

**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: TENTATIVE SUBDIVISION MAP – LOM 538
ZONE CHANGE – ZC 04-05
PRELIMINARY / PRECISE DEVELOPMENT
PLAN – DR 03-17

AGENDA ITEM NO. 5

A request by Sue Ehrlich, representing the Lompoc Housing Assistance Corporation (LHAC), the applicant, for Planning Commission review and consideration of:

- 1) LOM 538 – A Tentative Subdivision Map requesting subdivision of a 14,000 square-foot parcel of land to create five (5) residential condominiums.
- 2) ZC 04-05 - A Zone Change proposal to amend the City's Zoning Map designation for the site. The current Zoning Map designation for the site is *High Density Residential (R-3)*; the applicant is requesting a change to *High Density Residential, Planned Development (R-3,PD)* which would conform to the City's General Plan Designation for the site of *High Density Residential*. The Planned Development designation is requested to allow an adjustment of the setbacks, minimum building separation and accessory building attachment requirements for the project.
- 3) DR 03-17 – A Preliminary/Precise Development Plan for the construction of a 5-unit condominium complex including on-site parking and landscaping.

The project is proposed on an approximately 14,000 square-foot parcel of land located at 516 North T Street (Assessor Parcel Number: 89-161-12). A Mitigated Negative Declaration has been prepared pursuant to the provisions of the California Environmental Quality Act (CEQA).

SITE DATA:

1. Property Owner. Lompoc Housing Assistance Corporation (LHAC)
2. Site Location. 516 North T Street
3. Assessor Parcel Number. 89-161-12
4. Site Zoning. High Density Residential (R-3)

5. General Plan Designation. High Density Residential
6. Site Use. Vacant Land
7. Surrounding Uses/Zoning. North: High Density Residential (R-3)
South: High Density Residential (R-3)
East: High Density Residential (R-3)
West: High Density Residential (R-3)
8. Project area. approximately 14,000 square feet

PROPOSAL:

The applicant is requesting approval of:

Zone Change (ZC 04-05) – The site is currently zoned *High Density Residential (R-3)*. The applicant is requesting a change to *High Density Residential, Planned Development (R-3, PD)* which would conform to the City’s General Plan Designation for the site of *High Density Residential*. The *Planned Development (PD)* designation is requested to allow an adjustment of the setbacks, minimum building separation and accessory building attachment requirements for the project.

Tentative Subdivision Map (LOM 538) – The site is 14,000 square feet in size. The applicant is requesting a Tentative Subdivision Map to create five (5) residential condominiums.

Preliminary/Precise Development Plan (DR 03-17) – The *Planned Development (PD)* designation requires a Preliminary/Precise Development Plan for the project on the site. Zoning Ordinance Section 7703 and 7704 allows a certain amount of flexibility from the strict adherence of the development standards to allow a quality project for the benefit of the community. Approval of the Preliminary/Precise Development Plan allows the applicant to build the specific project approved. The Planning Commission will review the project and make a recommendation to the City Council. The project must meet the criteria for density in the underlying zone. Minor changes to the project require additional review by the Commission; major changes will require Council review.

CONFORMANCE WITH ADOPTED CITY POLICIES:

1. Zone Change (ZC 04-05)

Section 8887 of the Zoning Ordinance requires the Planning Commission to hold a public hearing and make a recommendation to the City Council regarding a request for a zone change.

The site is currently zoned *High Density Residential (R-3)*. The applicant is requesting a change to *High Density Residential, Planned Development (R-3, PD)* which would conform to the City's General Plan Designation for the site of *High Density Residential*.

The *Planned Development (PD)* designation is requested to allow an adjustment of the setbacks, minimum building separation and accessory building attachment requirements for the project. 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. This Development Plan is intended to serve as a Preliminary/Precise Development Plan to meet requirements of Lompoc City Code Sections 7703 and 7704.

Approval of the Preliminary/Precise Development Plan allows the applicant to build the specific project as approved. Any minor change to the project would require additional review by the Commission; a major change would require City Council approval.

Approval of the Tentative Subdivision Map (LOM 538) and the Preliminary/Precise Development Plan (DR 03-17) are contingent upon the City Council approval of the Zone Change (ZC 04-05) and Redevelopment Agency (RDA) review and approval (LOM COA P4, DR COA P11).

2. Tentative Subdivision Map (LOM 538)

Authority:

The Planning Commission has the authority to approve, conditionally approve, or deny a Tentative Subdivision Map (Lompoc City Code Section 2832). Government Code Section 65402 and LCC Section 2812 require a finding of conformity of the proposed division with the General Plan, which is included as part of the Commission resolution of approval on this Subdivision Map.

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 under the analysis of DR 03-17.

1. *Requires a minimum of one (1) amenity for residential developments of 2 to 24 dwellings units.*

The developer is proposing a common open space area with a water feature and a landscaped outdoor seating area.

2. *The developer shall propose the size and type of the amenities to be provided.*

The developer is proposing common open space area of 3,339 square feet; or approximately 24% of the project site.

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

Lot Coverage for the *High Density Residential (R-3)* zoning district as listed in Section 7606 of the Zoning Ordinance states: *Not more than 60 percent of the total lot area shall be devoted to main and accessory building area, parking area, driveway and covered patio.* The applicant is proposing that 7,149 square feet of the site, be covered by buildings, parking area, driveway, and covered patio. This is approximately 51% of the land area.

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.*

No storage area is proposed on the plans; therefore, a Condition of Approval (DR COA P10) is included requiring a restriction in the Covenants, Conditions, and Restrictions (CC&R's).

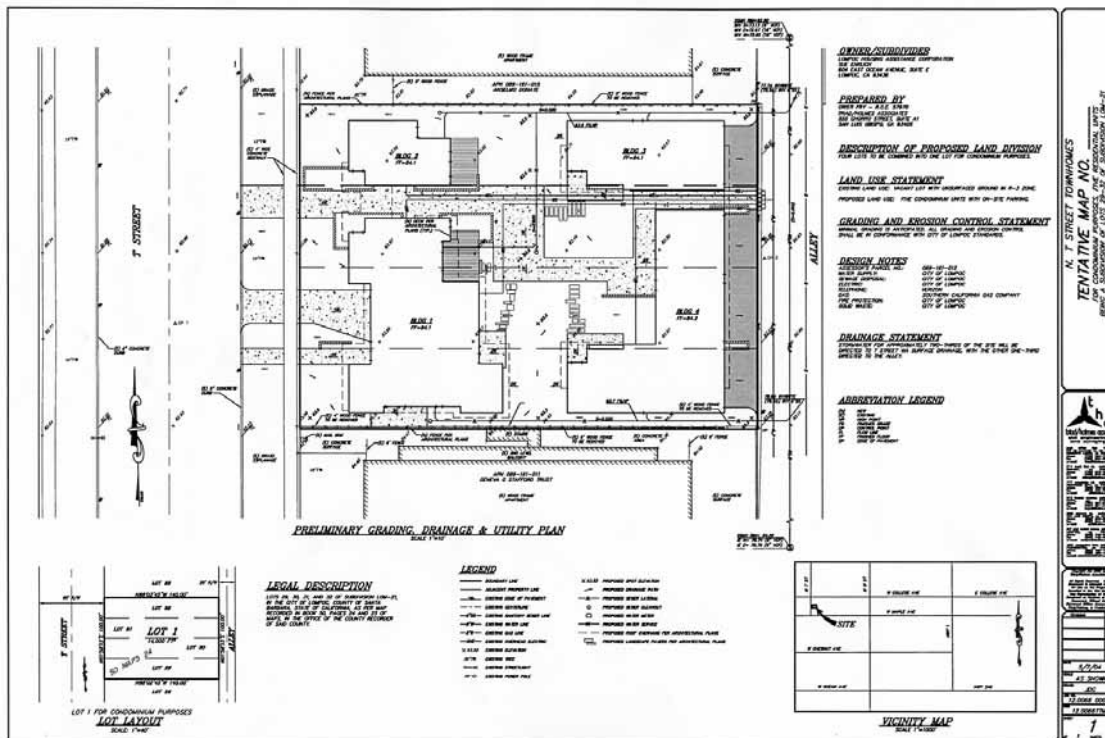
5. *Minimum open space area shall be required for R-3 density of 40% of the project. At least one-half of the total open space requirement shall be devoted to open space usable by the residents.*

The applicant is proposing the following uses on the site:

Building Coverage and Drive Area	7,149 sq. ft.	51%
Private Yard Area	3,512 sq. ft.	25%
Common Open Area	<u>3,339 sq. ft.</u>	<u>24%</u>
Totals	14,000 sq. ft.	100%

The private yard area and common open area total 49% of the site in open space, all of which, is usable by the residents.

Proposed Tentative Subdivision Map



The Tentative Subdivision Map expires twenty-four months from the date of approval unless the applicant requests a time extension prior to the expiration. A Condition of Approval is included to advise the applicant of the map expiration date (LOM COA P5).

Staff Review:

Section 2826 of the Subdivision Ordinance requires Subdivision Review Board (SRB) review of Tentative Subdivision Maps for conformance with the criteria listed in the Ordinance. The SRB is required to report its findings to the Planning Commission.

A Subdivision Review Board (SRB) meeting was held on August 16, 2004. The applicant met with staff to discuss the proposal and draft Conditions of Approval for the Tentative Subdivision Map were formulated. No project specific comments were received regarding the Tentative Subdivision Map.

In accordance with Section 2832 of the Lompoc City Code, the SRB recommends that the Planning Commission adopt Resolution No. 369 (04) and certify the Mitigated Negative Declaration approving the proposed Tentative Subdivision Map with the attached draft Conditions of Approval.

3. Preliminary/Precise Development Plan (DR 03-17)

Authority:

Section 7705 – Regulations, Limitations and Restrictions of the Zoning Ordinance allows the Commission to recommend to the Council the adoption of a Preliminary/Precise Development Plan with restrictions more or less restrictive than those specified in the City regulations. The project must be *designed to protect property values in the vicinity of the subject property and to protect and enhance the public peace, health, safety and general welfare of persons residing, working in, and passing through the neighborhood.*

Architectural Review Guidelines:

There are a total of five units proposed. The unit breakdown is shown in the table below:

Unit A	2-Story	2 bedrooms	2 ½ baths	1081 sq. ft.	2 car garage
Unit B	2-Story	2 bedrooms	2 ½ baths	1112 sq. ft.	2 car garage
Unit C	1-Story	2 bedrooms	2 baths	1088 sq. ft.	2 car garage
Unit D	2-Story	3 bedrooms	2 ½ baths	1330 sq. ft.	2 car garage
Unit E	2-Story	3 bedrooms	2 ½ baths	1330 sq. ft.	2 car garage

The exterior building finishes are smooth finish plaster and HardiPlank lap siding with metal roofs. Units A and B feature a light tan exterior plaster, green siding, dark red accents, and a dark olive-colored trim. Units C, D, and E feature a slightly darker tan exterior plaster, light green siding, dark red and blue accents, and a dark olive-colored trim. Utilizing the same trim color and roof material on all the buildings will be a strong unifying theme for the project.

The Architectural Review Guidelines state:

Page 5, Item 6

All proposed buildings or structures should be sensitive to the neighborhood character.

Page 6, Item 10

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.

Page 6, Item 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.

Varied colors and rooflines give a sense of individuality to the units. Utilizing the same trim color and roof material gives a strong sense of unity to the buildings on the site. Trellises are utilized on several elevations to add detail to the structures. The building fronts are staggered to provide depth and solar access. The varied colors and rooflines, trellises, and staggered building fronts add architectural detail to the project and alleviate any large expanse of blank walls. The applicant is dressing the area between the buildings in the center of the complex and around the driveways with landscaping.

The surrounding area is residential and the proposed project is sensitive to the varied development that exists in the neighborhood. As conditioned, the proposed project is consistent with the City's Architectural Review Guidelines.



Photos of the site and a color / material board will be available at the meeting for review.

Zoning Ordinance:

Zoning Ordinance *Section 7701.a – Uses Permitted*, notes that *no P-D District may be established in an existing residential neighborhood on land that has been previously developed*. This section of the Zoning Ordinance was adopted in 1990 and was intended to prohibit developers from attempting to apply the Planned Development Overlay to property for the purpose of constructing additions or modifications to existing structures.

The subject site is currently vacant and will be developed in its entirety.

Site Plan:

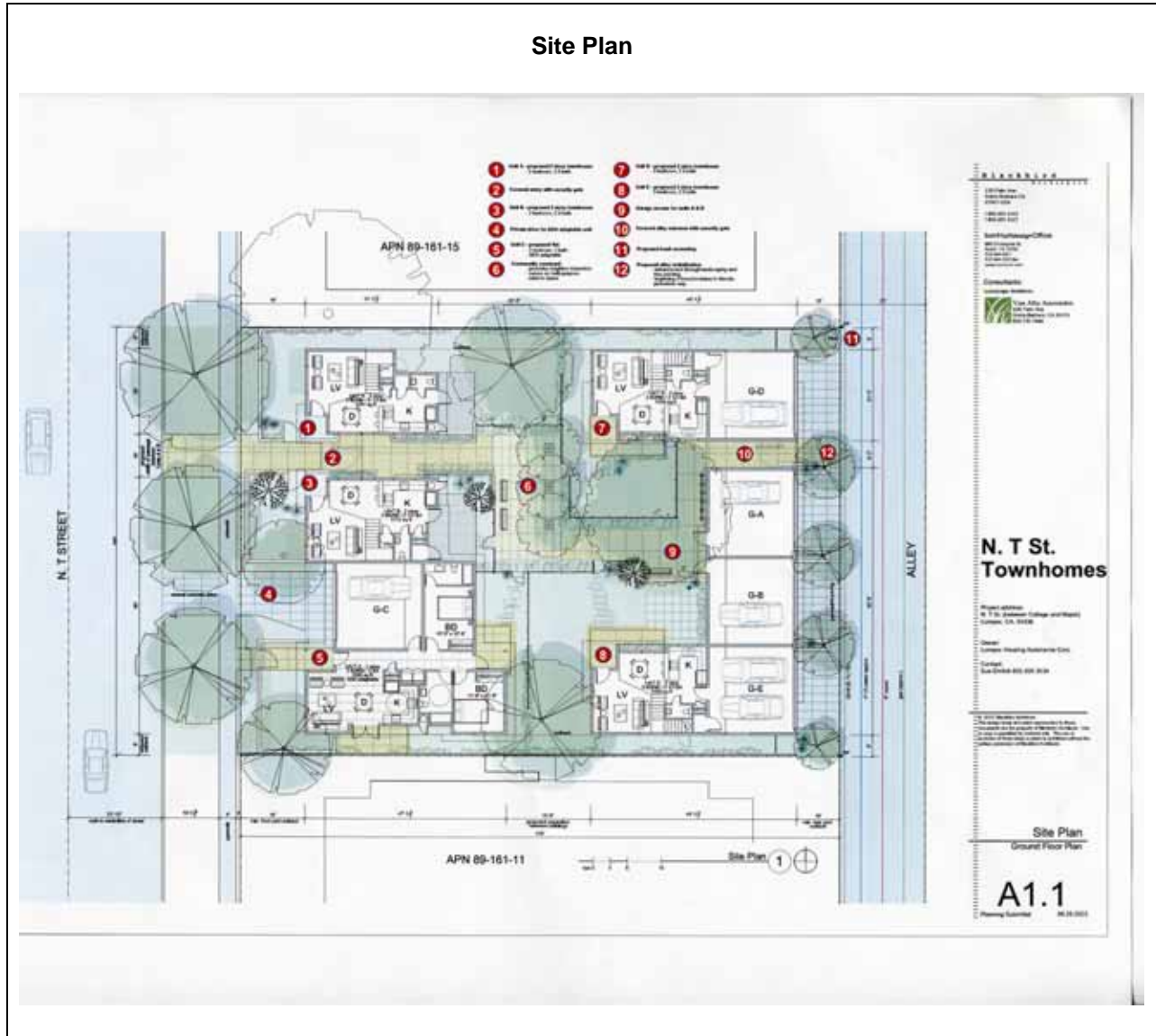
The site is an approximately 14,000 square foot parcel located at 516 North T Street. Three units and one two-car garage face T Street. The three units and garage are attached; the unit to the north is attached by a breezeway. The remaining two units and four two-car garages are located toward the rear of the lot along the alley. The two units and four garages are attached; the unit to the north is attached by a breezeway.

Driveway approaches are required to be constructed with an asphalt or concrete surface per Section 8854 Design and Construction of Parking and Loading Areas of the Zoning Ordinance. The applicant is proposing that the driveway approaches along the alley be constructed with a permeable paving surface. A Condition of Approval is included requiring the parking areas to be constructed with an asphalt or concrete surface. Alternative paving materials or asphalt mixes may be proposed for review and approval by the Community Development Director and City Engineer (DR COA P34).

Each of the five units has a private yard located directly adjacent to the unit. The fences around the private yards at the front of the lot and at the center of the development are six feet high. A common open space area with a water feature and landscaped outdoor seating area is provided as an amenity. All units have direct access to the common open space area located at the center of the lot.

For security purposes, a six-foot high fence surrounds the development. Access to the site is obtained through two covered walkways, one along T Street and one along the alley. Black metal security gates are provided at each entrance.

Landscaping for the project is provided in front of the units and at the common open space area. The landscape plan will be reviewed by Planning Division staff and a Landscape Maintenance Agreement will be required for the project (DR COA P17 & P18).



The High Density Residential (R-3) development standards are noted below:

<u>Category</u>	<u>Required/Maximum</u>	<u>Proposed</u>	<u>Area where project requires relaxation of standards</u>
<u>Height</u>	35 feet	23 feet 6 inches	
<u>Building Separation</u>	20 feet between main buildings	19 feet 9 inches minimum	**
<u>Accessory Building Attachment</u>	Attached to the building it is designed to serve and not any other building	Attached to buildings other than those they are designed to serve	**

<u>Category</u>	<u>Required/Maximum</u>	<u>Proposed</u>	<u>Area where project requires relaxation of standards</u>
<u>Lot Coverage</u>	60 Percent Maximum includes main & accessory buildings, parking, driveways, and covered patios	Building, parking, driveway, and covered patio coverage 7,149 sq. ft. or 51%	
<u>Front Yard Setback</u>	15 feet from property line	15 feet from property line to buildings along T Street 1-4 feet from property line to 6' high fencing along T Street	**
<u>Rear Yard Setback</u>	10 feet from property line	10 feet from property line along alley	
<u>Side Yard Setback Interior Sides</u>	5 feet from property lines	5 feet from property lines	
<u>Minimum Building Site Required</u>	7,000 sq. ft. 75 feet in width	14,000 sq. ft. 100 feet in width	
<u>Maximum Density</u>	2,000 sq. ft. of land area per dwelling unit	14,000 sq. ft. (2,000 sq. ft. x 5 units = 10,000 sq. ft.)	
<u>Parking – Condominium Projects</u>	2 garage spaces per unit	2 garage spaces per unit	
<u>Minimum floor area of dwelling units</u>	<u>2 bedroom units</u> 750 sq. ft. <u>3 bedroom units</u> 960 sq. ft.	<u>2 bedroom units</u> approx. 1,100 sq. ft. <u>3 bedroom units</u> approx. 1,300 sq. ft.	

As shown in the above table, the Planning Commission is being requested to allow relaxation of development standards in the *High Density Residential, Planned Development (R-3, PD)* Zoning District in the areas of setbacks, building separation and accessory building attachment requirements for the project.

- The building separation requirement is 20 feet between main buildings. The applicant is proposing 19 feet 9 inches between main buildings. The applicant is requesting relaxation of this standard. The Building Official/Fire Marshal has reviewed the plans and the separation complies with the Uniform Building Code and Uniform Fire Code.
- It is required that an accessory building only be attached to the main building that it is designed to serve and not any other building. As proposed, two of the garages at the rear of the lot along the alley are attached to units that they do not serve. To provide a layout with larger private and common open space areas, the applicant is requesting relaxation of this standard.
- The required front yard setback is 15 feet. The applicant is proposing a front yard setback of 15 feet from the property line to buildings along T Street. The applicant is proposing a lesser front yard setback of 1-4 feet from the property line to the six-foot high fencing around the private yards along T Street. To provide private space for each unit, the applicant is requesting relaxation of this standard.

The Planned Development Overlay allows a certain amount of flexibility from the strict adherence of the development standards to allow a quality project for the benefit of the community. As conditioned, the project is consistent with the Zoning Ordinance requirements with the Planned Development Overlay.

Approval of the Tentative Subdivision Map (LOM 538) and the Preliminary/Precise Development Plan (DR 03-17) are contingent upon the City Council approval of the Zone Change (ZC 04-05) and Redevelopment Agency (RDA) review and approval (LOM COA P4, DR COA P11).

General Plan:

Land Use Element – Land Use Designation:

The General Plan designation for this property is *High Density Residential* and the stated purpose is:

To provide residential areas which offer convenient pedestrian access to commercial services and give local residents the opportunity to live near employment centers. This designation can also stimulate reinvestment in older-established areas which can accommodate higher densities.

The proposed use, multi-family residential units, is consistent with the General Plan Land Use Designation.

Housing Element – General Housing Requirements:

The City has made a commitment to address its housing needs by implementing the policies of the Housing Element. Policy 1.1 of the Housing Element encourages various types of housing developments. This policy states:

Policy 1.1 The City shall encourage housing development which provides varied housing types, sizes, and tenure opportunities.

The proposed development is in accordance with this policy by allowing multi-family dwellings.

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 5-unit condominium project at 516 North T Street will be partially funded with RDA funds and will require Agency review following Planning Commission and City Council approval. Conditions of Approval are included in the Planning Commission Resolutions (LOM COA P4, DR COA P11).

Staff Review:

A Development Review Board (DRB) meeting was held for this project on August 16, 2004. The applicant met with staff to discuss the proposal and draft Conditions of Approval were formulated. The following comments were received:

Engineering Division – Stated that street and traffic signal impact fees will be imposed upon the issuance of building permits (DR COA EN36); the 4-foot sidewalk along T Street shall be replaced with a 5-foot sidewalk per City Standards (DR COA EN37); the concrete drive apron entering the property from T Street shall be constructed per City Standards and decorative scoring in concrete within street right-of-way will not be allowed (DR COA EN38); and all required public easements will be dedicated to the City on the Final Map (DR COA EN 39).

Electric Division – Stated that the electric service, CATV, and Telephone lines must be installed underground at the Developer's expense (DR COA EL7); and the existing pole mount transformer in the alley east of T Street will be upgraded at the Developer's expense (DR COA EL8).

Water Division – Stated that the plans shall show size of all water meter boxes and installation of water meter services shall be in accordance with City Standards (DR COA W8); and the water meter(s) to be used for the irrigation system serving the development shall be identified on the improvement plans (DR COA W9).

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 that the Planning Commission adopt Resolution No. 371 (04) recommending City Council approval of DR 03-17 as the Preliminary/Precise Development Plan for the project, subject to the attached Conditions of Approval.

ENVIRONMENTAL DETERMINATION:

An Initial Study prepared for this project in accordance with the California Environmental Quality Act (CEQA). No significant impacts were identified and a Mitigated Negative Declaration has been prepared for Commission review and recommendation to the City Council for approval. A Notice of Determination will be filed following the City Council action as required by CEQA.

NOTICING:

Notice of Public Hearing was published in the Lompoc Record on August 20, 2004 and all property owners of record within 300 feet of the subject property were notified by U.S. Mail on September 3, 2004.

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 \$34.30.

RECOMMENDATION:

It is recommended that the Planning Commission:

1. **Certify the Mitigated Negative Declaration and adopt Resolution No. 369 (04) approving LOM 538, the proposed Tentative Subdivision Map, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.**
2. **Recommend that the City Council:**
 - a) **Certify the Mitigated Negative Declaration;**
 - b) **Adopt Resolution No. 370 (04) recommending that the City Council approve the proposed Zone Change to High Density Residential, Planned Development (R-3, PD); and**
 - c) **Adopt Resolution No. 371 (04) recommending that the City Council approve DR 03-17 as the Preliminary/Precise Development Plan for the project.**

ATTACHMENTS:

1. Draft Resolution No. 369 (04) and Conditions of Approval
2. Draft Resolution No. 370 (04)
3. Draft Resolution No. 371 (04) and Conditions of Approval
4. Initial Study and Mitigated Negative Declaration
5. Site Plan, Floor Plans, Elevations, and Tentative Subdivision Map
(PC only with staff report, documents available for review in Planning Division)

RESOLUTION NO. 369 (04)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING TENTATIVE SUBDIVISION MAP LOM 538

WHEREAS, a request was submitted by Sue Ehrlich, representing the Lompoc Housing Assistance Corporation (LHAC) the property owner, for Planning Commission review and consideration of a Tentative Subdivision Map. The map would subdivide an existing approximately 14,000 square-foot parcel of land to create five (5) residential condominiums. The site is located at 516 North T Street (Assessor Parcel Number: 89-161-12); 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.

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 zoning for the project is *High Density Residential, Planned Development (R-3, PD)* with a General Plan Land Use designation of *High Density Residential*; and the data and analysis in the staff report addresses the project's consistency with General Plan policies, it can be found that:
 - 1. The proposed subdivision is consistent with the applicable General Plan designation and policies, and with the Zoning Ordinance.
 - 2. The design and improvements of the proposed subdivision, as conditioned, are consistent with the General Plan designation and policies, the Zoning Ordinance design criteria, and the Subdivision Review Ordinance.

- B. Inasmuch as the proposed lot is of a reasonable size, it can be found that:
3. The site is physically suitable for the type of residential development proposed.
 4. The site is physically suitable for the proposed density of the development.
- C. Pursuant to Public Resources Code Section 21089 and Section 15074 of the California Environmental Quality Act Guidelines, the Initial Environmental Study and Mitigated Negative Declaration which have been prepared for the proposal show no substantial evidence that the project may have a significant effect on the environment, and therefore it can be found that:
5. The proposed subdivision, as conditioned, does not have a significant effect on the environment; and
 6. Any effect of the proposed use upon fish and wildlife is de minimis and therefore no filing fee is required pursuant to the Fish and Game Code Section 711.4.

SECTION 2: Based upon the foregoing, the Planning Commission approves LOM 538 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
LOM 538 – T STREET CONDOMINIUMS TENTATIVE SUBDIVISION MAP
516 NORTH T STREET – APN: 89-161-12**

The following Conditions of Approval apply to the plans for LOM 538, prepared by Triad/Holmes Associates, received by the Planning Division and stamped on July 7, 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.

- P4. Approval of Preliminary Subdivision Map (LOM 538) and Preliminary/Precise Development Plan (DR 03-17) are contingent upon City Council approval of Zone Change (ZC 04-05) and Redevelopment Agency (RDA) review and approval.
- P5. Planning Commission approval of LOM 538 is valid for twenty-four (24) months, prior to the expiration of the Map the applicant may request a twelve (12) month extension. LOM 538 shall expire on September 13, 2006 unless the applicant requests a time extension as outlined by City standards.

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

Engineering – General Conditions

Final Map

- EN1. Final Map for the establishment of condominiums shall be required for this Project in accordance with the Subdivision Map Act, Section 66426.
- 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); DWG (same as or less than Version 14); DXF.
- EN4. After the Final Map has been prepared and is ready for review, the Developer'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 counter.
- 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
 - Final Map 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

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, Sue Erlich, representing the Lompoc Housing Assistance Corporation (property owner), do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the Tentative Subdivision Map. As a representative of the property owner, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Name

Date

RESOLUTION NO. 370 (04)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CHANGE ZC 04-05.

WHEREAS, a request was submitted by Sue Ehrlich, representing the Lompoc Housing Assistance Corporation (LHAC) the property owner, for Planning Commission review and consideration of a proposal to amend the City's Zoning Map designation for the property located at 516 North T Street from *High Density Residential (R-3)* to *High Density Residential, Planned Development (R-3, PD)*. The request includes a 5-unit residential condominium complex to be constructed with parking and landscaping (Assessor Parcel Number: 89-161-12); 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.

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

SECTION 1: The existing General Plan Land Use designation for the subject site is *High Density Residential* which is consistent with the proposed zoning of *High Density Residential, Planned Development District (R-3, 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 3: The Initial Environmental Study and Negative Declaration prepared for the Zoning Map amendment show that there is no substantial evidence that the proposed amendment may have a significant effect on the environment, therefore, it can be found that:

- D. The proposed zoning 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, pursuant to Section 8887.3c of the Lompoc City Code, with the Commission recommendation that the Council approve ZC 04-05.

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

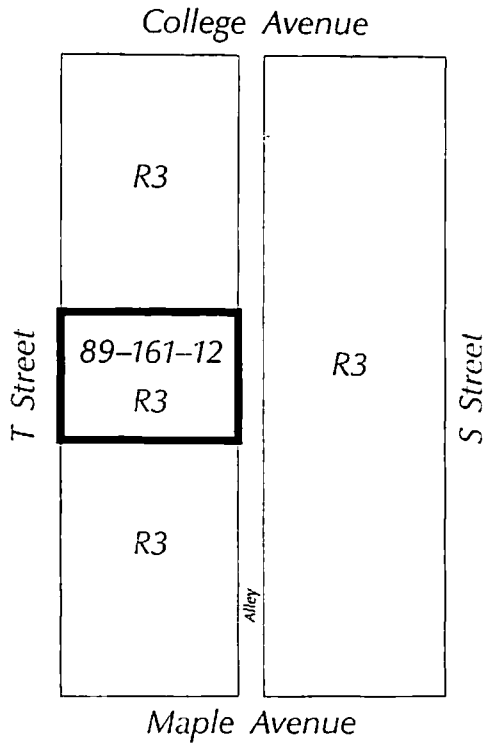
Jack Rodenhi, Chair

Attachment: Exhibit A – Map

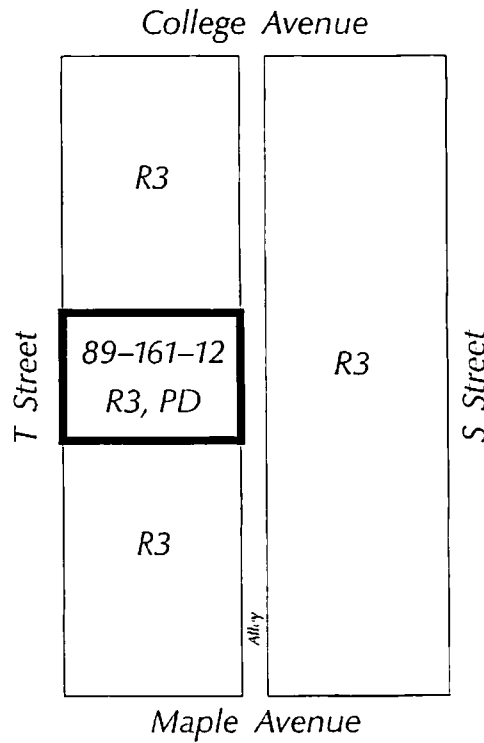
ZONE CHANGE

EXHIBIT A

EXISTING



PROPOSED



R3: High Density Residential
R3, PD: High Density Residential, Planned Development

ZC 04-05



SCALE: 1" = 150'

RESOLUTION NO. 371 (04)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC RECOMMENDING APPROVAL OF A PRELIMINARY/PRECISE DEVELOPMENT PLAN FOR A FIVE-UNIT CONDOMINIUM COMPLEX TO BE CONSTRUCTED AT 516 NORTH T STREET WITH PARKING AND LANDSCAPING (DR 03-17)

WHEREAS, a request was submitted by Sue Ehrlich, representing the Lompoc Housing Assistance Corporation (LHAC) the property owner, for Planning Commission review and consideration of a Preliminary/Precise Development Plan for the construction of a 5-unit condominium complex, including on-site parking and landscaping. The project is proposed on an approximately 14,000 square-foot parcel located at 516 North T Street (Assessor Parcel Number: 89-161-12); 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.

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:

Inasmuch as the Planned Development (PD) Zone 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 has been designed to accommodate the proposed use, yards, spaces, walls and fences, parking and landscaping in such a manner so as to properly adjust with the existing residential uses in the vicinity, it can be found:

- A. That all requirements, regulations, limitations, and restrictions for the project have been designed to protect property values in the vicinity of the subject property, and enhance the public peace, health, safety and general welfare of persons residing, working in, and passing through the neighborhood.

Inasmuch as on-site circulation, design, and dimensions of the drive aisle, pedestrian ways, and parking areas can adequately provide for residents of the proposed project, it can be found:

- B. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and type of traffic generated by the proposed use.

Inasmuch as the proposed use has established common open space and individual open space for residents it can be found:

- C. That the site for the proposed use is adequate to provide for the recreational needs of future residents.

Inasmuch as the proposed project for the site includes measures designed to minimize or eliminate noise, dust, or glare which would have an adverse effect on the proposed development and surrounding properties it can be found:

- D. That the conditions stated in the decision are deemed necessary in order to protect property values in the vicinity of the subject property, and protect and enhance the public peace, health, safety and general welfare of persons residing, working in, and passing through the neighborhood.

Inasmuch as the building materials, project architecture and landscaping, as conditioned provide an acceptable design for the residential proposal, it can be found:

- E. That the proposal complies with the requirements of the City's Architectural Review Guidelines.

Inasmuch as the Initial Environmental Study and Mitigated Negative Declaration, prepared for the proposal, show no substantial evidence that the project may have a significant effect on the environment it can be found:

- F. That the proposed site plan, as conditioned, will not have a significant effect on the environment and;
- G. That any effects of the proposed use 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 2: Based upon the foregoing, the Planning Commission recommends that the Council approve the Preliminary/Precise Development Plan (DR 03-17) allowing the construction of a 5-unit condominium complex to be constructed at 516 North T Street, 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 03-17 – LHAC 5-UNIT CONDOMINIUM COMPLEX
516 NORTH T STREET – APN: 89-161-12**

The following Conditions of Approval apply to the plans for the 5-unit condominium complex, prepared by Blackbird Architects, received by the Planning Division and stamped on September 29, 2003 and September 1, 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. 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 Planning Commission resolution number and the applicant's signed affidavit agreeing to comply with the conditions.
- P5. All revisions made by the Planning Commission 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 Homeowners Association shall be formed to assume maintenance responsibility for the private common areas. The documentation shall be reviewed by the City Attorney prior to recordation of the final map.

P10. The Covenants, Conditions & Restrictions (CC&R's) shall be reviewed and approved as to form by the City Attorney prior to issuance of building permits. 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. The CC&R's shall include the following restriction:

a. Recreational vehicle parking within the project area is prohibited.

P11. Approval of Preliminary Subdivision Map (LOM 538) and Preliminary/Precise Development Plan (DR 03-17) are contingent upon City Council approval of Zone Change (ZC 04-05) and Redevelopment Agency (RDA) review and approval.

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 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.
- 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.

Planning - Site Plan Conditions

- P16. 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 - Landscaping General Conditions

- P17. 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 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 shall show all existing and proposed public utilities within the project limits.

- P18. A Landscape Maintenance Agreement, in a form satisfactory to the City Attorney, shall be recorded prior to issuance of building permits for the project.
- P19. The project must conform with the Urban Forestry Administrative Guidelines.

Planning - Landscaping Irrigation Conditions

- P20. The project must conform with sections 3331.1 - 3331.6 of the Lompoc City Code Water Efficient Landscape Standards.
- P21. All irrigation must be low-water use, per manufacturer's specifications. A copy of the specifications must be provided to the Planning Division before installation. Installation must include check valves as needed to prevent runoff.
- P22. All irrigation under paving must be Schedule 80 PVC or greater with tracer wires and sleeves.

Planning - Landscaping Tree Conditions

- P23. 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.
- P24. 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.
- P25. All trees must be installed with support staking. All nursery stakes must be removed from trees.
- P26. All trees and plant material selection shall be made with the concurrence of the Planning Division.

Planning - Landscaping Installation Conditions

- P27. 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 Planning Division, a letter confirming substantial conformance with the approved plans must be submitted by the project landscape designer.
- P28. 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.
- P29. 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 - Air Quality Conditions

- P30. 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.

P31. 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.

P32. 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_x, and ROC from mobile sources.

P33. 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 Community Development Director.

Planning - Project Specific Conditions

- P34. Exposed parking and loading areas and their driveway approaches shall be constructed with an asphalt or concrete surface per Section 8854 Design and Construction of Parking and Loading Areas of the Zoning Ordinance. Alternative paving materials or asphalt mixes may be proposed for review and approval by the Community Development Director and the City Engineer.

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.
- 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. Certification of compliance with the grading plans and soils report shall be submitted to the Building Division prior to final approvals.
- B11. A licensed surveyor/engineer shall verify pad elevations, setbacks, and roof elevations.
- B12. Stairs, decks, platforms shall meet the strict guidelines in the most recent adopted Building Code.
- B13. Buildings shall comply with the State's Energy Regulations.

III. 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. 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. AVIATION/TRANSPORTATION

No General or Project Specific Conditions

V. POLICE DEPARTMENT

No General or Project Specific Conditions

VI. ENGINEERING

Engineering – General Conditions

- EN1. Improvement Plans are required with this development. Improvement Plans include:
 - 1. Earthwork
 - 2. Site drainage, parking lot paving, planters & trash enclosures
 - 3. Public improvements – Public electric, water, sewer, storm drain and surface improvements.
 - 4. Connection points to utility mains for sewer laterals and water services
 - 5. Electrical services up to and including transformer
- EN2. All public utilities such as water mains, sewer mains, electric lines, electric transformers, etc., within the development shall be located within public utilities easements.
- EN3. All public improvements shall be provided at the Developer's expense and constructed to City Standard Specifications as determined by the City Engineer.
- EN4. Improvement Plans shall be prepared by or under the supervision of a registered Civil Engineer or Architect.

- EN5. 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, electrical system, and other surface and subsurface improvements, 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. All drawings, improvement plans and survey maps shall be prepared in accordance with the requirements currently in effect.
- EN6. Grading and public improvements shall be designed in accordance with the City's "Standard Requirements for The Design and Construction for Subdivisions and Special Developments," as last revised. Said Standard Requirements are available at the office of the City Engineer.
- EN7. Improvement Plans shall be prepared in conformance with City of Lompoc Development Assistance Brochures, available upon request from the Engineering Division, and shall comply with Appendices Chapter 33 of the 2001 California Building Code, including all supplementary pamphlets.

Plan Submittal

- EN8. After Improvement Plans have been prepared by Developer's Engineer/Architect and are ready for City review, FOUR sets of prints shall be submit to the Engineering Division for the first plan check. Plan submittal shall include additional information as required herein.
- EN9. First plan check submittal shall include estimated grading quantities, a current soils investigation report, retaining wall calculations, drainage calculations, and all other pertinent information relating to the Improvement Plans and their approval.
- EN10. The Soils Investigation Report shall be prepared by a Soils Engineer who will be retained by the Developer to observe, test, and certify that all recommendations outlined in the Soils Investigation Report are fulfilled during construction.

Permits & Fees

- EN11. Grading and Encroachment fees are based on the City fee schedule in effect at the time first plan check is submitted.
- EN12. 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.
- EN13. A Grading Permit issued by the Engineering Division is required prior to any excavation or filling on the site. Any stockpiling of fill dirt will require a Temporary

Grading Permit.

- EN14. An Encroachment Permit shall be obtained from the Engineering Division for any work within City street right-of-way or easement. An itemized Engineer's cost estimate for construction of the required public improvements shall be submitted to the Engineering Division and is used for determining the Encroachment Permit Fee.
- EN15. 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

- EN16. Site drainage shall conform to Section 3315, Appendix Chapter 33 of the 2001 California Building Code.
- EN17. All drainage plans must take into account Section 2506.5, "Application of Metal Plaster Bases" of the 1997 Uniform Building Code.
- EN18. Foundation elevation must be as required by Section 1806.5.5 of the 1997 Uniform Building Code.
- EN19. 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.
- EN20. Drainage from parking lots to the public right-of-way will be filtered through a City approved filter system. The filter shall be located on the development property and maintained by the property owner.
- EN21. Pre-development flow from adjacent properties onto the project site shall be maintained or accounted for in the final design.

Parking Lots

- EN22. Parking lot design and structural section shall conform to the City's Standard Requirements, Section 8.
- EN23. Asphalt Concrete – Asphalt Concrete in parking lots shall conform to the provisions in Section 39, "Asphalt Concrete," and Section 92, "Asphalts," of the Caltrans Standard Specifications, current edition, the plans and these specifications.
- EN24. The grade of asphalt binder to be mixed with aggregate shall be AR-4000.
- EN25. Areas of the parking lot that will be used for truck traffic shall be designed with a heavier structural section than areas for passenger cars.

EN26. An "R" value shall be determined by the Soils Investigation and included in the Soils Report. A note shall be placed on the Grading Plan stating that "R" value samples shall be obtained and tested at the completion of rough grading, and the pavement sections confirmed or revised, to the satisfaction of the City Engineer.

Streets

EN27. Asphalt Concrete for paving within street right-of-way shall conform to the provisions in Section 39, "Asphalt Concrete," and Section 92, "Asphalts," of the Caltrans Standard Specifications, current edition.

EN28. The grade of asphalt binder to be mixed with aggregate shall be AR-4000.

EN29. Asphalt used as binder for asphalt concrete pavement shall conform to Section 39-2.01, "Asphalts," of the Caltrans Standard Specifications.

EN30. Asphalt concrete shall be Type A, ¾ inch maximum, medium, grading.

Sidewalk/Driveways

EN31. All driveways shall provide a minimum 4-foot sidewalk area behind the apron, at 2 percent slope toward the street, for ADA compliance.

Final Approval

EN32. Prior to final approval, any damaged public improvements shall be repaired in conformance to City of Lompoc Standard Plans and Specifications.

EN33. Prior to final approval, Improvement Plan Record Drawings (As-Build Plans) shall be submitted to the Engineering Division for review and approval.

Record Drawings are prepared by the civil engineer who prepared the plans, except that Record Drawings may be prepared by a professional land surveyor licensed in the State of California providing the civil engineer also signs a Record Drawing Certification on the plans.

EN34. A Development Assistance Brochure, entitled "Record Drawings," is available from the Engineering Division to facilitate the preparation of the Record Drawings.

EN35. After construction is complete and the City has approved the Record Drawings, the Developer shall:

- 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

EN36. STREET IMPROVEMENT and TRAFFIC SIGNAL IMPACT FEES – The City of Lompoc Development Impact Fees for this development are estimated to be:

Street Improvement Impact Fee: \$12,375.00

Traffic Signals Impact Fee: \$635.00

The above 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.

EN37. The existing 4-foot sidewalk along “T” Street frontage is not per current standard width. Replace with 5-foot sidewalk per City Standard Specifications. At prolongation of north and south project boundary transition the new 5-foot sidewalk to match the existing 4-foot walk.

EN38. Proposed concrete drive apron entering property from “T” Street shall be constructed per City Standard Drawing No. 612. Decorative scoring in concrete within street right-of-way will not be allowed.

EN39. All required public easements (water, sewer and electric) will be dedicated to the City on the Final Map.

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/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 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 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 will 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 will make the final connections to the transformer and energize the service.
- 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.

Electric – Project Specific Conditions

- EL7. The electric service must be installed underground at the Developer's expense. The CATV & Telephone lines must also be installed underground. Contact them for their requirements.
- EL8. The existing pole mount transformer in the alley east of "T" Street will be upgraded at the Developer's expense.

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 Developer.
- 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. Sheet 1 of the Preliminary Development Plans shows five water meter boxes. The Improvement Plans shall show size of all water meters. Installation of water meter services shall be in accordance with City of Lompoc Standard Drawing No. 406 and shall be so stated on the Improvement Plans.
- W9. On the Improvement Plans identify the water meter(s) to be used for the irrigation system serving the development. If it is intended for each water meter to serve an independent landscape area so indicate on the Improvement Plans.

X. WASTEWATER

Wastewater – General Conditions

- WW1. All new sewer main and lateral installations will be of Polyvinyl Chloride Plastic (PVC) SDR35 sewer pipe, including all pipefittings and miscellaneous appurtenances. No glue joints are permissible.
- WW2. All PVC SDR35 sewer piping shall be furnished in the following lengths:
- Piping from 8" to 12" in diameter – 20' maximum length
 - Piping from 15" to 60" in diameter – 12.5' maximum length
- WW3. For cut-in to an existing sewer, a wye tie-in shall be used. Saddles are not allowed.
- WW4. No steps shall be installed in new or replacement maintenance holes. Steps will be removed for any coatings of maintenance holes.
- WW5. Bedding will be 3/8" float rock or compacted sand.
- WW6. Trench backfill from one-foot above sewer pipe to subgrade shall be two-sack cement slurry. Slurry cement backfill shall conform to the provisions of Subsection 19-3.062, "Slurry Cement Backfill," of the Caltrans Standard Specifications.
- WW7. Maintenance hole reducer/cone will be concentric molded construction.
- WW8. Outer and inner drop maintenance hole connections are not allowed.
- WW9. No clean-out connections to City main sewer lines.
- WW10. A grease trap/interceptor is required to be installed in community buildings where commercial appliances will be used.
- WW11. All food handling establishments must demonstrate compliance with Wastewater Division Ordinance requirements, sized according to Appendix H of the Uniform Plumbing Code (UPC) and show location and type of grease interceptor/trap.
- WW12. No approval for connection to dispose of industrial waste into the public sewer shall be made until a permit for industrial wastewater discharge has been applied for and approved by the Wastewater Division and before final approval of a development plan for said connection.
- WW13. All wastewater improvements must comply with Federal, State and City

laws/ordinances for the protection of the Wastewater System.

I, Sue Erlich, representing the Lompoc Housing Assistance Corporation (property owner), do hereby declare under penalty of perjury that I accept all conditions imposed by the City Council in their approval of the 5-unit condominium complex. As a representative of the property owner, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Name

Date

CITY OF LOMPOC MITIGATED NEGATIVE DECLARATION

Pursuant to the State of California Public Resources Code and the California Environmental Quality Act, as amended to date, a Mitigated Negative Declaration is hereby made on the following project:

Title: DR 03-17, ZC 04-05, LOM 538

Location: 516 North T Street (Assessor Parcel Number: 89-161-12)

Description:

A request by Sue Ehrlich representing Lompoc Housing Assistance Corporation (LHAC), the applicant, for Planning Commission review and consideration of:

- 1) LOM 538 – A Tentative Subdivision Map requesting subdivision of a 14,000 square-foot parcel of land to create five (5) residential condominiums.
- 2) ZC 04-05 - A Zone Change proposal to amend the City's Zoning Map designation for the site. The current Zoning Map designation for the site is High Density Residential (R-3); the applicant is requesting a change to High Density Residential, Planned Development (R-3,PD) which would conform to the City's General Plan Designation for the site of High Density Residential. The Planned Development designation is requested to allow an adjustment of the minimum building separation and accessory building attachment requirements for the project.
- 3) DR 03-17 – A Preliminary/Precise Development Plan for the construction of a 5-unit condominium complex including on-site parking and landscaping.

The project is proposed on an approximately 14,000 square-foot parcel of land located at 516 North T Street (Assessor Parcel Number: 89-161-12).

The Planning Division of the City of Lompoc has determined that:

There are no significant adverse environmental impacts created by this project.

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

XI. NOISE

Mitigation:

Short-term noise impacts will result during the construction phase.

Monitoring:

Hours of construction shall be limited to:

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

Saturday – between the hours of 8 am and 5 pm

Sunday – None

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

August 10, 2004

Date

Keith C. Neubert, Assistant Planner
for Planning Division

**CITY OF LOMPOC
ENVIRONMENTAL CHECKLIST FORM**

A. PROJECT INFORMATION:

Project Title: LHAC T Street Condominiums	Project No: DR 03-17, ZC 04-05, LOM 538
Lead Agency Name and Address: City of Lompoc 100 Civic Center Plaza, Lompoc, CA 93436 P.O. Box 8001, Lompoc, CA 93438-8001	Contact Person and Phone Number: Keith C. Neubert Assistant Planner (805) 875-8277
PROJECT DESCRIPTION / LOCATION: A request by Sue Ehrlich representing Lompoc Housing Assistance Corporation (LHAC), the applicant, for Planning Commission review and consideration of: <ol style="list-style-type: none"> 1) LOM 538 – A Tentative Subdivision Map requesting subdivision of a 14,000 square-foot parcel of land to create five (5) residential condominiums. 2) ZC 04-05 - A Zone Change proposal to amend the City's Zoning Map designation for the site. The current Zoning Map designation for the site is High Density Residential (R-3); the applicant is requesting a change to High Density Residential, Planned Development (R-3,PD) which would conform to the City's General Plan Designation for the site of High Density Residential. The Planned Development designation is requested to allow an adjustment of the minimum building separation and accessory building attachment requirements for the project. 3) DR 03-17 – A Preliminary/Precise Development Plan for the construction of a 5-unit condominium complex including on-site parking and landscaping. <p>The project is proposed on an approximately 14,000 square-foot parcel of land located at 516 North T Street (Assessor Parcel Number: 89-161-12).</p>	
Public Agencies with Approval Authority (Including permits, funding, or participation agreements): City of Lompoc, Redevelopment Agency	
Project Applicant, Name and Address: Sue Ehrlich Lompoc Housing Assistance Corporation 604 East Ocean Avenue Lompoc, CA 93436 (805)-934-3534	Project Consultant: Blackbird Architects 235 Palm Avenue Santa Barbara, CA 93101 (805)-957-1315
General Plan Designation: High Density Residential	City Zoning Designation: High Density Residential (R-3)
Surrounding Land Use Designation: North – High Density Residential South – High Density Residential East - High Density Residential West -High Density Residential	Surrounding Land Uses: North – Residential South – Residential East - Residential West - Residential
Environmental Setting: Existing urbanized area.	

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:
 The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact", as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology / Soils
<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Land Use / Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation / Traffic
<input type="checkbox"/> Utilities / Service Systems	<input type="checkbox"/> Mandatory Findings of Significance West - Residential	

B. TECHNICAL STUDIES

The following Technical Studies were prepared for this document:

Title	Prepared by/Date	Attached to EIS	Available for Review
URBEMIS, 2002	City of Lompoc Planning Division staff – August 3, 2004		X

C. ENVIRONMENTAL IMPACTS:

Identify the potential for significant adverse impacts below. Note mitigation measures, if available, for significant adverse impacts.

I. AESTHETICS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Comments:

- a) The proposed 5-unit complex will not have a substantial adverse impact on a scenic vista as there is no scenic vista in the immediate area identified on the City of Lompoc Urban Design Features Map in the Urban Design Element of the City's General Plan, adopted in October of 1997.
- b) The proposed 5-unit complex will not substantially damage scenic resources within a state scenic highway, as it is not located adjacent to a state scenic highway.
- c) The proposed 5-unit complex will not substantially degrade the existing visual character or quality of the site and its surroundings, as staff will review project architecture to assure compliance with established City *Architectural Review Guidelines*.
- d) The proposed 5-unit complex will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area as a lighting plan will be required as a condition of approval to assure that no substantial light and/or glare will adversely affect day or nighttime views in the area.

II. AGRICULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				X

Comments:

- a) The proposed 5-unit complex will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use as the site is within the existing City limits, the site has not recently been utilized for farming, and the site is surrounded by existing development.
- b) The proposed 5-unit complex will not conflict with existing zoning for agricultural use, or a Williamson Act contract as the size of the parcel is too small (less than 20 acres) for a Williamson Act contract to be implemented.
- c) The proposed 5-unit complex will not involve changes in the existing environment, which, due to its location or nature, could result in conversion of Farmland to non-agricultural use. The site has not been recently utilized for agricultural use.

III AIR QUALITY Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?				X

Comments:

a-c) Based on the URBEMIS 2002 air quality model and the trips estimated for this project, the unmitigated reactive organic (ROG) emissions for the project are 0.71 pounds per day and the nitrogen oxide (NO_x) emissions are 1.08 pounds per day. Neither the ROG nor the NO_x emissions exceed the County of Santa Barbara Air Pollution Control District (APCD) threshold standard of 25 pounds per day. Therefore, the project would not have a significant long-term air quality impact.

d) Construction of the proposed project would result in temporary air quality impacts. These impacts are associated with dust generated by onsite grading and as a result of emissions from heavy construction vehicles. Fugitive dust emissions in the form of PM10 would occur at a rate of about 55 pounds per acre per day of disturbed land (U.S. Environmental Protection Agency 1996). Impacts from fugitive dust emissions would be potentially significant, since they would potentially cause a public nuisance to existing uses in the area, or exacerbate the existing PM10 nonattainment status of Santa Barbara County. Compliance with standard dust control measures will ensure that these emissions remain below a level of significance.

e) A residential condominium project is not expected to generate significant amounts of objectionable odor

IV. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Comments:

a-d) The proposed 5-unit complex will not have a substantial adverse effect on any species identified as a sensitive species in local or regional plans or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, nor will the project affect federally protected wetlands, nor will the project affect migratory wildlife corridors, nor will the project affect biological resources, because the project is in an urbanized area and is not identified in the Lompoc General Plan as being in an area of biological significance.

e) The site is not identified on the "Biologically Significant Areas" Map located in the City of Lompoc General Plan adopted October 1997.

f) The use is proposed on property within an urbanized area. The City of Lompoc Biological Resources Study, prepared by Arthur D. Little in February 1987, identifies no biological resources that will be impacted by the development of this site.

V. CULTURAL RESOURCES	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

Comments:

a-b) The proposed 5-unit complex will not cause a substantial adverse change in the significance of a historical or archaeological resource, as identified in Section 15064.5, because the subject site is not identified in the City of Lompoc Cultural Resource Study as having a historical or archaeological resource on the site.

c) The proposed 5-unit complex will not directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature. The site is not identified on the "Archeological Sensitivity Zones" Map located in the City of Lompoc General Plan adopted October 1997.

d) The proposed 5-unit complex will not disturb any human remains, including those interred outside of formal cemeteries. The site is not identified on the "Archeological Sensitivity Zones" Map located in the City of Lompoc General Plan adopted October 1997.

VI. GEOLOGY AND SOILS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Comments:

a) The site is not identified on the City of Lompoc General Plan "Geologic and Soils Hazards" Map as being located in an area subject to liquefaction, landslides, or seismic activity, therefore, the project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death.

b-e) Based upon the 1987 study by the Morro Group, "City of Lompoc Seismic and Geologic Conditions Study", the area is not subject to unusual geologic activity nor does it have unique features.

VII. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Comments:

a-c) The proposed 5-unit complex will not create a significant hazard to the public or the environment as hazardous materials will not be used, transported, or disposed of on the site.

d) The proposed 5-unit complex will not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment, based on a check of the lists prepared by the Certified Unified Program Agency of unauthorized releases and fuel tank locations.

e-f) The proposed 5-unit complex, is not located within the Lompoc Municipal Airport land use plan. It is not located within the vicinity of a private airstrip, based on a review of the Lompoc Airport Master Plan and the Lompoc General Plan.

g) The proposed 5-unit complex will not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan because the project will not involve the installation of permanent barriers to travel.

h) The proposed 5-unit complex will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, because the proposed site is located in the urbanized area of the City of Lompoc.

VIII. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Comments:

a-e) The proposed 5-unit complex will not violate any water quality standards or waste discharge requirements; the project will not substantially deplete groundwater supplies or interfere with groundwater recharge; the project will not substantially alter the existing drainage pattern of the site or area; the project will not create or contribute run-off water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off. A drainage plan will be required to maintain adequate drainage on the site.

f)The proposed 5-unit complex will not otherwise substantially degrade water quality. There are no rivers or creeks within the project area.

g) The proposed 5-unit complex, is located in Zone X of Community Panel No. 060334-0003D, revised 05 June 97 outside the 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

h) The proposed project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

i-j) The proposed 5-unit complex will not create a threat of inundation by seiche, tsunami, or mudflow. The subject site is located approximately 8 miles from the ocean, so tsunamis are very unlikely. The site is also not located near a water body or a significant slope or volcano, so mudflows and seiches are very unlikely.

IX. LAND USE AND PLANNING Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Comments:

- a) The proposed 5-unit complex will not physically divide an established community as the project site is in an urbanized area.
- b) The proposed 5-unit complex will not conflict with any applicable land use plan or regulation of an agency adopted for the purpose of avoiding or mitigating an environmental effect. The General Plan Land Use Designation is appropriate for the proposed use, and it is proposed that the zoning be changed from High Density Residential (R-3) to High Density Residential, Planned Development (R-3,PD) which would conform to the City's General Plan Designation for the site of High Density Residential.
- c) There is not a habitat conservation plan or natural community conservation plan, which applies to the site, therefore, there will be no conflict with such a plan.

X MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Comments:

- a-b) The proposed 5-unit complex will not result in a loss of availability of a known mineral resource that would be of value to the region and the residents of the state as the "Mineral Resources" Map in the Lompoc General Plan, adopted October 1997, does not identify the project area as being a locally important mineral resource recovery site.

XI. NOISE Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Comments:

- a-b) The proposed 5-unit complex will not expose persons to, or generate, noise levels in excess of standards established in the local general plan or noise ordinance, nor will it expose persons to excessive ground borne noise levels
- c) The proposed 5-unit complex will not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- d) Short-term impacts will be addressed by standard conditions of approval including limited hours of construction.
- e-f) The proposed 5-unit complex, is not located within an airport land use plan or within the vicinity of a private air strip.

XII. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Comments

a-c) The proposed project will not induce substantial growth, directly or indirectly, or displace substantial numbers of existing housing or people. The proposed project will not expand the availability of electrical, water or wastewater service beyond the existing service area and therefore, will not induce growth. The number of residential units will be increased by five, therefore, there will be no net loss of residential units.

XIII. PUBLIC SERVICES Would the project result in:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				X
b) Fire Protection?				X
c) Police protection?				X
d) Schools?				X
e) Parks?				X
f) Other public facilities?				X

Comments:

a-f) The proposed project will not result in substantial adverse physical impacts associated with the provision of, or need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Fire, Police, Schools, Parks, or other public services, because the site is currently within an urbanized area which is already adequately served by City services. Existing services to the project site will be sufficient to serve the proposed development.

XIV. RECREATION Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Comments

- a) The proposed project should have no effect on the use of existing neighborhood and regional parks or other recreational facilities, as the project will not significantly increase the number of individuals frequenting existing parks or other recreational facilities in the area.
- b) The proposed project does not include the construction or expansion of recreational facilities.

XV. TRANSPORTATION/CIRCULATION Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Comments

- a) The proposed project will not cause a substantial increase in traffic. The limited number of trips necessary during construction will not be significant.
- b) The proposed project will not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways, because the project will not significantly increase the number of vehicle trips from the project site.
- c) The proposed project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks because the proposed project is located a substantial distance from the Lompoc Airport and the Vandenberg Air Force Base Airfield.
- d) The proposed project will not substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment) because the project will not change traffic patterns or roadways in the area.
- e, f) The proposed project will not result in inadequate emergency access or parking capacity, as it will not require roadway closures and required parking is available on-site.
- g) The proposed project will not conflict with policies, plans or programs which support alternative transportation, including buses and bicycles, as the project will not result in blocked roadways, bikeways or reduced parking.

XVI. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the Central Coast Region of the Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Comments:

a-c) The proposed project will not exceed wastewater treatment requirements of the Central Coast Region of the Regional Water Quality Control Board, nor will the project require the construction of new water, wastewater, or storm water facilities, the construction of which could cause significant environmental effects. The project is located within an existing urbanized area and the water, wastewater, and storm water facilities are adequate to service the new development. The General Plan Land Use Designation for the site is High Density Residential, and the site has been intended for residential development. A two-car garage is proposed for each unit. All on-site parking will be fully enclosed. As no uncovered parking is provided, filters are not required to be included on the grading and drainage plans.

d-e) The project site is located within the City of Lompoc city limits, and the City has sufficient resources to service the site with water and wastewater facilities.

f-g) The City of Lompoc landfill has sufficient capacity to service the proposed use. The project will conform to regulations regarding solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE Does the project:	Potentially Significant Impact	Less than significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				X
b) Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

DETERMINATION: On the basis of this initial evaluation:	
	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION, pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Keith C. Neubert

Date

I hereby confirm that the project description is correct and that the mitigation and monitoring measures set out in the Mitigation and Monitoring Plan are acceptable.

Sue Ehrlich
 Project Representative - LHAC

Date

MITIGATION AND MONITORING PLAN:

The following Mitigation Measures shall be Conditions of Approval for DR 03-17, ZC 04-05, LOM 538:

XI. NOISE

Mitigation:

Short-term noise impacts will result during the construction phase.

Monitoring:

Hours of construction shall be limited to:

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

Saturday - between the hours of 8 am and 5 pm

Sunday - None

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



CITY OF LOMPOC

CITY OF LOMPOC MITIGATED NEGATIVE DECLARATION

Pursuant to the State of California Public Resources Code and the California Environmental Quality Act, as amended to date, a Mitigated Negative Declaration is hereby made on the following project:

Title: DR 03-17, ZC 04-05, LOM 538

Location: 516 North T Street (Assessor Parcel Number: 89-161-12)

Description:

A request by Sue Ehrlich representing Lompoc Housing Assistance Corporation (LHAC), the applicant, for Planning Commission review and consideration of:

- 1) LOM 538 – A Tentative Subdivision Map requesting subdivision of a 14,000 square-foot parcel of land to create five (5) residential condominiums.
- 2) ZC 04-05 - A Zone Change proposal to amend the City's Zoning Map designation for the site. The current Zoning Map designation for the site is High Density Residential (R-3); the applicant is requesting a change to High Density Residential, Planned Development (R-3,PD) which would conform to the City's General Plan Designation for the site of High Density Residential. The Planned Development designation is requested to allow an adjustment of the minimum building separation and accessory building attachment requirements for the project.
- 3) DR 03-17 – A Preliminary/Precise Development Plan for the construction of a 5-unit condominium complex including on-site parking and landscaping.

The project is proposed on an approximately 14,000 square-foot parcel of land located at 516 North T Street (Assessor Parcel Number: 89-161-12).

The Planning Division of the City of Lompoc has determined that:

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

XI. NOISE

Mitigation:

Short-term noise impacts will result during the construction phase.

Monitoring:

Hours of construction shall be limited to:

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

Saturday – between the hours of 8 am and 5 pm

Sunday – None

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

August 10, 2004

Date



Keith C. Neubert, Assistant Planner
for Planning Division