation Monitoring Program shall be calculated on a time and materials basis.
- P48. Minor changes to the Mitigation Monitoring Program may be made by the City Planner. Such changes shall not result in alteration of any mitigation measures, but shall be restricted to changes related to which phase of the Mitigation Monitoring Program (e.g., plan check, construction, pre-occupancy, post-occupancy) a mitigation measure is to be completed. Any such changes may be approved when it is found to be impractical to require completion of a mitigation measure during the phase specified in the Mitigation Monitoring Program.
- P49. Hours of construction shall be limited to:  
Monday through Friday - between the hours of 7:30 a.m. and 5 p.m.  
Saturday - between the hours of 8 a.m. and 5 p.m.

Sunday - None

Minor modifications to the hours of construction may be granted by the City Planner.

### **Planning –Covenants, Conditions & Restrictions (CC&R's)**

- P50. Covenants, Conditions and Restrictions (CC&Rs) shall be submitted to the City for approval, prior to recordation.
- a. The applicant shall create a Home Owner's Association (HOA) for the maintenance of the common facilities including but not limited to: common areas, private streets, and landscaping.
- P51. The Covenants, Conditions & Restrictions (CC&R's) shall be reviewed and approved as to form by the City Attorney prior to recordation of the final map. The CC&R's shall state that no provision in the document may be amended without the prior written approval of the City of Lompoc. The CC&R's shall be recorded prior to the issuance of building permits.
- P52. The CC&R's shall include the following:
- a. Provisions for adequate maintenance and replacement of filters. Filters must be cleaned out at least twice a year, before and after the storm season. Filters must be cleaned out and replaced, if necessary, at any time they are not functioning correctly and water is ponding as a result.
  - b. A restriction against parking or storing recreational vehicles, trailers, and other miscellaneous vehicles on streets within the project. (*Lompoc Subdivision Review Ordinance Section 2863, Planned Residential Developments*).
  - c. A restriction against vehicle parking on the garage aprons.

### **Planning – Affordable Housing Conditions**

- P53. Applicant shall comply with affordable housing requirements for Old Town Lompoc Redevelopment Project, Amendment No. 2 as specified in General Plan Housing Element Policy 1.11.
- P54. The proposed project is a sixty (60) unit for-sale development, which will require nine (9) affordable units to be dispersed throughout the development. The applicant must designate the affordable units on the site plan and sign a covenant prepared by the Redevelopment Agency (RDA), which will be recorded on each of the affordable units for a period of 45 years.
- P55. 15% of the dwelling units shall be at prices affordable to very-low, low- and moderate income families (very-low – 6%, low/moderate – 9%). The distribution and affordability levels of these units, termed "controlled-sale units" shall be as follows:

<b>Income Level</b>	<b>3-bedroom</b>
Very-Low	4
Low	3
Moderate	2
<b>Total</b>	<b>9</b>

- P56. The sales price for the controlled-sale units shall be calculated by the Redevelopment Agency prior to issuance of building permits for the controlled-sale units.
- P57. Prior to the issuance of building permits, the property owner(s) shall sign a covenant which runs with the land against each controlled-sale unit. The covenant shall be prepared by the RDA in order to assure continued affordability. The covenant shall specify:
- a. the formula for determining new sales prices;
  - b. affordability control mechanisms upon resale;
  - c. refinancing restrictions;
  - d. qualifications of eligible buyers;
  - e. annual reporting requirements;
  - f. occupancy requirements;
  - g. the period during which affordability is to be maintained;
  - h. that the owner grants to the Agency, or other entity designated by the City, an option to purchase the property at any time the owner wishes to sell; and,
  - i. that the covenant shall be in effect for a 45 year period starting from the date of the Covenant or each Addendum to the Grant Deed.
- P58. Prior to the issuance of building permits, the applicant and property owner(s) shall agree to cooperate in implementing the affordability controls, and obtain the lender's approval of the affordability control documents.
- P59. Prior to issuance of certificates of occupancy, the applicant and property owner(s) shall obtain the City's / Redevelopment Agency's approval of the buyer selection process, the initial sales prices, and the eligibility of the initial buyers of controlled-sale units. In addition, as part of the escrow proceedings on the controlled-sale



- d. Height of the building
- e. Floor area of building(s)

- B7. California disabled access regulations shall be incorporated within the plans.
- B8. Project shall comply with current City and State water conservation regulations.
- B9. Dust and erosion control shall be in conformance with standards and regulations of the City of Lompoc.
- B10. A licensed surveyor/engineer shall verify pad elevations, setbacks, and roof elevations.
- B11. Stairs, decks, platforms shall meet the strict guidelines in the most recent adopted Building Code.
- B12. Buildings shall comply with the State's Energy Regulations.
- B13. A sound transmission study complying with the most California Building Code may be required.

## **FIRE**

### **Fire - Access Conditions**

- F1. All required access roads on the site shall be in service prior to the start of framing construction. The roads shall have: 1) an all-weather surface; 2) a minimum vertical clearance of 14 feet; and 3) a minimum width of 20 feet. All dead-end access roads in excess of 150 feet in length shall have a minimum outside turn around radius of forty (40) feet and/or a minimum inside turn around radius of thirty (30) feet.
- F2. All permanent gates on required access roads shall have a means for Fire Department access either: 1) an approved key box containing appropriate keys or gate combination, or 2) if electrically operated, an approved key operated switch. Provisions must be made to open electrically operated gates in the event of a power failure.
- F3. Fire Department access shall comply with UFC Appendix 3-D and UFC Chapter 9.

### **Fire - Water Supply Conditions**

- F4. Fire Hydrants shall be provided in accordance with UFC Chapter 9 and UFC Appendix 3-B.

- a. The number and spacing of fire hydrants shall be in accordance to UFC Table A-3-B-1.
- b. Fire Department access and water supply shall be in accordance with UFC Article 9 and UFC Appendix 3-A.

- F5. All fire hydrants shall be in service prior to the start of framing construction.
- F6. Fire sprinkler connections shall have unobstructed access to a fire hydrant within 150 feet.

**Fire - Equipment and Protection System Conditions**

- F7. Fire alarm systems are required in accordance with the most restrictive of the following: the Uniform Fire Code, the Uniform Building Code, or the Lompoc City Code.
- F8. Automatic sprinkler systems are required in accordance with the most restrictive of the following: the Uniform Fire Code, the Uniform Building Code, and the Lompoc City Code.
- F9. Fire alarm systems and automatic sprinkler systems shall be supervised on a 24-hour basis at a location approved by the Fire Department.
- F10. Four sets of plans for fire alarm systems and sprinklers shall be submitted to the Building and Fire Safety Division for review and approval, prior to the start of framing construction. When approved, two sets of the plans will be returned to the applicant, two sets will be retained by the Building and Fire Safety Division. Plan submittal and installation shall be in accordance with National Fire Protection Association and UFC standards.
- F11. 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. POLICE DEPARTMENT**

No General or Project Specific Conditions

**V. ENGINEERING**

**Engineering – General Conditions**

- EN1. Improvement Plans are required with this development. Improvement Plans include:
- Earthwork
  - Site drainage, parking lot paving, planters & trash enclosures
  - Public improvements – Public electric, water, sewer, storm drain and surface improvements
  - Signing and striping within public and private street right-of-way
  - Connection points to utility mains for sewer laterals and water services
  - Electrical services up to and including transformer
- EN2. Improvement Plans shall be prepared by or under the supervision of a registered civil engineer.
- EN3. All improvements shall be provided at the Applicant's expense and in accordance with City of Lompoc "Standard Requirements for The Design and Construction for Subdivisions and Special Developments." These Standard Requirements are available at the Engineering Division.
- EN4. "Development Assistance Brochures" are available at the Engineering Division to facilitate the preparation of plans and reports by the Applicant's engineer and include "Checklists for Completeness of Engineering Plans and Report Submittals." The "Development Assistance Brochures" are an essential reference for the preparation of Grading and Public Improvement Plan submittals.
- EN5. A Soils Investigation/Geology Report shall be submitted to the Engineering Division with first plan check submittal of the Improvement Plans. A soils engineer shall be retained to observe, test, and certify during construction all recommendations as outlined in the Soils Investigation Report. "R" Values shall be taken to determine the street structural sections.

All slopes shall be reviewed by a Soils Engineer for stability and shall be included in the Soils/Geotechnical Investigation Report. A Soils Engineer shall sign the final Grading Plan approving all slope grading.

- EN6. In conformance with Chapter 27, Section 2774.E of the Lompoc City Code, the Improvement Plans, including but not limited to, grading, water, sewer, streets, storm drain, electrical system, and other surface and subsurface improvements, shall be prepared based upon the *vertical* and *horizontal* control monuments as

established by the City of Lompoc Coordinate Control System, Record of Survey Book 142, Pages 82 and 83. All drawings, improvement plans, and survey maps shall be prepared in accordance with the requirements currently in effect, with the additional requirement that all said drawings and improvement plans shall be delivered in a computer format readily compatible for transfer to the City Geographic Information System. The following computer formats are acceptable for delivery: DGN (native Microstation); DWG (same as or less than Version 14); DXF.

### Plan Review

- EN7. After the Improvement Plans have been prepared and are ready for review, the Applicant's Engineer shall submit four (4) sets of prints to the Engineering Division for first plan check. The Public Works Department, Utility Services Department, Fire Department, and Building Division will review the check prints for conformance with project conditions and City Standards.
- EN8. First plan check shall include hydraulic calculations (sewer & storm drain), soils report, and all other calculations and data necessary for review of the project plans.

### Permits & Fees

- EN9. An Encroachment Permit issued by the Engineering Division is required for any work within a street right-of-way or easement. Permit application will include an itemized Engineer's cost estimate for the public improvements to be constructed.
- EN10. A Grading Permit is required by the Engineering Division upon approval of the Improvement Plans and prior to clearing, grubbing, excavation, or dirt filling within the development.
- EN11. A Grading Plan Review Fee shall be paid after first plan review and before any additional plan check submittals. Plan Check Fee is based on estimated grading quantities identified on the Improvement Plans.
- EN12. Prior to the issuance of an Encroachment Permit or Grading Permit, the Applicant shall provide a letter to the Engineering Division, addressed to the City Engineer, stating that the engineer who prepared the Improvement Plans, or his/her designated representative, will perform periodic site observations of the grading and offsite construction. (Refer to EN24)
- EN13. STREET IMPROVEMENT and TRAFFIC SIGNAL IMPACT FEES will be imposed upon the issuance of a building permit and are based on the City of Lompoc Development Impact Fee Schedule in effect at the time of permit issuance.

### Drainage

- EN14. A Drainage/Hydrology Report shall be submitted to the Engineering Division with first plan check submittal of the Grading and Improvement Plans.



The civil engineer who prepared the Improvement Plans shall prepare and submit Record Drawings to the Engineering Division prior to Engineering's final approval of the project. A professional land surveyor licensed in the State of California may prepare the Record Drawings providing the civil engineer also signs the Record Drawing Certification on the plans. The Record Drawings shall show all changes that occurred during construction, including changes in materials, distances, lengths, locations, elevations, slopes, volumes, etc.

EN25. After construction is complete and the City has approved the Record Drawings, the Applicant will:

- A. Provide the City Management Services Department, Information Systems Division, with a copy of the Record Drawings, in a computer format readily compatible for transfer to the City Geographic Information System. The following computer formats are acceptable for delivery: DGN (native Microstation); DWG (same as or less than Version 14); DXF.
- B. Provide the Engineering Division with record Drawings copied in PDF format (one file) on CD.

### **Engineering – Project Specific Conditions**

EN26. Access ramps shall be constructed at the following locations:

- A. Southeast corner Ocean Avenue and U Street.
- B. At both curb returns on Ocean Avenue at project entry.
- C. At both curb returns on U Street at project entry.
- D. At the northeast corner of U Street and Public Alley (Southwest corner of development).

EN27. Sidewalk access ramps within City street right-of-way (U Street) shall be constructed per City Standard Specifications.

EN28. Sidewalk access ramps within Caltrans right-of-way (Ocean Avenue) shall be constructed as directed by Caltrans.

EN29. Work within Ocean Avenue requires a Caltrans Encroachment Permit. Prior to final approval of the Improvement Plans the Applicant shall submit to the Engineering Division one of the following:

- A. Copy of the executed Caltrans Encroachment Permit; or

- B. Improvement Plan prints with a Caltrans signature of acceptance for proposed work within their right-of-way; or
- C. Mylar original drawings with a Caltrans signature of acceptance for proposed work within their right-of-way.

EN30. Any additional traffic issues that are identified in the Final Traffic Study shall be incorporated into the project design.

**VI. AVIATION/TRANSPORTATION**

No General or Project Specific Conditions

**VII. SOLID WASTE**

**Solid Waste – General Conditions**

SW1. Trash enclosures shall be designed in accordance with City standards for up to 440-gallon automated containers accessible to automated trash collection trucks and in locations as approved by the City Solid Waste Superintendent. The trash collection trucks are side loading and have a 40-foot turning radius. On-site circulation for the trucks shall be designed so trash collection trucks will not need to back up in order to turn around and exit.

SW2. Trash enclosures shall not have any doors and shall be enclosed on three sides with a six-foot wall, which is architecturally compatible with the on-site buildings as approved by the City Planner.

SW3. Trash enclosure access openings must be placed no more than one-foot from drive aisle.

SW4. Trash containers must be kept side-by-side and parallel with alley or drive aisle. Enclosures with more depth than the minimum required seven-foot depth of one container must be constructed with a wheel-stop sufficient to keep the containers at the front edge of the enclosure so that the operator of the trash collection truck does not have to move containers out for collection.

SW5. The project must provide adequate areas for collecting and loading recyclable materials. The recycling area(s) shall be located so they are convenient for those persons who deposit, collect, and load the recyclable materials. Whenever feasible, areas for collecting and loading recyclable materials shall be adjacent to the solid waste collection areas. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to the recycling area(s).

**Solid Waste – Project Specific Conditions**

SW6. The trash enclosure shown at Lot 48 is accessible to trash collection trucks only if access is provided from the Public Alley at Lot 43. If this alley entrance is gated the Applicant must provide the access code to the Solid Waste Division. Any

parking within the 24-foot private street (drive isle) to the trash enclosure will be in conflict with trash collection.

## **VIII. ELECTRIC**

### **Electric – General Conditions**

- EL1. The Applicant shall sign a Line Extension Agreement and pay all costs for the City to furnish and install electric power lines/equipment to and within the proposed development. These costs will include all labor, labor overhead, material, material handling charges and equipment/vehicle rentals necessary for the City to extend the City's electrical distribution system to serve the project. The total estimated cost, as mentioned in the Line Extension Agreement, must be paid prior to the City issuance of building permits.
- EL2. The Applicant shall provide a single line diagram showing voltage, phase, load requirements, and size of planned switchboard. Three-phase electric services up to 200 Amps shall have 7-jaw meter sockets. Three-phase electric services above 200 Amps shall have 13-jaw meter sockets and provisions for a test switch and for current transformers. The main switchboard shall conform to Electric Utility Service Equipment Requirements approved by the City of Lompoc. The Applicant shall pay the Meter Installation Fee, prior to the issuance of the building permit.
- EL3. Electric meters and main disconnect switches shall be located on the exterior of the building or in an enclosure opening only to the exterior of the building. Meter enclosures shall be accessible at all times to electric division personnel. If the enclosure is to be locked, the lock shall be keyed to Schlage Lock No. C38587.
- EL4. The Applicant shall provide all necessary trenching and backfilling to Electric specifications. This shall include trenching for primary cable, secondary cable, street light wiring and associated vaults and boxes. The Applicant shall provide transformer pads as required. The project shall be at final grade prior to trenching for installation of underground electric facilities.
- EL5. The Applicant shall furnish and install the service wire and conduit from the service panel to the transformer or secondary box. Upon approval of the building inspector, the City shall make the final connections to the transformer and energize the service.
- EL6. For three-phase electrical service over 200 Amps, the Applicant shall run a telephone service wire to the meter location for remote meter readings.
- EL7. Provide and install one 2-inch conduit, from the pull box in the street easement to the building, in same trench with the electrical service conduit.

## **IX. WATER**

## **Water – General Conditions**

- W1. This facility must comply with plumbing cross-connection control standards as required by City Ordinance and State law for the protection of water supplies. Information on acceptable back-flow assemblies is available from the City Water Division.
- W2. The size and location of all water meters shall be determined by the Engineer/Architect or authorized representative. All water meters will be furnished and installed by the Water Division at the expense of the Applicant.
- W3. All meter protection shall be by an approved Reduced Pressure Principle Backflow Prevention Assembly (RP) at the service connection. Information on acceptable assemblies is available from the City Water Division.
- W4. All public water system components must be constructed within public right-of-way or public easements.
- W5. When a fire sprinkler system is required or proposed, the utility plan shall show the location of Fire Department Connection FDC with reference dimensions to the nearest fire hydrant. Fire Department requires fire department connections to be within 150' of a fire hydrant.
- W6. When a fire sprinkler system is required or proposed the utility plan shall show the fire line connection point to water main.
- W7. All requests for information needed to design fire sprinkler systems and to determine available or needed fire hydrant flow shall be made with the City Water Division

## **Water – Project Specific Conditions**

- W8. All water meter services and water mains shall be installed within City of Lompoc easements. The size & location of all water meters shall be shown on the plans, including the irrigation meter(s) for open spaces.
- W9. The public water main shall be looped within the project and looped to the existing main at Ocean Avenue and T Street.

## **X. WASTEWATER**

### **Wastewater – General Conditions**

- WW1. All new sewer main and lateral installations will be of Polyvinyl Chloride Plastic





RESOLUTION NO. 506 (06)

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A VESTING TENTATIVE SUBDIVISION MAP TO SUBDIVIDE AN APPROXIMATELY 5.43-ACRE PARCEL FOR RESIDENTIAL DEVELOPMENT (LOM 555)**

**WHEREAS**, a request was received from Chandra Pesheck, representing The Olson Company, for consideration of a Vesting Tentative Subdivision Map for a 60-unit residential project located on an approximately 5.43-acre site at the southeast corner of Ocean Avenue and U Street. The request is to subdivide the current site (Assessor Parcel Numbers: 91-110-34, 35) into sixty (60) residential parcels; and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on July 10, 2006; and

**WHEREAS**, at the meeting of July 10, 2006, \_\_\_\_\_, was present, and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of July 10, 2006, \_\_\_\_\_spoke in favor of, and \_\_\_\_\_ spoke in opposition to, the project; and

**WHEREAS**, the Planning Commission has certified the Mitigated Negative Declaration (SCH No. 2006051019) for the project as required by 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:

- A. The General Plan designation for the site is: *Medium Density Residential*. The zoning is consistent with the General Plan: *Medium Density Residential, Planned Development (R-2, PD)* and the staff analysis provides a basis for the recommendation; therefore, the design and improvements of the proposed subdivision are consistent with the applicable General Plan designation and policies.
- B. The proposed parcels are of reasonable size to support the type of development proposed by the applicant; therefore, the site is physically suitable for the type and density of the development proposed.
- C. The proposed subdivision of land is in compliance with the City's policies and ordinances, as conditioned; therefore, the design of the proposed subdivision and improvements are not likely to cause environmental damage or substantially and unavoidable injure fish or wildlife or their habitat.

**DRAFT CONDITIONS OF APPROVAL  
LOM 555 – VESTING TENTATIVE SUBDIVISION MAP  
SOUTHEAST CORNER OF OCEAN AVENUE AND U STREET – APN: 91-110-34, 35**

The following Conditions of Approval apply to the plans for LOM 555, prepared by The Olson Company, received by the Planning Division and stamped on June 30, 2006, and reviewed by the Planning Commission on July 10, 2006.

**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 8900, 8935, and 8936 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 Section 0107 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 555 is valid for twenty-four (24) months, prior to the expiration of the Map the applicant may request a twelve (12) month extension. LOM 555 shall expire on July 10, 2008 unless the applicant requests a time extension as outlined by City standards.
- P5. The name of the private streets shall be reviewed and approved by the Community Development Director for consistency with City policy prior to approval of the final subdivision map.
- P6. Approval of Vesting Tentative Subdivision Map LOM 555 is contingent upon City Council approval of Preliminary/Precise Development Plan (DR 05-30), Zone Change (ZC 05-04) and Redevelopment Agency (RDA) review and approval.

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

No General or Project Specific Conditions

## **III. POLICE DEPARTMENT**

No General or Project Specific Conditions

## **IV. ENGINEERING**

### **Engineering – General Conditions**

- EN1. A Final Map shall be prepared in accordance with the Subdivision Map Act, Section 66426. Upon approval or conditional approval of the Vesting 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 Final Map by the City Engineer.
- EN2. The Final Map shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor.

- EN3. In conformance with Chapter 27, Section 2824 of the Lompoc City Code, the Final 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 Final Map shall indicate and identify the control monuments utilized in the preparation thereof. The Final 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 (native Microstation); DWX (same as or less than Version 14); DXF.
- EN4. After the Final 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.
- EN5. Final Map shall comply with Engineering Division's "Development Assistance Brochure" entitled "Checklist For Completeness of Subdivision Maps," available at the Engineering Division.
- EN6. Final Map shall show street centerline monuments set in standard street monument wells per City Standards.
- EN7. At the completion of plan review for the Final Map, and before the City Counsel will consider acceptance of the Final Map, the required plans, fees and documentation shall be submitted to the Engineering Division. The fees and documentation typically include, but are not be limited to, the following:
- A Title Report current within the last ninety days
  - Final Map original mylars signed and notarized by the owner, and signed and stamped by the engineer
  - Improvement Plan original mylars signed and stamped by the engineer
  - Final Map Plan Check fee
  - Monument Security per Subdivision Map Act, Section 66496
  - Final Map and Improvement Plans delivered in a computer format readily compatible for transfer to the City Geographic Information System
  - Proof "Tax bond" has been recorded with the County of Santa Barbara
  - Recording Fee
  - Map Duplicating Fee

### **Engineering – Project Specific Conditions**

- EN8. All private streets (drives) shall be dedicated as Public Utility Easements on the Final Map.

**V. ELECTRIC**

**Electric – Project Specific Conditions**

EL1. Public Utility Easements shall be dedicated on the Map for public electric facilities installed within the development.

**VI. SOLID WASTE**

No General or Project Specific Conditions

**VII. WATER**

No General or Project Specific Conditions

**VIII. WASTEWATER**

No General or Project Specific Conditions

**IX. AVIATION/TRANSPORTATION**

No General or Project Specific Conditions

I, Chandra Pesheck of The Olson Company, project applicant do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in its approval of the proposed 60-Unit Residential Project. As project applicant, I agree to comply with these conditions and all other applicable laws and regulations at all times.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

- D. The design of the proposed subdivision of land, as conditioned, and the type of improvements will not conflict with easements of record or established by judgment, acquired by the public at large, for access through or use of, property within the proposed subdivision; therefore it can be found that the proposed conditions of approval are necessary to provide adequate access to the public.

**SECTION 2:** The Initial Environmental Study and Mitigated Negative Declaration prepared for the project show that there is no substantial evidence that the proposed project may have a significant effect on the environment, therefore, it can be found that:

- E. The proposed Vesting Tentative Subdivision Map does not have a significant effect on the environment; and
- F. Any effect of the proposed map upon fish and wildlife are de minimis and therefore no filing fee is required pursuant to Fish and Game Code Section 711.4 and Public Resources Code Section 21089.

**SECTION 3:** Based upon the foregoing, the Planning Commission approves LOM 555 as the Vesting Tentative Subdivision Map for The Olson Company 60-unit Residential Project as reviewed on July 10, 2006, 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 Planning Commission meeting of July 10, 2006 by the following vote:

**AYES:**

**NOES:**

\_\_\_\_\_  
Arleen T. Pelster, AICP, Secretary

\_\_\_\_\_  
Jack Rodenhi, Chair

Attachment: Exhibit A – Conditions of Approval