

**CITY OF LOMPOC
PLANNING COMMISSION STAFF REPORT**



MEETING DATE: SEPTEMBER 13, 2004
TO: MEMBERS OF THE PLANNING COMMISSION
FROM: KEITH C. NEUBERT, ASSISTANT PLANNER
RE: DEVELOPMENT PLAN REVIEW – DR 04-13

AGENDA ITEM NO. 2

A request by Francisco Sanchez of Sanchez Property, LLC, the property owner, for Planning Commission consideration of a proposal for improvements to the La Chiquita shopping center. The improvements include façade changes, refurbishment of the parking lot, additional lighting and landscaping, and a shopping center sign program. The project is located at 801-905 West Laurel Avenue (Assessor Parcel Numbers: 89-213-13, 14, 15, 26) and is zoned *Central Business District (C-2)*. This action is exempt pursuant to the California Environmental Quality Act (CEQA).

AUTHORITY:

The Planning Commission has the authority to approve, conditionally approve, or deny project architecture (Lompoc City Code Section 8826 et seq.).

SITE DATA:

- | | |
|--------------------------------------|--|
| 1. Property Owner. | Francisco Sanchez |
| 2. Site Location. | 801-905 West Laurel Avenue |
| 3. Assessor Parcel Numbers. | 89-213-13, 14, 15, 26 |
| 4. Site Zoning. | Central Business District (C-2) |
| 5. General Plan Designation. | Neighborhood Commercial |
| 6. Site Use. | Existing Shopping Center |
| 7. Surrounding Uses/Zoning. | North: Residential / 7-R-1
South: Residential / R-3, PD
East: Commercial / CM
West: Commercial / CM |
| 8. Site area. | Approximately 41,817 square feet |

BACKGROUND:

- | | |
|-----------|--|
| 1962-1963 | Building permits were issued and the shopping center constructed. |
| 1992 | A building permit was issued for tenant improvements to the shopping center and the major tenant space was occupied by La Chiquita Market. |

PROPOSAL:

The proposal consists of improvements to the La Chiquita shopping center located at 801-905 West Laurel Avenue in the *Central Business District (C-2)* zone. The improvements include façade changes, refurbishment of the parking lot, additional lighting and landscaping, and a shopping center sign program.

CONFORMANCE WITH ADOPTED CITY POLICIES:

Architectural Review Guidelines:

The existing buildings were originally constructed in 1962 and 1963. The changes to the buildings are limited to the façade. No changes are proposed to the building footprint. It is proposed that a parapet wall varying in height from 17-24 feet be added along the top of the building. An approximately 2-foot wide horizontal color band runs along the face of the buildings. Awnings are provided over the doorways.

The exterior building finish proposed is a cream colored stucco. A light blue color, surrounded by a light green colored border, is utilized on the trim and horizontal band along the face of the buildings. The awnings over the doors are a royal blue color.

The Architectural Review Guidelines state:

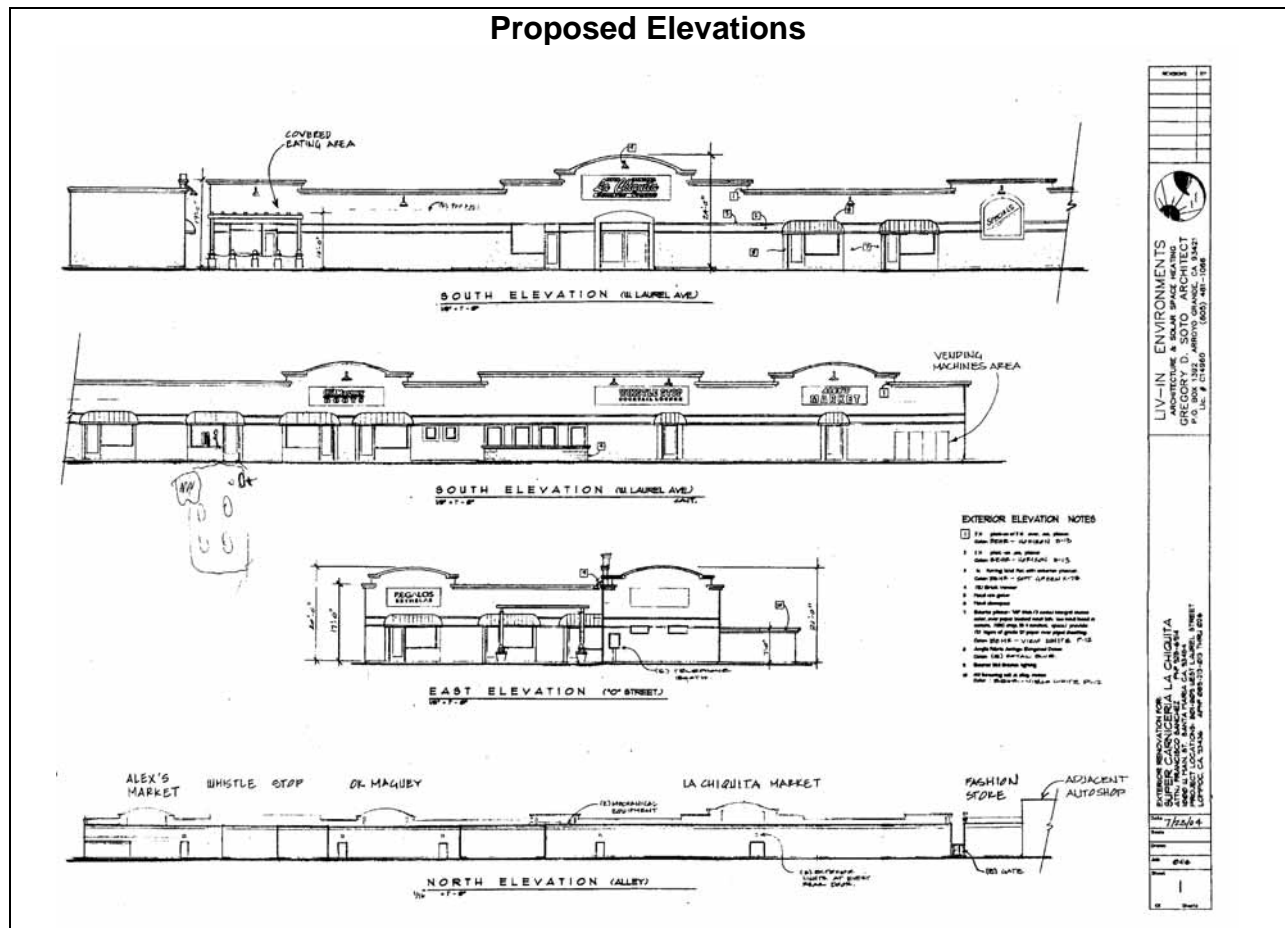
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Multiple buildings on the same site shall be designed to create a strong visual relationship between the buildings with subtle variety in building size and mass.

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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.

The parapet wall varying in height from 17-24 feet provides a variation in the roof line. The horizontal band of color along the face and fabric awnings provide architectural detail to the buildings. The buildings utilize the same architectural elements, including colors and materials that match. As proposed, the buildings provide a sense of overall continuity with one another.



A color / material board will be available at the meeting for review.

The surrounding area is commercial and residential. The proposed changes to the exterior of the building provide an architectural style that is sensitive to the varied development that exists in the area. As proposed, the project is consistent with the City's Architectural Review Guidelines.

Zoning Ordinance:

The zoning for the site is *Central Business District (C-2)*. The purpose of this zone is to provide for the general business and commercial needs of the City. This zone shall be used as the business center in areas where a wide range of retail and service establishments are needed to accommodate the surrounding community. The use of the site will remain the same. The building and site improvements will enhance the existing shopping center and be a positive improvement to the character of the area. Planning Commission review and approval of the plans for this project will assure the shopping center improvements are in conformance with the C-2 Zone.

Site Plan –

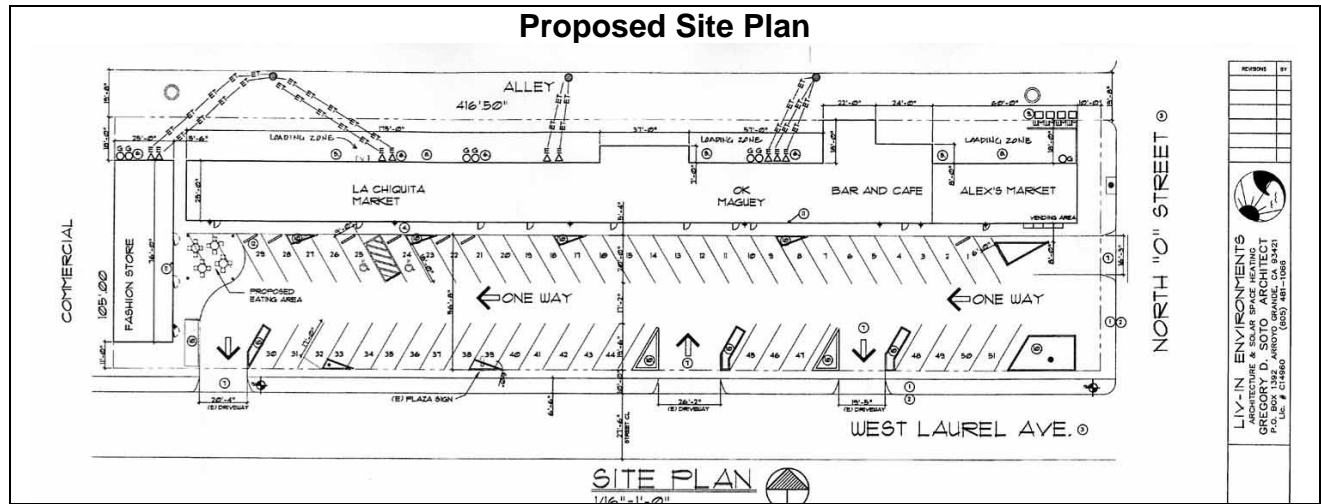
The existing building and parking layout will remain the same with the exception of the deletion of two parking spaces to be replaced with an outdoor eating area. The outdoor eating area is approximately 325 square feet and is covered by a trellis. It is located at the west end of the shopping center in front of, and will be utilized by, patrons of the La Chiquita Market. A Condition of Approval is included requiring bollards or curbing to be installed to separate the outdoor seating area from vehicular traffic [Resolution No. 377 (04), COA P27]. The bollards or curbing shall be reviewed by staff at plan check and approved, if appropriate.

The property owner is considering either reconstructing or resurfacing the parking lot. If the parking lot is reconstructed, it must conform to current City standards, including the requirement to filter all storm water flowing from paved surfaces. Conditions of Approval are included to ensure the parking lot meets City standards if it is reconstructed [Resolution No. 377 (04), COA P15-18 & COA EN1]. If the parking lot is simply resurfaced, these Conditions of Approval do not apply. Regardless of whether the parking lot is reconstructed or resurfaced, the parking layout will remain as proposed and 51 parking spaces will be provided on site.

Outdoor vending machines are considered by the Commission on a case-by-case basis. Four (4) vending machines are currently located in front of Alex's Market at the east side of the shopping center. A Condition of Approval is included prohibiting additional outdoor vending machines with the exception of four (4) vending machines in front of Alex's Market, and fully-enclosed newspaper racks [Resolution No. 377 (04), COA P13].

Existing shopping center lighting is minimal. New light fixtures are proposed on the building façade. A Condition of Approval is included requiring the submittal of a lighting plan, which shall be reviewed by staff at plan check and approved, if appropriate [Resolution No. 377 (04), COA P14].

Existing landscaping pockets are provided throughout the parking area. The applicant is proposing to provide new landscaping in the existing areas. A Condition of Approval is included requiring landscape plans to be submitted for review and approval by the Planning Division prior to issuance of building permits for the project [Resolution No. 350 (04), COA P19].



As shown below, the project meets Zoning Ordinance Section 8003 Standards of Development for the C-2 zone.

Height –

Maximum allowed:
 50 feet

Proposed:
 24 feet

Parking –

Zoning Ordinance Section 8851 Schedule of Off-Street Parking Requirements :

Use	Square Feet	Parking Requirement
Restaurant – Public Accommodation Area	467 square feet	One space for each 60 square feet or 8 spaces
Restaurant – Remaining Area / Commercial	10,980 square feet	One space for each 250 square feet or 44 spaces
Storage	1,000 square feet	One space for each 500 square feet or 2 spaces
Total:	12,122 square feet	54 parking spaces

Required:
 54 parking spaces

Proposed:
 51 parking spaces

With the elimination of two parking spaces to accommodate the outdoor eating area, and the additional parking required for this area, the shopping center is deficient three parking spaces or within five percent of the required parking. *Section 8856.2 Mixed Occupancies and Consolidated Parking* of the Zoning Ordinance allows for a reduction in the amount of required parking when the parking demand generated by the different uses included within any consolidated arrangement occurs at distinctly different times. The patrons of the bar and café frequent the shopping center primarily in the evenings. The patrons of the commercial establishments are generally present during the day. The consolidation of parking for mixed use projects can reasonably be utilized to determine that sufficient parking is available for customers and employees of the businesses located in the shopping center.

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

REDEVELOPMENT AGENCY:

The proposed project is located in the City of Lompoc Old Town Redevelopment Project, Amendment No. 2 area. Projects on sites over one acre in size; projects containing 10 or more residential units; and projects receiving funds from the Redevelopment Agency (RDA), require approval by the RDA Board. The proposed project at 801-905 West Laurel Avenue will be partially funded with RDA funds and will require Agency review following Planning Commission approval. A Condition of Approval is included in the Planning Commission Resolution [Resolution No. 377 (04), COA P28].

SIGN PROGRAM:

Zoning Ordinance *Section 8842.2 General Limitations* - states that *projects or buildings containing more than one store shall have an overall sign program*. A sign program was not required at the time the shopping center was originally constructed in 1962 and 1963. Planning Commission review of a Sign Program for the La Chiquita Plaza is proposed along with the project.

An approved Sign Program provides a benefit to the individual tenants and the overall appearance of the shopping center. Generally when new signs are proposed, the applicant is required to pay a fee and the plans are reviewed to ensure compliance with the City Sign Ordinance. With an approved Sign Program for a shopping center, the individual tenants are not required to pay a fee. Plans are submitted for review to ensure compliance with the approved Sign Program. All signs need not be alike, however, the approved Sign Program will ensure overall continuity in the shopping center.

<u>Zoning Ordinance Requirement</u>	<u>Proposed Sign Program Requirement</u>
Three (3) colors	Three (3) colors
Low profile, ground mounted signs, less than 8 feet high	A legal non-conforming pole sign will remain and may be replaced with a monument sign in the future to be reviewed at staff level
Not more than three (3) signs	One (1) on-building sign per tenant, except tenants with more than one street frontage may have two (2) on-building signs

A Condition of Approval is included, requiring all tenants to obtain a sign permit from the City Planning Division, prior to installation of signage, based on the criteria established in the Sign Program [Resolutions No. 379 (04), COA P5 & P7]. Additionally, a Condition of Approval is included requiring signs identifying a business no longer occupying a tenant space to be removed within 90 days and the face of the building repaired [Resolution No. 379 (04), COA P8].

The shopping center is located across the street from a residential neighborhood. Zoning Ordinance *Section 8842.10 General Limitations* - states that *all signs that are proposed for installation for a commercial or industrial building that face into a residentially-zoned area shall be reviewed by the Planning Commission at a public hearing...* The reasons for review of signs facing residential areas is lighting and any other factors the Planning Commission deems relevant with respect to any negative impacts. As previously noted, a lighting plan is required for the project and will be reviewed by staff at plan check. Additionally, a Condition of Approval is included requiring all illuminated signs to be on a timer and curtailed within one hour after each tenant's closing [Resolution No. 379 (04), COA P6]. This requirement will reduce negative impacts resulting from illuminated signs after hours.

Based upon the conditions imposed upon the signage, the Sign Program would be in conformance with the Zoning Ordinance.

ENVIRONMENTAL REVIEW:

The project is categorically exempt from review pursuant to Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA). A Notice of Exemption will be filed for the project following the Commission action.

NOTICE:

Notice of Public Hearing was published in the Lompoc Record on September 3, 2004 and all property owners of record within 300 feet of the subject property were notified by U.S. Mail on September 3, 2004.

STAFF REVIEW:

A Development Review Board (DRB) meeting was held for this project on July 26, 2004. The applicant met with staff to discuss the proposal and draft Conditions of Approval were formulated. The following comment was received:

- Engineering Division – requirements are included if the parking lot is reconstructed [Resolution No. 377 (04), COA EN1].

The Development Review Board (DRB) 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.

The DRB recommends approval of DR 04-13 subject to the attached Conditions of Approval.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Adopt Resolution No. 377 (04) approving DR 04-13 allowing the improvements to the La Chiquita shopping center, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.**
- 2) Adopt Resolution No. 379 (04) approving a Sign Program for the La Chiquita shopping center, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.**

ATTACHMENTS:

1. Draft Resolution No. 377 (04) and Conditions of Approval
2. Draft Resolution No. 379 (04), Conditions of Approval, and Draft Sign Program
3. Site Plan and Elevations
(Planning Commission only – plans available in Planning Division for review)

RESOLUTION NO. 377 (04)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A DEVELOPMENT PLAN FOR IMPROVEMENTS TO THE LA CHIQUITA SHOPPING CENTER AT 801-905 WEST LAUREL AVENUE (DR 04-13)

WHEREAS, a request was received by Francisco Sanchez of Sanchez Property, LLC, the property owner, for Planning Commission consideration of a proposal for improvements to the La Chiquita shopping center. The improvements include façade changes, refurbishment of the parking lot, and additional lighting and landscaping. The project is located at 801-905 West Laurel Avenue (Assessor Parcel Numbers: 89-213-13, 14, 15, 26) and is zoned Central Business District (C-2); and

WHEREAS, the request was considered by the Planning Commission at a duly-noticed public meeting on September 13, 2004; and

WHEREAS, at the meeting of September 13, 2004, _____, was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of September 13, 2004, _____ spoke in favor of, and _____ spoke in opposition to, the project; and

WHEREAS, this project is categorically exempt pursuant to the provisions of the California Environmental Quality Act (CEQA).

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOMPOC 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 proposed shopping center improvements, as conditioned, meet the requirements of the Lompoc City Code and are consistent with the applicable policies and development standards, therefore it can be found that:

- A. The site for the proposed use is adequate in size and topography to accommodate said use, and all yards, spaces, walls and fences, loading, 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 site of the proposed use relates to streets and highways adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed use.
- D. The demand for parking stalls generated by the different uses included within the consolidated arrangement occurs at distinctly different times; therefore, the minimal parking reduction proposed is acceptable as consolidated parking in accordance with Section 8856.2 of the Zoning Ordinance.
- E. The use will have no adverse effect upon the abutting and surrounding property from the permitted use thereof.

SECTION 2: Based upon the foregoing DR 04-13 is approved as proposed on September 13, 2004, 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 regular Planning Commission meeting of September 13, 2004, by the following vote:

AYES:

NOES:

Arleen T. Pelster, AICP, Secretary

Jack Rodenhi, Chair

Attachment: Exhibit A - Conditions of Approval

**DRAFT CONDITIONS OF APPROVAL
DR 04-13 – 801-905 WEST LAUREL AVENUE
LA CHIQUITA FAÇADE CHANGE (APN: 89-213-13, 14, 15, 26)**

The following Conditions of Approval apply to the plans for the La Chiquita façade change, prepared by Liv-In Environments, received by the Planning Division and stamped on August 11, 2004, and reviewed by the Planning Commission on September 13, 2004.

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. 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.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. 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.
- P5. 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.
- P6. These conditions of approval shall be noted on the construction drawings filed for any building permits, including the Planning Commission resolution number and the applicant's signed affidavit agreeing to comply with the conditions.
- P7. Minor changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the Community Development Director and approved if acceptable. Major changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the Planning Commission and approved if acceptable.

Planning - Architectural Conditions

- P8. The Architectural Review approval granted by the Planning Commission is valid for one year from date of approval and shall expire on September 13, 2005. A one year extension may be granted by the Community Development Director if the applicant so requests prior to the expiration date.
- P9. All facades which extend above the roof line shall be finished on all elevations exposed to public view.
- P10. 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.
- P11. Protective bollards shall be installed near all down spouts that are adjacent to traffic.
- P12. Foam material shall not be used for architectural features from the ground level to six (6) feet above ground level. Foam material may be used on portions of the building which are a minimum of six feet above ground level.

Planning - Site Plan Conditions

- P13. No outside vending machines, except four (4) vending machines in front of the tenant space at the east end of the shopping center, and fully-enclosed newspaper racks, shall be allowed on site. All newspaper racks shall be pedestal-mounted.
- P14. The applicant shall submit a lighting plan which incorporates the following:
- a. All lighting shall be on a timer and within one hour after each tenant's closing, lighting in the parking areas adjacent to each tenant shall be reduced to a minimal level of lighting necessary for safety and security; and the illumination of signs and landscaping adjacent to each tenant shall be curtailed.
 - b. 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

- P15. If the parking lot is reconstructed, all storm water flowing from paved surfaces shall be filtered for sediment, trash, oil and grease, prior to discharge into City streets, storm drains or waterways. Filter(s) location(s) and type(s) shall be shown/detailed on grading and drainage plans.
- P16. If the parking lot is reconstructed, grading and drainage plans and filter(s) location and type, shall be reviewed by the City Planning and Engineering Divisions, prior to issuance of grading permits.
- P17. If the parking lot is reconstructed and filters are installed, provisions shall be made to ensure adequate maintenance and replacement of private storm water filters.
- P18. If filters are installed, they shall be adequately maintained and replaced. 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.

Planning - Landscaping General Conditions

- P19. Two sets of the landscape and irrigation plans, shall be submitted for review and approval by the Planning Division prior to issuance of building permits.

These landscape and irrigation plans shall be drawn to scale.

- P20. A Landscape Maintenance Agreement, in a form satisfactory to the City Attorney, shall be recorded prior to issuance of building permits for the project.
- P21. The project must conform with the Urban Forestry Administrative Guidelines.

Planning – Landscaping Tree Conditions

- P22. 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.
- P23. All trees must be installed with support staking. All nursery stakes must be removed from trees.
- P24. All trees and plant material selection shall be made with the concurrence of the Planning Division.

Planning - Landscaping Installation Conditions

- P25. A layer of bark two to four inches deep must be applied in all landscape areas. A sample of the bark shall be submitted to the Planning Division for review and approval prior to the issuance of building permits.
- P26. All plant material is subject to inspection by the Planning Division and must be guaranteed for one year from the date of final inspection.

Planning - Project Specific Conditions

- P27. Protective bollards or curbing shall be installed to separate the outdoor seating area from vehicular traffic. The number, type, and placement of the bollards shall be reviewed by staff at plan check and approved, if appropriate.
- P28. Approval of the Development Plan (DR 04-13) is contingent upon Redevelopment Agency (RDA) review and approval.

Planning - Air Quality Conditions

- P29. Dust (PM₁₀) - 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.

P29. Ozone (O₃) Precursors: (NO_x 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.

Planning - Mitigation Monitoring Conditions

P30. 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.

II. BUILDING AND FIRE SAFETY

Building - General Conditions

- B1. Project shall comply with the most recent adopted City and State building codes.
- B2. Plans shall be submitted by a California licensed architect and/or engineer.
- B3. Approved fire-resistive assemblies shall be provided for occupancy and/or exterior wall protection. Parapets may be required in accordance with the UBC and UFC.
- B4. Dimensioned building setbacks and property lines, street centerlines, and between buildings or other structures shall be designated on plot plans.
- B5. All property lines and easements must be shown on the plot plan. A statement that such lines and easements are shown is required.
- B6. The Title Sheet of the plans shall include:
 - a. Occupancy group
 - b. Description of use
 - c. Type of construction
 - d. Height of the building
 - e. Floor area of building(s)
- B7. California disabled access regulations shall be incorporated within the plans.

III. FIRE

Fire - Equipment and Protection System Conditions

- F1. 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.
- F2. Fire Department access shall comply with UFC Appendix 3-D and UFC Chapter 9.

IV. AVIATION/TRANSPORTATION

No General or Project Specific Conditions

V. POLICE DEPARTMENT

No General or Project Specific Conditions

VI. ENGINEERING

Engineering – Project Specific Conditions

EN1. If the parking lot is reconstructed the following shall apply:

- A. The parking lot structural section shall be designed by a registered Civil Engineer. Refer to City Standard Drawing No. 800, "Parking Lot construction Techniques."
- B. Drainage out to the street shall be directed through Curb and/or Parkway Drain(s) per APWA Standard Plan No. 150-2 and 151-1. Submit drainage calculations to support sizing for drain.
- C. Drainage from the parking lot to the public right-of-way shall be filtered through a City approved filter system. The filter shall be located on the development property and maintained by the property owner.
- D. Building Plans shall include structural section of the parking lot and identify the "R" value of the underlying soil.
- E. Building Plans shall show the parking lot drainage, including all surface elevations, including all grade breaks, high points, flow lines, etc.

VII. SOLID WASTE

No General or Project Specific Conditions

VIII. ELECTRIC

Electric – General Conditions

- EL1. The Developer shall sign a line extension agreement and pay all costs for the City to furnish and install electric power lines to and within the proposed development. These costs shall include all labor, labor overhead, material, material handling charge and equipment/vehicle rental necessary for the City to extend the City's electric distribution system to serve the project.
- EL2. The Developer 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 developer 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 Developer 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 developer shall provide transformer pads as required. The project shall be at final grade prior to trenching for installation of underground electric facilities.
- EL5. The Developer 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 transformer.
- EL6. For three-phase electrical service over 200 Amps, the Developer shall run a telephone service wire to the meter location for remote meter readings.

IX. WATER

No General or Project Specific Conditions

X. WASTEWATER

No General or Project Specific Conditions

I, Francisco Sanchez of Sanchez Property, LLC, the property owner, do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the La Chiquita façade change. As the property owner, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Name

Date

RESOLUTION NO. 379 (04)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A SIGN PROGRAM FOR THE LA CHIQUITA SHOPPING CENTER (DR 04-13)

WHEREAS, a request was received by Francisco Sanchez of Sanchez Property, LLC, the property owner, for Planning Commission consideration of a proposal for a Sign Program for the La Chiquita shopping center. The project is located at 801-905 West Laurel Avenue (Assessor Parcel Numbers: 89-213-13, 14, 15, 26) and is zoned Central Business District (C-2); and

WHEREAS, the request was considered by the Planning Commission at a duly-noticed public meeting on September 13, 2004; and

WHEREAS, at the meeting of September 13, 2004, _____, was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of September 13, 2004, _____ spoke in favor of, and _____ spoke in opposition to, the project; and

WHEREAS, this project is categorically exempt pursuant to the provisions of the California Environmental Quality Act (CEQA).

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOMPOC 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. Inasmuch as the proposed Sign Program will provide an acceptable design for the shopping center signage and comply with the City's Architectural Review standards and Sign Ordinance, it can be found that
 - 1. The proposed Sign Program complies with the City Zoning Ordinance and Architectural Review Guidelines.

SECTION 2: Based upon the foregoing the Sign Program for the La Chiquita shopping center is approved as proposed on September 13, 2004, 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 regular Planning Commission meeting of September 13, 2004, by the following vote:

AYES:

NOES:

Arleen T. Pelster, AICP, Secretary

Jack Rodenhi, Chair

Attachments: Exhibit A – Conditions of Approval
Exhibit B – Approved Sign Program

**DRAFT CONDITIONS OF APPROVAL
DR 04-13 – 801-905 WEST LAUREL AVENUE
LA CHIQUITA SIGN PROGRAM (APN: 89-213-13, 14, 15, 26)**

The following Conditions of Approval apply to the La Chiquita shopping center Sign Program reviewed by the Planning Commission on September 13, 2004.

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. 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.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. 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.
- P5. 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.
- P6. The applicant shall submit a lighting plan which incorporates the following:
 - a. All lighting shall be on a timer and within one hour after each tenant's closing, lighting in the parking areas adjacent to each tenant shall be reduced to a minimal level of lighting necessary for safety and security; and the illumination of signs and landscaping adjacent to each tenant shall be curtailed.
 - b. 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 - Project Specific Conditions

- P7. All tenants shall obtain a sign permit from the City Planning Division, prior to installation of signage, based on the criteria established in the Sign Program.
- P8. Signs identifying a business no longer occupying a tenant space must be removed within 90 days and the face of the building must be repaired.

II. BUILDING AND FIRE SAFETY

No General or Project Specific Conditions

III. AVIATION/TRANSPORTATION

No General or Project Specific Conditions

IV. POLICE DEPARTMENT

No General or Project Specific Conditions

V. ENGINEERING

No General or Project Specific Conditions

VI. SOLID WASTE

No General or Project Specific Conditions

VII. ELECTRIC

No General or Project Specific Conditions

VIII. WATER

No General or Project Specific Conditions

IX. WASTEWATER

No General or Project Specific Conditions

I, Francisco Sanchez of Sanchez Property, LLC, the property owner, do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the La Chiquita Sign Program. As the property owner, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Name

Date

**LA CHIQUITA PLAZA
TENANT SIGN CRITERIA**

**DRAFT SIGN PROGRAM
PLANNING COMMISSION REVIEW
SEPTEMBER 13, 2004**

LA CHIQUITA PLAZA TENANT SIGN CRITERIA

PURPOSE OF CRITERIA

The purpose of these criteria is to establish standards and specifications to assure that all signage and the project as a whole will be consistent and enhance the identity of all the retail tenants at Plaza La Chiquita.

A) SUBMITTALS AND APPROVALS

1. Prior to sign fabrication, Tenant or his sign contractor shall submit for Landlord approval three (3) sets of complete and fully-dimensioned and detailed shop drawings. In addition to the aforementioned drawings, these submissions shall include elevations, color and material boards, and cross-sectional diagrams. All Tenant submittals shall be reviewed by Landlord and/or its agent for conformance with the provision of the City-approved signage program.
2. Following Landlord's approval of proposed signage, Tenant or his agent shall submit to the City sign plans signed by Landlord and applications for all permits for fabrication and installation by sign contractor.
3. Fabrication and installation of all signs shall be performed in accordance with the standards and specifications outlined in these criteria and in the final approved plans and shop drawings. Any work deemed unacceptable shall be rejected and shall be corrected or modified at Tenant's expense as required by the landlord or its agent.

B) SIGN TYPES

1. The signs are to be composed of channel letters or dimensional letters in accordance with the definitions below.
2. Channel letters are to be defined as individual channel letters or as connected channels that may be composed of script letters with connected serifs, or as non-script letters that are connected by heavy outlines into an integrated shape or "channel box". Secondary channel boxes containing a logo mark or underlining the primary text and containing a secondary message shall be permitted. Illumination may be with either LEDs or neon.
3. Dimensional letters are to be made of 1/2" thick clear acrylic, 1/2" black PVC or 1-1/2" thick black Ultraboard Plus (available from Montroy Supply in Montebello, CA). These substrates must have a laminated metal face that may be a colored baked enamel finish or an anodized metal finish.

Secondary colors or outlines may be added to these finishes with high-grade vinyl overlays. Dimensional letters shall be defined to include both individual dimensional letters or as connected dimensional letter forms where individual characters may be connected script serifs, or by heavy outlines into an integrated shape. Dimensional letters may be either flush mounted onto the surface of the building façade, or mounted with studs and stand-offs to “float” the letters off the stucco surface. Dimensional letters may also be backlit with LED modules to give them a glow or halo effect at night. **NOTE:** Ultraboard substrate shall not be considered an acceptable substitute for Ultraboard-Plus as it is known to degrade and warp very quickly in outdoor conditions.

4. Exposed channel letter raceways are prohibited. All channel letter signs must be mounted directly to the stucco surface of the building with raceways concealed behind the parapet. However, raceways for backlit dimensional letters are allowed. These must measure 1” wide by ½” deep and must be painted to match the stucco color of the building.
5. Electric sign requirements: All electric signs are to be UL listed and meet all local and state codes. They must be installed by a licensed and bonded electric sign contractor (Class C-45).
6. Tenant signs will be no larger than 65% of leasehold width, with a maximum width of 16 feet.
7. Logos marks or illustrations may be a maximum of 30% of the net sign area.
8. For one line, letters may be a maximum of 24” in height. For two lines, the total height of the sign may be a maximum of 28”. For the major tenant (La Chiquita Market) the total height of the sign may be a maximum of 36”.

C) SIGNAGE

Each tenant may have one (1) on-building sign. Tenants with more than one street frontage may have two (2) on-building signs.

D) COLORS

Signs may consist of a total of three colors.

E) LIGHTING

Signs that are internally illuminated with neon shall be powered by a transformer with a maximum of 60 m.a. However, LED illumination is allowed for both channel letters and to illuminate dimensional letters with the halo effect.

F) MONUMENT SIGN

One primary monument sign is allowed by the City of Lompoc Zoning Ordinance. Currently, this monument is a legal non-conforming pole sign located at the center of the complex at the sidewalk. It may be replaced, at a future date, with a ground mounted monument located at the corner consistent with the existing City Sign Ordinance. This will be reviewed by Planning Division staff and approved if acceptable.

G) GENERAL SPECIFICATIONS AND REQUIREMENTS

1. All sign circuits are to be provided to sign locations by Landlord.
2. All local, state and national codes are to be strictly complied with. Fabrication and installation to be Underwriter Laboratory (UL) approved with the required markings.
3. Signs shall be continuously maintained, without dark spots, light leaks, or manufacturing defects. Visible seams in acrylic faces, unplated steel, and black iron materials are prohibited. All metal must be rust inhibited or aluminum with the appropriate finish. All conduits, crossovers, transformers, wiring, and manufacturing labels shall be concealed.
4. All neon is to be powered by 30 to 60 m.a. transformers, and shall have a cut off switch at the transformer or on the metal enclosure for the transformer in compliance with the National Electrical Code.
5. All signs are to be laid out so as to be proportionate to the area in which it is placed, as well as comply with the square footage limitations. They should also be centered at the appropriate location on the elevation so it would be balanced with the buildings as a whole. (Not necessarily centered on the Tenant space.) The appropriate location is to be coordinated with Landlord.
6. The Landlord reserves the right to reject any fabrication or installation that is below standard.
7. All building penetrations are to be sealed and completely waterproof.
8. Signs identifying a business no longer occupying a tenant space must be removed within 90 days and the face of the building must be repaired.

H) PROHIBITED SIGNS

Temporary wall signs, pennants, flags, over-roof signs, inflatable displays, exposed neon, or sandwich boards unless specifically approved by landlord and in compliance with the City sign ordinance. Temporary banners advertising specials or sales are allowed in accordance with City code.