

RESOLUTION NO. 443 (05) A

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC RECOMMENDING THAT THE CITY COUNCIL APPROVE PRELIMINARY/PRECISE DEVELOPMENT PLAN (DR 04-35) FOR THE CROWN LAUREL PROJECT

WHEREAS, a request was received from Matt Woodruff representing JM Development, Inc., for consideration of DR 04-35 as the Preliminary/Precise Development Plan for the Crown Laurel project. The project consists of seventy-three (73) single family detached residences, and an approximately 23,000 square-foot industrial condominium building, including parking and landscaping (Assessor Parcel Number: 89-200-29); and

WHEREAS, the matter was considered by the Planning Commission at a duly-noticed public meeting on October 10, 2005; and

WHEREAS, at the meeting of October 10, 2005, _____ was present, and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of October 10, 2005, _____ spoke in favor of, and _____ spoke in opposition to, the project; and

WHEREAS, the Planning Commission has recommended City Council certification of the Mitigated Negative Declaration (SCH No. 2005081085) for the project as required by the California Environmental Quality Act (CEQA).

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

SECTION 1: After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission recommends that the City Council find that:

The *Planned Development (PD)* zoning designation allows either more or less restrictive requirements, regulations, limitations and restrictions including height and bulk limitations, arrangements and spacing of buildings and other improvements, and the Preliminary/Precise Development Plan (DR 04-35) proposed for the Crown Laurel development is designed to meet the needs of the proposed residential and commercial uses, therefore it can be found that:

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

- C. The location of the Crown Laurel project to streets and highways is adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed use.
- D. The Crown Laurel project will have no adverse effect upon the abutting and surrounding property from the permitted use thereof.
- E. The Mitigation Measures attached as Exhibit B to this Resolution are included for conformance with the Mitigated Negative Declaration.**

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

- F. The proposed Preliminary/Precise Development Plan does not have a significant effect on the environment; and
- G. Any effect of the proposed 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: Based upon the foregoing, the Planning Commission recommends that the Council approve the Preliminary/Precise Development Plan DR 04-35, subject to the conditions attached as Exhibit A and Mitigation Measures attached as Exhibit B, which are incorporated by reference as if fully set forth herein.

The foregoing Resolution, on motion by Commissioner _____, seconded by Commissioner _____, was adopted at the Planning Commission meeting of October 10, 2005 by the following vote:

AYES:

NOES:

Arleen T. Pelster, AICP, Secretary

Jack Rodenhi, Chair

Attachment: Exhibit A – Conditions of Approval
Exhibit B – Mitigation Measures

EXHIBIT A

**CONDITIONS OF APPROVAL
DR 04-35 – CROWN LAUREL
NORTHEAST CORNER OF LAUREL AVENUE AND V STREET – APN: 89-200-29**

The following Conditions of Approval apply to the plans for DR 04-35, prepared by Di Cecco Architecture, DesignARC and J.B. Dixon Engineering & Surveying, Inc., received by the Planning Division and stamped on March 4, 2005, March 18, 2005, and September 26, 2005, and reviewed by the Planning Commission on October 10, 2005.

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. A Sign Program for the industrial condominium building must be approved by the Planning Commission prior to issuance of a Certificate of Occupancy.

- P8. Owner agrees to and shall indemnify, defend, protect, and hold harmless City, its officers, employees, agents and representatives, from and against any and all claims, losses, proceedings, damages, causes of action, liabilities, costs and expenses, including reasonable attorney's fees, arising from or in connection with, or caused by (i) any act, omission or negligence of Owner, or their respective contractors, licensees, invitees, agents, sublessees, servants or employees, wherever on or adjacent to the Property the same may occur; (ii) any use of the Property, or any accident, injury, death or damage to any person or property occurring in, or on or about the Property, or any part thereof, or from the conduct of Owner's business or from any activity, work or thing done, permitted or suffered by Owner or its sublessees, contractors, employees, or invitees, in or about the Property, other than to the extent arising as a result of City's sole active negligence or to the extent of any willful misconduct of the City; and (iii) any default in the performance of any obligations of Owner's part to be performed under the terms of this Agreement, or arising from any negligence of Owner, or any such claim or any action or proceeding brought thereon; and in case any action or proceedings be brought against the City, its officers, employees, agents and representatives, by reason of any such claim, Owner, upon notice from City, shall defend the same at its expense by counsel reasonably satisfactory to City.

Owner further agrees to and shall indemnify, defend, protect, and hold harmless the City, its officers, employees, agents and representatives, from and against any and all actions brought by any third party to challenge the Project or its approval by the City, including environmental determinations. Such indemnification shall include any costs and expenses incurred by Agency and City in such action(s), including reasonable attorney's fees.

- P9. A temporary use permit shall be obtained from the Planning Division prior to installation of each construction and/or sales trailer on the project site.
- P10. Approval of Tentative Subdivision Map LOM 544 and Preliminary/Precise Development Plan (DR 04-35) are contingent upon City Council approval of General Plan Amendment (GP 04-05), Zone Change (ZC 04-07) and Text Amendment (TA 05-04), and Redevelopment Agency (RDA) review and approval.
- P11. The project is located within the City of Lompoc Old Town Redevelopment Area, Amendment No. 2 and final review and approval must be granted by the RDA Board.

Planning - Architectural Conditions

- P12. The Architectural Review approval granted by the Planning Commission is valid for one year from date of approval and will expire on October 10, 2006. A one-year extension may be granted by the Community Development Director if the applicant so requests prior to the expiration date.
- P13. All facades which extend above the roof line shall be finished on all elevations exposed to public view.
- P14. All mechanical and ventilation equipment on the roof shall be architecturally screened to prevent visibility from public view and shall be designed and placed to harmonize with the major structures on the site and with the neighborhood.
- P15. Protective bollards shall be installed near all down spouts that are adjacent to traffic.
- P16. For the industrial condominiums, foam material shall not be used for architectural features from the ground level to six (6) feet above ground level. Foam material may be used on portions of the building which are a minimum of six feet above ground level.
- P17. The developer shall provide the Planning Division with a site map identifying the lot number, plan number, elevation, and color scheme of homes prior to issuance of individual building permits. This is to assure compliance with the Architectural Review Guideline limiting a street frontage design, which should not appear more than every fourth house.
- P18. Perimeter walls and fencing for the project shall be architecturally treated. The treatment shall be reviewed and approved by the Planning Division staff prior to issuance of grading permits.

Planning - Site Plan Conditions

- P19. No outside vending machines, except fully enclosed newspaper racks, shall be allowed on site. All newspaper racks shall be pedestal-mounted.
- P20. The applicant shall submit a lighting plan which incorporates the following:
- a. For the industrial condominiums, the exterior lighting shall be controlled by a timer and within one hour after the facility's closing, lighting in the parking areas adjacent to the facility shall be reduced to a minimal level of lighting necessary for safety and security; and the illumination of signs and landscaping shall be curtailed.
 - b. All lighting shall be shielded to prevent glare and minimize light intrusion to adjacent properties. The adequacy and design of the on-site lighting and

shielding shall be reviewed by staff at plan check. The plan shall provide specifics for external light fixtures both on and off the building, external illuminated signage, and any lighting fixtures at ground level.

Planning - Stormwater Conditions

- P21. Drainage from new parking areas shall be collected and filtered, prior to discharge onto City Streets. Filters that will remove sediment, oil, and grease shall be provided to treat all water that will drain from on-site paved areas. Filter(s) location(s) and type(s) shall be shown/detailed on grading and drainage plans.
- P22. As site is over 1-acre in size, an NPDES Phase II (National Pollution Discharge Elimination System) construction permit shall be obtained through the Regional Water Quality Control Board (RWQCB). A copy of the Notice of Intent and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the Planning Division for approval prior to issuance of the grading permit.
- P23. Provisions shall be made to ensure adequate maintenance and replacement of private storm water filters. Filters must be cleaned out at least twice a year, before and after the storm season. Filters must be cleaned out and replaced, if necessary, at any time they are not functioning correctly and water is ponding as a result.
- P24. Grading and drainage plans and filter(s) location and type, the storm water pollution prevention plan, and associated maps, shall be reviewed by the City Planning and Engineering Divisions, prior to issuance of grading permits.
- P25. The CC&R's shall include provisions for adequate maintenance and replacement of filters.

Planning - Landscaping General Conditions

- P26. 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.

- P27. A Landscape Maintenance Agreement, in a form satisfactory to the City Attorney, shall be recorded prior to issuance of building permits for the project.

- P28. The project must conform with the Urban Forestry Administrative Guidelines.
- P29. The final landscaping Conditions of Approval shall be printed on the landscape plans filed with the City.

Planning - Landscaping Irrigation Conditions

- P30. The project must conform with sections 3331.1 - 3331.6 of the Lompoc City Code Water Efficient Landscape Standards.
- P31. 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.
- P32. All irrigation under paving must be Schedule 80 PVC or greater with tracer wires and sleeves.

Planning - Landscaping Tree Conditions

- P33. 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.
- P34. 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.
- P35. All trees must be installed with support staking. All nursery stakes must be removed from trees.
- P36. All trees and plant material selection shall be made with the concurrence of the Planning Division.

Planning - Landscaping Installation Conditions

- P37. 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.
- P38. 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.
- P39. All plant material is subject to inspection by the Planning Division and must be guaranteed for two years from the date of final inspection.

Planning - Air Quality Conditions

- P40. 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.

P41. 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.

P42. 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.

P43. Conditions for Long-term and Operational Impacts:

- a. All industrial and public facility construction or remodel projects of more than 10,000 square feet of floor area shall provide preferential parking spaces for employee carpools at a ratio of 1 preferential space for every 20 required spaces.
- b. All industrial and public facility construction or remodel projects of more than 10,000 square feet of floor area shall have parking lots designed to reduce the number of idling vehicles waiting for parking
- c. In all industrial and public facility construction or remodel projects of more than 10,000 square feet of floor area if the development project is adjacent to a bicycle trail and/or lane designated in the Lompoc General Plan, that portion adjacent to the project shall be installed.
- d. All industrial and public facility construction or remodel projects of more than 10,000 square feet of floor area shall provide bicycle facilities including, but not limited to bicycle racks installed on all industrial and public facility projects greater than 10,000 square feet. City staff shall determine the number of racks to be installed on a case by case basis.

Planning – Mitigation Monitoring Conditions

P44. All mitigation measures set forth in the Crown Laurel Mitigated Negative Declaration (SCH No. 2005081085) are hereby incorporated into these Conditions of Approval, as if fully contained herein, except those found infeasible pursuant to §15091 of the State CEQA Guidelines.

P45. The applicant shall enter into a Mitigation Monitoring Agreement with the City of Lompoc, which shall assure continuing compliance with the Mitigation Measures

set forth in the Final Mitigated Negative Declaration. The Agreement shall be reviewed and approved by the City Attorney, and shall be recorded prior to the issuance of any construction permit.

- P46. The applicant shall pay the costs associated with implementation of the Mitigation Monitoring Program prior to issuance of the first Certificate of Occupancy for any building in the project. The costs associated with implementation of Mitigation Monitoring Program shall be calculated on a time and materials basis.
- P47. Minor changes to the Mitigation Monitoring Program may be made by the City Planner. Such changes shall not result in alteration of any mitigation measures, but shall be restricted to changes related to which phase of the Mitigation Monitoring Program (e.g., plan check, construction, pre-occupancy, post-occupancy) a mitigation measure is to be completed. Any such changes may be approved when it is found to be impractical to require completion of a mitigation measure during the phase specified in the Mitigation Monitoring Program.
- P48. 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 –Covenants, Conditions & Restrictions (CC&R's)

- P49. Covenants, Conditions and Restrictions (CC&Rs) shall be submitted to the City for approval, prior to recordation.
- a. The applicant shall create a Home Owner's Association (HOA) for the maintenance of the common facilities provided for the residential uses, including but not limited to: common areas, private streets, and landscaping.
- b. The applicant shall create a Property Owner's Association (POA) for the maintenance of the common facilities provided for the commercial industrial uses, including but not limited to: common areas, private street, and landscaping.
- P50. The Covenants, Conditions & Restrictions (CC&R's) shall be reviewed and approved as to form by the City Attorney prior to recordation of the final map. The CC&R's shall state that no provision in the document may be amended without the prior written approval of the City of Lompoc. The CC&R's shall be recorded prior to the issuance of building permits.
- P51. The CC&R's shall include the following restrictions:

- a. A requirement that Storm Water filters in the storm drain system shall be maintained and replaced, when necessary, by the HOA/POA so that all storm water and drainage will be filtered, prior to entering the City's storm drain system. Filters used shall remove sediment, oil, grease, trash and floatables. A requirement that the filter media in the storm water filtration devices are regularly cleaned-out, maintained and replaced, per manufacturer's recommendations by the HOA/POA.
- b. The HOA/POA shall ensure that regular inspections are conducted to evaluate the levels of accumulated sediment, oil and grease, and that accumulated materials are removed at least twice a year, in October, before the rainy season begins and in April, after the rainy season has ended. The HOA/POA shall ensure that the filters are cleaned out more often if necessary to ensure they are functioning properly.
- c. A restriction against parking or storing recreational vehicles, trailers, and other miscellaneous vehicles on public streets within the project. (*Lompoc Subdivision Review Ordinance Section 2863, Planned Residential Developments*).
- d. A restriction against vehicle parking on the garage apron in front of the garage of Plan 3 and Plan 4.
- e. Any information that must be provided to future homeowners upon transfer of property shall be recorded in the CC&Rs.

Planning – Affordable Housing Conditions

- P52. Applicant shall comply with affordable housing requirements for Old Town Lompoc Redevelopment Project, Amendment No. 2 as specified in General Plan Housing Element Policy 1.11.
- P53. The proposed project is seventy three (73) units and eleven (11) affordable units are required to be dispersed throughout the development. The applicant must designate the affordable units on the site plan and sign a covenant prepared by the Redevelopment Agency (RDA), which will be recorded on each of the affordable units for a period of 45 years.
- P54. 15% of the dwelling units shall be at prices affordable to very-low, low- and moderate income families (very-low – 6%, low/moderate – 9%). The distribution

and affordability levels of these units, termed “rent-controlled units” / “controlled-sale units” shall be as follows:

Income Level	3-bedroom	4-bedroom
Very-Low	2	2
Low	2	2
Moderate	2	1
Total	6	5

P55. The sales price for the controlled-sale units shall be calculated when the building permits are issued for the controlled-sale units.

P56. Prior to the issuance of building permits, the property owner(s) shall sign a covenant which runs with the land against each controlled-sale unit. The covenant shall be prepared by the RDA in order to assure continued affordability. The covenant shall specify:

- a. the formula for determining new sales prices;
- b. affordability control mechanisms upon resale;
- c. refinancing restrictions;
- d. qualifications of eligible buyers;
- e. annual reporting requirements;
- f. occupancy requirements;
- g. the period during which affordability is to be maintained;
- h. that the owner grants to the City, or other entity designated by the City, an option to purchase the property at any time the owner wishes to sell; and,
- i. that the covenant shall be in effect for a 45 year period starting from the issuance of the Certificate of Occupancy.

P57. Prior to the issuance of building permits, the applicant and property owner(s) shall agree to cooperate in implementing the affordability controls, and obtain the lender’s approval of the affordability control documents.

P58. Prior to issuance of certificates of occupancy, the applicant and property owner(s) shall obtain the City’s / Redevelopment Agency’s approval of the buyer selection

process, the initial sales prices, and the eligibility of the initial buyers of controlled-sale units. In addition, as part of the escrow proceedings on the controlled-sale units, the buyers shall be required to record documents agreeing to adhere to the City's / Redevelopment Agency's affordability requirements.

- P59. Prior to the issuance of certificates of occupancy, the buyers of the controlled-sale units shall agree to occupy the units as their principal place of residence.
- P60. Prior to any sale or other transfer of any interest in the controlled-sale units, it must be approved by the City / Redevelopment Agency as being in compliance with the requirements set forth in the covenant, including the maximum sale price. Full disclosures must be made in writing to the City / Redevelopment Agency regarding the terms of the sale, including copies of closing statements from escrow and all other documents.

Planning – Project Specific Conditions

- P61. In order to conform to the Architectural Review Guidelines, the elevations of the residential units shall be revised to show architectural detail added to the rear and side elevations. The revisions shall be reviewed by staff at plan check.
- P62. In order to conform to the Architectural Review Guidelines, the elevations of the commercial industrial building shall be revised to show architectural detail added to the west elevation. The revisions shall be reviewed by staff at plan check.
- P63. The murals shown on the west elevation of the industrial building shall be installed prior to issuance of a certificate of occupancy for the last home within the project. If not installed, a bond shall be posted to ensure the murals are installed within a reasonable time frame.
- P64. Fencing at channel, height of mound (varies, 8'max), placement of homes, southeastern block amenity, limit truck deliveries/signage, gates at industrial component, identify loading zones

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. (When applicable)
- B8. Project shall comply with current City and State water conservation regulations.
- B9. Dust and erosion control shall be in conformance with standards and regulations of the City of Lompoc.
- B10. A licensed surveyor/engineer shall verify pad elevations, setbacks, and roof elevations.
- B11. Stairs, decks, platforms shall meet the strict guidelines in the most recent adopted Building Code.
- B12. Buildings shall comply with the State's Energy Regulations.

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.
 - a. Roads or access ways less than forty feet wide but more than thirty feet wide shall be limited to parking on one side of roadway only.
 - b. Roads or access ways less than thirty feet wide shall have no parking on both sides of the roadways.
 - c. When roads or access ways are required fire lanes approved fire lane signs shall be installed in accordance with the Lompoc Fire Marshal's Office.
 - d. Under no circumstances shall a roadway; access-way or drive entrance shall be less than 20 feet wide.

- 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.
- F4. An approved key box containing appropriate keys to buildings shall be made accessible and installed according to City Standards. (Commercial or Public Occupancies only)

Fire - Water Supply Conditions

- F5. 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.
- F6. All fire hydrants shall be in service prior to the start of framing construction.
- F7. Fire sprinkler connections shall have unobstructed access to a fire hydrant within 150 feet.

Fire - Equipment and Protection System Conditions

- F8. Fire alarm systems are required in accordance with the most restrictive of the following: the Uniform Fire Code, the Uniform Building Code, or the Lompoc City Code (when applicable)
- F9. Automatic sprinkler systems are required in accordance with the most restrictive of the following: the Uniform Fire Code, the Uniform Building Code, and the Lompoc City Code (when applicable).
- F10. Fire alarm systems and automatic sprinkler systems shall be supervised on a 24-hour basis at a location approved by the Fire Department.

- F11. Four sets of plans for fire alarm systems and sprinklers shall be submitted to the Building and Fire Safety Division for review and approval, prior to the start of

framing construction. When approved, two sets of the plans will be returned to the applicant, two sets will be retained by the Building and Fire Safety Division. Plan submittal and installation shall be in accordance with National Fire Protection Association and UFC standards.

- F12. 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

- A1. For the industrial condominiums, bicycle racks to accommodate 10 bicycles shall be provided on site. The location and type of bicycle racks shall be reviewed and approved by the Planning Division prior to issuance of building permits.
- A2. A detail of the bus turnout shall be shown on the plans. A bus shelter and a bus turnout of a type and location approved by the Aviation/ Transportation Administrator shall be installed prior to certificates of occupancy.

V. POLICE DEPARTMENT

- PD1. Pedestrian access shall be provided adjacent to each vehicular entrance to the project.
- PD2. It is recommended that street calming measures be considered on the interior private streets of the development.

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. Signing and striping within public and private street right-of-way
 5. Connection points to utility mains for sewer laterals and water services
 6. Electrical services up to and including transformer
- EN2. Improvement Plans shall be prepared by or under the supervision of a registered civil engineer.
- EN3. All improvements shall be provided at the Applicant's expense and in accordance with City of Lompoc "Standard Requirements for The Design and Construction for

Subdivisions and Special Developments.” These Standard Requirements are available at the Engineering Division.

- EN4. “Development Assistance Brochures” are available at the Engineering Division to facilitate the preparation of plans and reports by the Applicant’s engineer and include “Checklists for Completeness of Engineering Plans and Report Submittals.” The “Development Assistance Brochures” are an essential aid in the preparation of Grading and Public Improvement Plan submittals.
- EN5. A Soils Investigation/Geology Report shall be submitted to the Engineering Division with first plan check submittal of the Improvement Plans. A soils engineer shall be retained to observe, test, and certify during construction all recommendations as outlined in the Soils Investigation Report. "R" Values shall be taken to determine the street structural sections.

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

- EN6. In conformance with Chapter 27, Section 2774.E of the Lompoc City Code, the Improvement Plans, including but not limited to, grading, water, sewer, streets, storm drain, electrical system, and other surface and subsurface improvements, shall be prepared based upon the *vertical* and *horizontal* control monuments as established by the City of Lompoc Coordinate Control System, Record of Survey Book 142, Pages 82 and 83. All drawings, improvement plans, and survey maps shall be prepared in accordance with the requirements currently in effect, with the additional requirement that all said drawings and improvement plans shall be delivered in a computer format readily compatible for transfer to the City Geographic Information System. The following computer formats are acceptable for delivery: DGN (native Microstation); DWG (same as or less than Version 14); DXF.

Plan Review

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

Permits & Fees

- EN9. An Encroachment Permit issued by the Engineering Division is required for any work within a street right-of-way or easement. Permit application will include an itemized Engineer's cost estimate for the public improvements to be constructed.
- EN10.A Grading Permit is required by the Engineering Division upon approval of the Improvement Plans and prior to clearing, grubbing, excavation, or dirt filling within the development.
- EN11. Pryor to Encroachment or Grading Permit approval the Applicant shall provide a letter, addressed to the City Engineer, stating that his civil engineer will oversee the grading and offsite construction requirements in accordance with the Business and Professions Code.
- 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. STREET IMPROVEMENT and TRAFFIC SIGNAL IMPACT FEES will be imposed upon the issuance of a building permit and are based on the City of Lompoc Development Impact Fee Schedule in effect at the time of permit issuance.

Drainage

- EN14. A Drainage/Hydrology Report shall be submitted to the Engineering Division with first plan check submittal of the Grading and Improvement Plans.
- EN15. Cross-gutters shall be constructed at intersections where there is surface drainage.
- EN16.The Improvement Plans shall be designed to provide a minimum cross slope of 2% on public and private streets.
- EN17. Storm drains and drainage inlets shall be sized for a peak 25-year runoff event with a positive overland escape design for a 100-year storm. Minimum size for Storm Drains shall be 18 inches unless otherwise approved by the City Engineer.
- EN18.Storm drains and drainage inlets in sump conditions shall be sized for a 100-year storm and shall provide positive overland escape.
- EN19. Drainage inlets shall be designed and located in a manner that will assure "adequate travel lanes." Up to 25-year storm flows should be contained within the curbs; 100-year storm flows should be contained within the right-of-way or private street easement.
- "Adequate Travel Lanes" defined* - Use a 10-year storm for spread. Design private streets with a 10-foot clear lane and public streets with a 20-foot clear lane.
- EN20. Catch basin capacity for Standard Curb Inlet Catch Basins in a sump, constructed per City Standard Drawings 506 through 508, shall not exceed 2.00 cfs./ft. Use a 30% clogging factor for all inlets in a sump.

EN21. The lowest surface in all streets and parking lots will be constructed a minimum of one-half foot above the 100-year water surface elevation per current FEMA Flood Insurance Rate Map.

EN22. The lowest finish floor elevation of all new structures shall be at least 2-1/2 feet above the 100-year water surface elevation per current FEMA Flood Insurance Rate Map. Finish floor elevations shall be higher than overland escape of adjacent streets, bridges and other obstructions.

EN23. The on-site drainage system must be properly designed to maximize infiltration of roof and/or surface runoff into the underlying soil before discharging into storm drain, street or alley.

Final Approval

EN24. Record Drawings are required for this project. Development Assistance Brochure, entitled "Record Drawings," is available from the Engineering Division to facilitate the preparation of the Record Drawings.

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

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

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

Engineering – Project Specific Conditions

EN26. Parking will be restricted to one side of street due to proposed 33-foot private street width. Parking restriction signage shall be installed per City Fire Department requirements prior to occupancy.

EN27. No parking will be permitted within V Street and Maple Avenue entrance/exits. Parking restriction signage shall be installed per City Fire Department requirements prior to occupancy.

EN28. Street Improvement and Traffic Signal Impact Fees for this development are estimated to be as follows:

Residential (73 Units):

Street Improvement Impact Fee: \$270,246.00

Traffic Signals Impact Fee: \$13,943.00

Residential Sub Total: \$284,189.00

Street Improvement and Traffic Signal Impact Fees will be imposed upon the issuance of a building permit.

EN29. Obtain the necessary permits and remove the existing railroad tracks within V Street right-of-way at the proposed entrance to this development and reconstruct V Street in areas of railroad track removal.

Construct a "stop block" at the easterly termination of the railroad tracks on the west side of V Street.

EN30. Sidewalk construction in Maple Avenue shall be constructed with the development and not postponed as noted on the Preliminary Site Plan.

EN31. The existing driveway access at the Maple Avenue cul-de-sac will be replaced with standard PCC curb, gutter, and sidewalk.

EN32. Prior to final approval of the Improvement Plans the Applicant shall deposit \$5,000 to the Engineering Division for future PCC sidewalk, curb and gutter improvements along the west side of V Street from North Laurel Avenue to Laurel Avenue.

EN33. The segment of V Street between Laurel Avenue (east) and Laurel Avenue (west) shall be restriped to provide one lane in each direction, a left-turn lane at the intersections at the intersections of the east and west legs of Laurel Avenue, plus painted on-street bike lanes (*see Figure 11 of the Final Traffic Circulation Study dated March 8, 2005*).

EN34. All site drainage will be collected onsite, filtered, and routed directly to Miguelito Channel.

VII. SOLID WASTE

Solid Waste – General Conditions

- SW1. Trash enclosures shall be designed, in accordance with City standards, for up to 440-gallon automated containers accessible to automated trash collection trucks and in locations as approved by the City Solid Waste Superintendent. The trash collection trucks are side loading and have a 40-foot turning radius. On-site circulation for the trucks shall be designed so trash collection trucks will not need to back up in order to turn around and exit.
- SW2. Trash enclosures shall not have any doors and shall be enclosed on three sides with a six-foot wall, which is architecturally compatible with the on-site buildings. The City Planner shall approve the design of the six-foot wall.
- SW3. Trash enclosure access openings must be placed no more than one-foot from drive aisle.
- SW4. Trash containers must be kept side-by-side and parallel with alley or drive aisles. Enclosures with more depth than the minimum required seven-foot depth of one container must be constructed with a wheel-stop sufficient to keep the containers at the front edge of the enclosure so that the operator of the trash collection truck does not have to move containers out for collection.

Solid Waste – Project Specific Conditions

- SW5. For the industrial condominiums, the bill for trash collection will be consolidated into one and paid by the Property Owner's Association (POA). Billing will not be provided to each individual industrial condominium unit.
- SW6. For the industrial condominiums, the access gate at Maple Avenue shall be open on trash collection days or an agreement shall be signed with the City stating that it is the responsibility of the Property Owner's Association (POA) to place the refuse containers out at the street on the day of service. The agreement, in a form satisfactory to the City Attorney, will be recorded prior to issuance of building permits for the project.
- SW7. For the residential portion of the project, additional trash collection days, beyond the two provided, shall be charged to the Homeowner's Association (HOA).

VIII. ELECTRIC

Electric – General Conditions

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

Electric – Project Specific Conditions

- EL8. The existing overhead electric, telephone and cable TV lines within the development boundaries, and to one pole outside the development boundaries, must be installed underground at the Applicant's expense. This includes two crossings on Laurel Avenue going south under the railroad tracks.

- EL9. The owner shall grant an electric easement for electric facilities installed on private property.
- EL10. The existing underground and overhead electric lines feeding parcel one to the East of the development will be rerouted at the Applicant'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 Applicant.
- W3. All meter protection shall be by an approved Reduced Pressure Principle Backflow Prevention Assembly (RP) at the service connection. Information on acceptable assemblies is available from the City Water Division.
- W4. All public water system components must be constructed within public right-of-way or public easements.
- W5. When a fire sprinkler system is required or proposed, the utility plan shall show the location of Fire Department Connection FDC with reference dimensions to the nearest fire hydrant. Fire Department requires fire department connections to be within 150' of a fire hydrant.
- W6. When a fire sprinkler system is required or proposed the utility plan shall show the fire line connection point to water main.
- W7. All requests for information needed to design fire sprinkler systems and to determine available or needed fire hydrant flow shall be made with the City Water Division

Water – Project Specific Conditions

- W8. All unused water meter services shall be abandoned/plugged at the water main by the Applicant, according to City of Lompoc Standard Specifications.
- W9. Show all existing water meter services (south side of project) on the Improvement Plans.
- W10. The existing water meter services that serve existing businesses on the east side of the project shall be protected and relocated if necessary by the Applicant.

W11. If necessary, existing fire hydrants (east side of property) shall be relocated/removed at the Applicant's expense.

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 pipe fittings 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. In existing paved streets or alleys trench backfill, from one-foot above sewer pipe to subgrade, shall be one-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, Matt Woodruff of JM Development, Inc., project representative, do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the project. As project representative, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Name

Date

MITIGATION MEASURES
Crown Laurel Development
Preliminary/Precise Development Plan – DR 04-35
Vesting Tentative Subdivision Map – LOM 544

These Mitigation Measures were extracted from the Mitigated Negative Declaration for Crown Laurel (SCH No. 2005081085), which was certified by the City Council on _____. Language may be modified herein to clarify applicability to the project and to provide clarification regarding compliance to contractors and future property owners. No revisions have been made to modify the intent or requirements of the Mitigation Measures. In the case of conflict, the Mitigation Measures contained herein shall supercede those contained in the MND.

Aesthetics

1. Prior to construction of the proposed structures, all proposed lighting shall be indicated on site plans that demonstrate that spill-over of lighting would not affect adjacent properties. For the industrial condominium portion of the project, the lighting plan shall incorporate lighting that directs light pools downward to prevent glare on adjacent and surrounding areas. Lights in these areas shall have solid sides and reflectors to further reduce lighting impacts by controlling light spillage. Light fixtures that shield adjacent properties from excessive brightness at night shall be included in the lighting plan for the industrial condominium portion of the project. Exterior carriage style light fixtures are allowable within the residential portions of the project. Non-glare lighting shall be used. Additionally, the lighting plan shall include examples of building exterior materials for the purpose of demonstrating the reflective characteristics of planned facades. These building exterior materials shall be non-reflective in nature will be required to be constructed of non-glare materials. Any signage that incorporates lighting shall be shielded to direct light towards the sign so that glare will not affect motorists or neighbors.

Air Quality

2. The CC&Rs for the proposed residential units shall include a written disclosure statement that shall make all prospective property owners on the site aware that although potential impacts or discomforts between proposed industrial uses may be lessened by proper maintenance, some level of incompatibility between the two uses would remain. This statement shall include a description of odors and noises associated with the types of business that may occupy the proposed on-site industrial condominiums. Should industrial practices change substantially (e.g., through the possible future change of business occupying the industrial condominiums), notification shall be provided to existing and prospective project residents.
3. Prior to operation of uses within the industrial condominiums, the future tenant shall provide to the City a written description of potential stationary sources of

noxious fumes, odors, toxic compounds or particulates that could potentially migrate to off-site receptors, and evidence of APCD permit compliance for any new applicable stationary emissions sources. The future tenant shall provide written documentation that demonstrates to the City and APCD the installation of stationary emissions control technologies or emissions reduction offset in the project area such that these methods result in emissions reductions to allowable levels. This written documentation shall quantify emissions reductions and demonstrate enforceability of emissions controls and offsets.

4. All construction activity shall be required to incorporate the APCD requirements pertaining to minimizing construction-related emissions. The APCD does not have quantitative thresholds of significance for construction emissions since they are considered to be short term and temporary. However, dust reduction measures are required for all discretionary construction activities. The following requirements shall be considered standard construction conditions:

Dust Generation. If the construction site is graded and left undeveloped for over four weeks, the applicant shall employ the following methods immediately to inhibit dust generation:

- i. Seeding and watering to revegetate graded areas; and/or
- ii. Spreading of soil binders; and/or
- iii. Other soil stabilization methods deemed appropriate by the Planning Division.

Watering. Water trucks shall be used during construction to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this requires two daily water applications (once in late morning and once at the end of the workday). Increased watering shall be performed when wind speeds exceed 15 mph.

Disturbed Area. The amount of disturbed area shall be minimized and on-site vehicle speeds shall be reduced to 15 mph or less.

Gravel Pads. Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.

Volatile Organic Compounds (VOC). Low VOC asphalt and low VOC architectural coating will be used whenever feasible.

Soil Stockpiling. If importation, exportation, or stockpiling of fill material is undertaken, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Vehicles transporting soil material shall be covered with tarps from the point of origin to the point of disposition.

Land Clearing. After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading soil binders until the area is paved or otherwise developed.

Recording of Dust Control Requirements. Prior to land use clearance, the applicant shall include, as a note on a separate informational sheet to be recorded with any map, the aforementioned dust control requirements. All requirements shall be shown on grading and building plans.

Monitoring of Dust Control Program. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress.

Construction Equipment. In order to reduce NO_x and ROC emissions, any construction equipment used on the site must meet the following conditions:

- i. Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated “clean” diesel engines) should be used wherever feasible;
- ii. The engine size must be the minimum practical size;
- iii. The number of pieces of equipment operating simultaneously must be minimized through efficient management practices;
- iv. Construction equipment must be maintained in tune per manufacturer's specifications;
- v. Equipment shall be equipped with 2 to 4-degree engine timing retard or precombustion chamber engines;
- vi. Catalytic converters shall be installed, if feasible;
- vii. Diesel catalytic converters shall be installed, if available; and
- viii. Diesel-powered equipment such as booster pumps or generators should be replaced by electric equipment, if feasible.

5. In order to ensure that the proposed project remains in conformance with the CAP, the applicant shall be required to implement the following CAP TCMs as a condition of project approval:

Employer Based Transportation Demand Management Programs and Work Schedule Changes. With respect to the proposed light industrial condominium development, the applicant shall provide an on-site bulletin board specifically for the posting information about regional ride share and public transportation programs for all future employees.

Distribution of Alternative Transportation Information. The applicant shall provide an on-site bulletin board specifically for the posting of bus schedules and notices of availability for car-pooling and/or shall distribute such information to property owners upon occupancy. The information shall include descriptions of carpooling and vanpooling and bus schedules with routes most accessible to the development. Information on purchasing less polluting or alternatively fueled vehicles, which is available from APCD, shall also be included.

Biological Resources

6. In order to avoid impacts to nesting birds, including birds protected under the Migratory Bird Treaty Act, all initial ground disturbing activities, including any tree removal, should be limited to the time period between September 1 to March 1 (i.e., outside the nesting season). If initial site disturbance, grading, and tree removal cannot be conducted during this time period, a pre-construction survey for active nests within the project site shall be conducted by a qualified biologist at the site no more than two weeks prior to any construction-related activities. If active nests are identified, then all construction work shall be conducted a minimum of 50-250 feet from the nests, until the adults and young are no longer reliant on the nest site, as determined by a City-approved biologist in coordination with the California Department of Fish and Game. The City-approved biologist shall determine the final buffer distance, to be dependant on the species potentially affected.
7. In order to ensure that project landscaping does not introduce invasive non-native plant species into the vicinity of the site, the final landscaping plan shall be reviewed and approved by a City approved biologist. All invasive plant species shall be removed from the landscaping plan.

Geology and Soils

8. The recommendations of the “Preliminary Foundation Investigation” (Pacific Materials Laboratory, January 21, 2005) shall be implemented prior to issuance of grading permits. These recommendations include the following measures to reduce the potential for hazards related to unstable, compressible soils:
 - a. Beneath the proposed structures and for a minimum distance of 5 feet beyond the exterior perimeters, the loose topsoil and compressible surface soils shall be removed. The exposed ground surface shall be scarified an additional 6 to 8 inches, moistened or dried to near the optimum moisture content and compacted to 90% of relative compaction. The minimum depth of removal shall be a t least 12 inches below the bottom of the proposed footings.
 - b. The removed surface soils and/or imported approved fill shall be placed in loose lifts of approximately 6 inches, thoroughly mixed, moistened or dried to near optimum moisture content, and compacted to a minimum of 90% relative compaction.
 - c. The footings of proposed structures shall be supported completely by a uniform thickness of compacted soil. The structures shall not be supported over a cut/fill transition.

Hazards and Hazardous Materials

9. Prior to demolition work, each structure proposed for demolition shall be sampled as part of an asbestos survey in compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAP). If asbestos is found in any building, asbestos-related work, including demolition, involving 100 square feet or more of asbestos containing materials (ACMs) shall be performed by a licensed asbestos

abatement contractor under the supervision of a certified asbestos consultant and asbestos shall be removed and disposed of in compliance with applicable State laws. Regardless of whether asbestos is identified in any building, prior to demolition of existing structures the APCD shall be notified and an APCD Asbestos Demolition and Renovation Compliance Checklist shall be submitted to both APCD and the City of Lompoc Planning and Building Division.

10. If during demolition of the on-site structures, paint is separated from the building material (e.g. chemically or physically), the paint waste will be evaluated independently from the building material by a qualified hazardous materials inspector to determine its proper management. All hazardous materials shall be handled and disposed in accordance with local, state and federal regulations. According to the Department of Toxic Substances Control (DTSC), if paint is not removed from the building material during demolition (and is not chipping or peeling), the material can be disposed of as construction debris (a non-hazardous waste). The City Solid Waste Division will be contacted prior to disposal of building material debris to determine any specific requirements the landfill may have regarding the disposal of lead-based paint materials. The disposal of demolition debris shall comply with any such requirements.

11. The “Work Plan for Additional Site Investigation and Site Mitigation” (Environmental Assessment Specialists, Inc., June 28, 2005) shall be implemented prior to issuance of grading permits. Should any hazards be identified as a result of the additional site investigation, the applicant shall be required to follow and implement all recommendations made by the investigators. This supplemental report shall be filed for review by the City and the County Fire Department Hazardous Materials Division. The applicant shall comply with all supplemental remediation recommendations of the City, County Fire Department Hazardous Materials Division, and other regulatory agency with hazardous materials jurisdiction over the project.

12. In the event that hazardous waste and/or materials, including chemical odors or stained soils, are encountered during construction, the following actions shall be taken by the applicant or authorized agent thereof: (1) all work in the vicinity of the suspected contaminant will be halted; (2) all persons shall be removed from the area; (3) the site shall be secured under the direction of the City Fire Department; and (4) the City of Lompoc Hazardous Waste/Materials Coordinator shall be notified. Work shall not recommence until such time as the find is evaluated and appropriate measures are implemented as necessary to the satisfaction of the California Department of Toxic Substances Control.

Hydrology and Water Quality

13. Temporary berms and sediment basins shall be constructed to avoid unnecessary siltation into Miguelito Creek during construction activities.
14. The inlet on all storm drains shall be designed to include water filtration units to reduce the sediment load, oil and grease, and floatable debris contained in the runoff water before discharge to Miguelito Creek. The type and location of filters shall be shown on the grading plans submitted for approval to the Engineering and Planning Divisions. The filters shall be maintained by the HOA. Maintenance shall include regular inspections, measurements of the volume of accumulated sediment, oil and grease, and periodic removal of accumulated materials.

Noise

15. The following measures shall be required to reduce construction noise impacts to nearby sensitive receptors:
- For construction near sensitive resources, require that noisy construction activities be scheduled for periods, between 8 a.m. and 6 p.m. on weekdays and 9 a.m. to 6 p.m. on Saturday, when loud noises would have the least impact on adjacent residents or other sensitive receptors;
 - Develop a construction schedule that minimizes potential cumulative construction noise impacts and accommodates particularly noise-sensitive periods for nearby land uses (e.g., for schools, churches, etc.);
 - Where feasible, construct temporary, solid noise barriers between source and sensitive receptor(s) to reduce off-site propagation of construction noise. This measure would reduce construction noise by up to five decibels;
 - Require internal combustion engines used for construction purposes to be equipped with a properly operating muffler of a type recommended by the manufacturer. Also, require impact tools to be shielded per manufacturer's specifications.
16. The following measures shall be required to reduce on-site operational industrial noise impacts:
- The rear wall (nearest the proposed residential units) of the proposed industrial condominiums shall be noise-insulated to provide attenuation of operational noise levels. The installation of a concrete block wall will satisfy this requirement;
 - External noise-generating equipment associated with industrial uses (e.g., HVAC units, etc.) shall be shielded from adjacent residential units or enclosed with solid sound barriers.

Transportation/Circulation

17. The applicant shall fully implement the required Improvements recommended by ATE, Inc. (section 5.0 of the Final Traffic and Circulation Study). These improvements include the following:
- Frontage improvements (curb, gutter, sidewalk, driveways, etc.) shall be constructed according to City requirements;
 - The main site access driveway proposed on V Street shall be aligned with the segment of Laurel Avenue on the west side of V Street (requiring minor widening on the southwest corner of the intersection). All improvements on the southwest corner shall include curb, gutter, sidewalk, etc., according to City standards;
 - The segment of V Street between Laurel Avenue (east) and Laurel Avenue (west) shall be restriped to provide one lane in each direction, a left-turn lane at the intersections of the east and west legs of Laurel Avenue, plus painted on-street bike lanes shall also be required; and
 - The applicant shall work with the City for the purpose of creating a required fair share fee for the installation of sidewalk on the west side of V Street between Laurel Avenue (east) and Laurel Avenue (west) to provide for children walking to/from Clarence Ruth Elementary School.

Additional Conditions

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