



## Planning Commission Agenda Item

**Planning Commission Meeting Date:** February 27, 2019

**TO:** Members of the Planning Commission

**FROM:** Cody Graybehl, Associate Planner  
c\_graybehl@ci.lompoc.ca.us

**SUBJECT:** Conditional Use Permit – CUP 18-04  
Fifteen Unit Apartment Complex

### **AGENDA ITEM NO. 1**

A request from Tony Tomasello of RRM Design Group representing the Housing Authority of the County of Santa Barbara (property owner) for Planning Commission consideration of a proposal for a fifteen-unit apartment complex. The project site is 0.39 acres and is located at 1401 East Cypress Avenue (APN: 085-150-089) in the Commercial Office (CO) zoning district. This action is categorically exempt pursuant to Section 15332 (In-fill Development Projects) of the California Environmental Quality Act (CEQA).

### **Scope of Review**

The Planning Commission is being asked to consider:

- If the proposal meets the development standards for the Commercial Office (CO) Zoning District;
- If the proposal is consistent with State Density Bonus Law;
- If the proposal is consistent with the Architectural Review Guidelines;
- If the required Findings of Fact in the Resolution can be made; and
- If the Conditions of Approval are appropriate for the project.

### **Planning Commission Action**

1. Adopt Resolution No. 898 (19) approving a Conditional Use Permit (CUP 18-04) for a fifteen-unit apartment complex, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval; or
2. Provide other direction.

### **Site Data**

1. Property Owner: Housing Authority County of Santa Barbara
2. Site Location: 1401 East Cypress Avenue
3. Assessor's Parcel Number: 085-150-089
4. General Plan Designation: Office Commercial
5. Site Zoning: Commercial Office
6. General Plan Designation: Office Commercial
7. Site Use: Vacant Lot
8. Surrounding Uses/Zoning:
  - North - Residential (Cypress Court Senior Housing) / CO
  - South - Vacant Lot(s) & Single Family Residential / 7R-1
  - East - Casa Serena Senior Apartments & Single Family Residential / R-3PD & 7R-1
  - West - Single Family Residential / 7R-1
9. Site Area: 0.39 acres

### **Background**

The site is a 0.39-acre undeveloped vacant lot located at the corner of Cypress Avenue and Seventh Street. The site is adjacent to the Cypress Court complex which includes 60 affordable senior apartments completed in 2013 and also owned by the Housing Authority of Santa Barbara County.

### **Proposal**

A fifteen unit one-bedroom affordable housing development is proposed by the Applicant. Each unit would be deed restricted to families and households earning less than 60% of the Area Median Income (AMI) which qualifies for the lower-income group designation according to Section 50079.5 of the Health and Safety Code. Sixteen uncovered parking spaces are being provided as well as private balconies, drought tolerant landscaping and an outdoor community area (barbeque and seating) to the east of the proposed development.

### **Conformance with General Plan**

The General Plan Land Use designation for this property is Office Commercial (OC) and the stated purpose is:

*To provide commercial areas for business, medical, and professional offices outside of the Old Town area which are easily integrated into adjacent residential areas. This category provides a buffer between residential areas and major roadways. (Lompoc 2030 General Plan, Land Use Element, Table LU-1).*

This project is deemed to be consistent and in conformance with the General Plan pursuant to Government Code section 65589.5.

Policy 1.11 contained in the General Plan Housing Element states:

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

The proposed project is located within the Old Town Redevelopment Project (Amendment area No. 2), therefore, at least 15% percent of all the units must be affordable to low- and moderate-income households with at least 40% of those units to be used by very low-income households.

The proposed project consists of fifteen one bedroom units of which three affordable units are required. The Applicant must designate these three units as affordable units on the site plan and prepare a covenant to be approved by the City Attorney and recorded on each of the affordable units for a period of 55 years (COA 53) in order to be consistent with the General Plan Housing Element Policy 1.11.

For clarification, even though the applicant is proposing to have all fifteen units restricted to affordable, the City will only be requiring a covenant for three units to be restricted to affordable. This is the case because General Plan Housing Element Policy 1.11 and covenant requirements listed above only applies to 15% (3 units) of the total number of units being proposed.

### **Conformance with Zoning Ordinance**

The zoning for the site is Commercial Office (CO). The purpose of this zone is:

*To provide a district for office-type uses with yard and open space and architectural requirements similar to those in residential districts in order that such uses can be located in close proximity thereto. (Lompoc Municipal Code Section 17.040.010).*

The proposed apartment complex is consistent with the zoning district and development standards for the district as identified in Table 1 below.

<b>Table 1: Commercial Office (CO) District Development Standards</b>		
<b>Category</b>	<b>Development Standard</b>	<b>Proposed</b>
<b>Maximum Height</b>	40 feet or three stories	39 feet 10 inches, 3 stories
<b>Maximum Site Coverage</b>	100 percent, less parking area	23 percent
<b>Minimum Front Yard</b>	None	38 feet 5 inches
<b>Minimum Rear Yard</b>	None	113 feet 5 inches
<b>Minimum Side Yard</b>	None	10 feet (adjacent to Cypress Avenue) 11 feet 4 inches (adjacent to Cypress Court development)
<b>Minimum Building Site and Width</b>	5,000 square feet; 30 feet in width	17,057 Square Feet; 72 feet 9 inches wide
<b>Minimum Parking</b>	Dwelling, 100% Affordable Units <sup>1</sup>  Studio and 1 Bedroom: 1 covered space per unit  Community Rooms/Clubhouses Open to the Public: 1 space per 35 sq. ft. of gross floor area in the main assembly room or rooms  Visitor Parking: 1 space after first 10 units, then 1 additional space for every 5 units thereafter  17 spaces required	16 uncovered spaces <sup>2</sup>
<b>Minimum Loading Zone Requirement</b>	Multifamily Dwellings—containing 30 or more rental units: 1 striped space, measuring 12 ft. by 35 ft.  None	None
<b>Minimum Open Area per Unit</b>	Not less than 200 square feet of open area per unit shall be provided on the site, which may include landscaped areas, walkways and recreational areas, but not structures or driveways or parking areas.  3,000 square feet	7, 129 square feet
<b>Minimum Floor Area of Dwelling Unit</b>	550 square feet	702 square feet

<sup>1</sup> Landowner must covenant to restrict use of property to 100% affordable or provide additional off-street parking as required by this Chapter if property is converted to other uses. A condition of approval has been created for this requirement (COA P65).

<sup>2</sup> Pursuant to the prescriptive parking rates provided in Cal Gov. Code §65915(p) of the State Density Bonus Law, the maximum required parking is one parking space per one-bedroom unit, and this is inclusive of guest spaces and accessible spaces. Additionally, this section specifies that on-site parking may be uncovered.

### **Conformance with State Density Bonus Law**

The proposal qualifies for a 35% density bonus, three developer concessions, waiving of development standards, and the prescriptive parking requirements which are outlined in Cal. Gov. Code §65915. This is the case because the applicant is proposing that 100% of the fifteen units are to be restricted to lower income residents (to households earning 60% or less than the area median income). At this time, the applicant is not requesting a density bonus but is requesting one concession (discussed in the landscape section below). Additionally, the proposed project qualifies for the prescriptive parking rates, discussed in Table 1, which the applicant is requesting. The prescriptive parking rates do not count toward one of the three concessions. The prescriptive parking rates and concession request are discussed further below.

### **Site Plan**

The project would front Seventh Street and be accessed from a proposed driveway on East Cypress Avenue. As proposed, the apartment complex would consist of a singular building which contains both two and three story elevations, with a total floor area of 3,950 square feet, as shown on the attached plan set (Attachment 3). Additionally, parking would be located to the west of the apartment complex and a common outdoor area with amenities such as a barbeque and seating would be located to the east of the apartment complex.

### **Parking & Circulation**

Upon the request of the developer, a city shall not require a vehicular parking ratio (including handicapped and guest parking) greater than one on-site parking space for one bedroom units. The Applicant qualifies for the prescriptive parking rates provided in Cal. Gov. Code §65915(p) of the State Density Bonus Law and is requesting that the prescriptive parking rates be applied. Based on this section, fifteen uncovered parking stalls are required and sixteen uncovered parking stalls are being provided as proposed. Therefore, adequate parking is being provided on the project site.

### **Floor Plan**

The apartment complex proposes fifteen one bedroom units providing approximately 702 square feet of living space which includes a living room, kitchen, private patios/balconies and individual laundry areas.

## **Architectural Review Guidelines**

The bulk of the building would be composed of Craftsman style architecture and the exterior of the building would be composed of cement plaster stucco. An earth tone paint scheme would be utilized consisting of Belle Grade grey and Chablis (yellowish green). Awnings, balconies, vinyl windows and variable-height pitched composition shingle roofing would break up the single wall plane and would reduce building bulk. The awnings would be placed over windows to provide sun and rain protection and would be Isle of Pines green. The proposed architectural style is complimentary and compatible to the Cypress Court Senior Housing Apartments adjacent to the site and is also sensitive to the surrounding neighborhood character. Specifically, the proposed building's proportion, size, mass, materials, exterior colors and height are compatible with the senior housing project.

Lighting would be provided in the parking lot with shielding in order to prevent glare or light from "spilling" onto neighboring properties. Additionally, the parking lot would be adequately screened from view by trees in the landscape planter between the parking lot and Cypress Avenue.

All of the architectural features listed above can be seen on the proposed elevations, see attachment 3. In summary, the design integrates thoughtful building materials, colors and detailing. Staff has reviewed the proposed building elevations and the project meets the City's Architectural Review Guidelines.

## **Landscaping**

Drought tolerant landscaping is proposed throughout the site and includes a variety of shrubs, vines and trees. Additionally, landscaping would be installed at the undeveloped corner portion (southeast corner) at 125 Seventh Street (APN: 085-150-090) of the site (COA P39). The species, size and number of plants will be shown on the plans submitted for plan check and approved by the Planning Division prior to installation (COA P38).

According to Cal. Gov. Code §65915(d) of the State Density Bonus Law the applicant qualifies for three incentives or concessions from development standards, and is requesting a concession to allow a reduction in the width of the required landscape buffer for parking lots across from residential districts. The applicant's request is a reduction in landscaping planter width in the parking lot area from ten feet to five feet (17.092.040). Staff will be conditioning the reduced landscape buffer area to ensure that appropriately sized trees (24-inch box) and shrubs are utilized to reduce visibility of the parking lot (COA P40) from Cypress Street.

## **Signage**

No signage is proposed at this time and any future signage will be reviewed through a sign permit at staff level for compliance with the City's Sign Regulations (COA P60).

### **Development Review Board**

A Development Review Board (DRB) meeting was held for the project on January 8, 2019. The Applicant met with staff to discuss draft Conditions of Approval which had been formulated.

The Development Review Board (DRB) presented departmental standard Conditions of Approval (COA) to advise applicants of requirements during the development review process. Project specific conditions are included from staff after reviewing the plans for Planning Commission consideration. A complete plan check occurs after construction plans have been submitted to the Building Division for building permits. If the applicant has questions and/or concerns regarding specific conditions, he/she would contact the department/division that is recommending the condition. DRB members do not attend the Planning Commission meeting and Planning staff cannot answer specific questions regarding conditions recommended by other departments/divisions. As conditioned, the project meets the development standards of the zoning ordinance and therefore the DRB recommends that the Planning Commission adopt Resolution No. 898 (19) approving the Conditional Use Permit (CUP 18-04) based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.

### **Housing Accountability Act**

The proposed project is subject to the Housing Accountability Act (HAA) (Government Code § 65589.5), which, among other things, establishes criteria for the review of proposed housing development projects by local governments. The HAA is designed to limit the ability of local governments to reject proposed housing projects, and especially affordable housing projects, and therefore requires local governments to make specific written findings if they wish to reject a proposed housing project.

Pursuant to Government Code section 65589.5(d), the Commission may not disapprove the proposed project or condition approval in a manner that renders the project infeasible unless the Commission determines that at least one of the following findings is supported by the preponderance of the evidence:

- (1) The City has met or exceeded its share of the regional housing need allocation pursuant to Government Code section 65584 for the planning period for the income category proposed for the housing development project.
- (2) The project would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. A “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

- (3) The denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households.
- (4) The housing development project is inconsistent with both the City's zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete.

Moreover, pursuant to Government Code section 65589.5(j)(i), the Commission may not disapprove the project or impose a condition that the project be developed at a lower density unless it finds that both of the following conditions exist:

- (1) The project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- (2) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the project or the approval of the project upon the condition that it be developed at a lower density.

If the Commission decides to disapprove the project, staff recommends that the Commission give direction to staff regarding the basis for disapproval and continue this item to allow staff to draft a resolution that includes the written finding required by the HAA.

### **Environmental Determination**

The project is categorically exempt from further environment review pursuant to Section 15332 (In-fill Development Project) of the California Environmental Quality Act (CEQA). A Notice of Exemption will be filed for the project following the Planning Commission action.

### **Noticing**

On February 12, 2019 notices were also mailed to property owners within 300 feet by US mail, posted on the City's website and the project site was also posted by City staff. In addition, on February 17, 2019 a notice of the Public Hearing was published in the Lompoc Record.




**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 \$257.80.

**Attachments**

- 1. Draft Resolution No. 898 (19)
- 2. Vicinity Map
- 3. Plan Set
- 4. Letter from Price, Postel & Parma

Staff Report has been reviewed and approved for submission to the Planning Commission	
	2-21-19
Brian Halvorson, Planning Manager	Date

**RESOLUTION NO. 898 (19)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A CONDITIONAL USE (CUP 18-04) PERMIT FOR A FIFTEEN UNIT APARTMENT COMPLEX**

**WHEREAS**, a request from Tony Tomasello of RRM Design Group representing the Housing Authority of the County of Santa Barbara (property owner) for Planning Commission consideration of a proposal to construct a fifteen-unit apartment complex. The project site is 0.39 acres in size and is located at 1401 East Cypress Avenue (APN: 085-150-089) in the Commercial Office (CO) zoning district; and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on February 27, 2019; and

**WHEREAS**, at the meeting of February 27, 2019, \_\_\_ was present, and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of February 27, 2019, \_\_\_ spoke in favor of and \_\_\_ spoke in opposition to the project; and

**WHEREAS**, this action is exempt pursuant to Section 15332 (In-fill Development Projects) of the California Environmental Quality Act (CEQA).

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

**SECTION 1:**

- A. The proposed multi-family residential use, as conditioned, is consistent with the applicable policies and development standards set forth in Lompoc Municipal Code Title 17.
- B. The proposed multi-family residential use, as conditioned, is consistent with the applicable policies of State Density Bonus Law (Government Code Section 65915).
- C. The site for the proposed multi-family residential use is adequate in size and topography to accommodate said use, and all yards, spaces, walls and fences, and landscaping are adequate to properly adjust such use with the land and uses in the vicinity.
- D. The site of the proposed multi-family use relates to streets and highways adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed use.
- E. The proposed multi-family use will have no adverse effect upon the abutting and surrounding properties from the permitted uses thereof.

- F. The proposed multi-family use is within the intent and purpose of the Commercial Office (CO) zoning district.
- G. The proposed multi-family use is not more obnoxious or detrimental to the public welfare, and are of a comparable nature and of the same class as the uses enumerated in Section 17.040.030 of the Lompoc Municipal Code.
- H. The conditions stated in Exhibit A to this Resolution are necessary to protect the public health, safety, and welfare.
- I. The proposed project is in substantial compliance with the City's Architectural Review Guidelines.
- J. The proposed project is deemed to be in compliance with the City's General Plan pursuant to Government Code section 65589.5.

**SECTION 2:** Based upon the foregoing, the proposal under CUP 18-04 located at 1401 East Cypress Avenue is approved on February 27, 2019, subject to the conditions attached as Exhibit A, which are incorporated by reference as if fully set forth herein.

The foregoing Resolution was adopted, on motion by Commissioner\_\_\_\_, seconded by Commissioner \_\_\_\_, at the Planning Commission meeting of February 27, 2019 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
Brian Halvorson, Secretary

\_\_\_\_\_  
Mary Leach, Chair

Attachments: Exhibit A – Draft Conditions of Approval

**DRAFT CONDITIONS OF APPROVAL  
CUP 18-04  
Fifteen Unit Apartment Complex  
1401 East Cypress Avenue (APN: 085-150-089)**

The Draft Conditions of Approval apply to plans prepared by Tony Tomasello of RRM Design Group dated December 6, 2018 received by the Planning Division on December 6, 2018 prepared for the Housing Authority of the County of Santa Barbara (property owner) and reviewed by the Development Review Board on January 8, 2019 for a fifteen unit (one bedroom) apartment complex with parking and landscaping.

**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 17.140.010, 17.152.010, and 17.152.020 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 Sections 1.24.010 and 1.24.060 of the Lompoc City Code, a violation of the Lompoc City Code and the Lompoc City Zoning Ordinance is a misdemeanor and shall be punishable as provided by law. In addition to criminal penalties, the City may seek injunctive relief. The applicant agrees to pay for all attorney's fees and costs, including, but not limited to, staff time incurred by the City in obtaining injunctive relief against the applicant as a result of a failure of the applicant to fully perform and adhere to all of the Conditions of Approval.
- P3. 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 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 Manager and approved if acceptable. Major changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the Planning Commission and approved if acceptable.
- 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.

#### **Planning – Conditional Use Permit Conditions**

- P9. Building permits shall be obtained from the City of Lompoc for all tenant improvements to the structure and all new construction.
- P10. The applicant shall notify the City of Lompoc Planning Division of a change of ownership for the property or a change of project representative within 30 days of such change at any time during the City process prior to final Certificate of Occupancy.
- P11. Lompoc Municipal Code Section 17.006.030 allows any person to appeal a decision of the Planning Commission within 10 calendar days after the Planning Commission's decision. No grading, building, demolition, or other ministerial permit, nor any other discretionary permit, shall be issued by the City for the Project until the later of (1) the expiration of the 10-day appeal period, or (2) the City Council's decision on the appeal, if a timely appeal is filed.
- P12. The right to use an occupancy permit shall be contingent upon the fulfillment of any general and special conditions imposed by the Conditional Use Permit.
- P13. All of the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors or assigns and a covenant to the effect may be required.

- P14. All of the conditions shall be consented to in writing by the applicant.
- P15. The resolution granting the application, together with all consent forms and a description of the property shall be recorded by the Recorder of the County of Santa Barbara.
- P16. The use permit granted is conditioned upon the rights or privileges acquired thereby being utilized within one year after the effective date of approval, and should the rights or privileges authorized hereby fail to be executed or utilized within said year, or when a building permit has not been issued within said year, or when some form of work is involved which has not actually commenced within said year, or if so commenced, is null and void; unless such permit has not been utilized or such construction work started or completed within such one year period by reason of delays caused by the City in approving plans, in which event the Community Development Director shall grant and record a commensurate extension. The Zoning Administrator may, at its discretion, and with the consent or upon request of the permittee, for any cause, grant a reasonable extension of time in addition to the one (1) year period hereinabove provided. Such a request for extension shall have been filed with the Zoning Administrator fifteen (15) days prior to the expiration of the one (1) year.

#### **Planning - Architectural Conditions**

- P17. All facades which extend above the roof line shall be finished on all elevations exposed to public view.
- P18. All mechanical, ventilation, and utility equipment 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.
- P19. 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.
- P20. Development proposals in the vicinity of natural objects that have unique aesthetic significance shall not be permitted to block, alter, or degrade existing visual quality without the provision of suitable visual enhancement.

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

- P21. Architectural review is required for this project prior to issuance of building permits.
- P22. No outside vending machines, except fully enclosed newspaper racks, shall be allowed on site. All newspaper racks shall be pedestal-mounted.

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

- P23. Seven (7) sets of the landscape and irrigation plans shall be submitted to the Planning Division for distribution and review by various City departments/divisions. The landscape and irrigation plans shall be reviewed and approved prior to issuance of grading or encroachment permits.

The 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 show all existing and proposed public utilities within the project limits; and shall have the following approval blocks:

- 1) City Engineer;
- 2) Planning Manager – private property landscaping; and
- 3) Urban Forestry Supervisor – right-of-way landscaping

- P24. A Landscape Maintenance Agreement, in a form satisfactory to the City Attorney, shall be recorded prior to issuance of building permits for the project.
- P25. The project must conform to the Urban Forestry Administrative Guidelines.
- P26. The final landscaping Conditions of Approval shall be printed on the landscape plans filed with the City.

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

- P27. The project must conform to Chapter 15.52 of the Lompoc Municipal Code Water Efficient Landscape Standards and the State of California Model Water Efficiency Landscape Ordinance.
- P28. 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.
- P29. All irrigation under paving must be Schedule 80 PVC or greater with tracer wires and sleeves.

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

- P30. 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.
- P31. All trees must be installed with support staking. All nursery stakes must be removed from trees.
- P32. All trees and plant material selection shall be made with the concurrence of the Planning Division.

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

- P33. 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.
- P34. A layer of walk-on bark (brown in color) 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.

- P35. All plant material is subject to inspection by the Planning Division and must be guaranteed for two years from the date of final inspection.
- P36. Prior to the final inspection by the Planning Division, a Certificate of Substantial Compliance shall be completed and submitted to the Planning Division.
- P37. All landscaping shall be installed and accepted by the City prior to issuance of a certificate of occupancy for the building.
- P38. A variety of drought tolerant landscaping shall be planted within the areas for the proposed new landscaping. The species, size and number of plants shall be shown on the plans submitted for plan check and approved by the Planning Division prior to installation.
- P39. Additional landscaping shall be installed and shown on the final landscape plans at the undeveloped corner portion (southeast corner) of 125 South Seventh Street (APN: 085-150-090) of the site. The species, size and number of plants shall be shown on the plans submitted for plan check and approved by the Planning Division prior to installation.
- P40. An additional 24-inch box tree shall be added to the southern parking lot planter to reduce visibility of the parking lot from Cypress Avenue. The species and size of tree shall be shown on the plans submitted for plan check and approved by the Planning Division prior to installation.

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

- P41. Dust (PM<sub>10</sub>) - a dust abatement program shall be prepared by the applicant and submitted with the grading/improvement plans. The program shall be reviewed and approved by the City Engineer, Senior Environmental Coordinator, and Planning Manager prior to issuance of grading permits. The dust abatement program shall include, but is not limited to, 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.

P42. Ozone (O<sub>3</sub>) Precursors: (NO<sub>x</sub> and ROC)

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

**Planning – Cultural Resources Conditions**

- P43. If archaeological artifacts are unearthed or exposed during demolition or construction, 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.
- P44. If paleontological artifacts are unearthed or exposed during demolition or construction, the artifacts and the site shall be evaluated by an experienced Paleontologist. An appropriate plan for the preservation of the artifacts from the site shall be prepared and its implementation overseen by an experienced Paleontologist.
- P45. If human remains are discovered during construction, the County Coroner, and the Native American Heritage Commission shall be notified and their recommendations and requirements adhered to, prior to continuation of construction activity.

## **Planning - Mitigation Monitoring Conditions**

- P46. 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 Planning Manager upon a request in writing.

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

- P47. Covenants, Conditions and Restrictions (CC&Rs) shall be submitted to the City for approval, prior to recordation.
- a. The applicant shall create a Property Owner's Association (POA) for the maintenance of the common facilities, including but not limited to: common areas, private drives, and landscaping.
- P48. The Covenants, Conditions & Restrictions (CC&R's) shall be reviewed and approved as to form by the City Attorney prior to recordation. 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.
- P49. 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 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 POA.
- b. The 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 POA shall ensure that the filters are cleaned out more often if necessary to ensure they are functioning properly.

## **Affordable Housing Requirements**

- P50. Applicant shall comply with affordable housing requirements for Old Town Lompoc Redevelopment Project (Amendment area No. 2) as specified in General Plan Housing Element Policy 1.11.
- P51. The proposed project is fifteen (15) units and three (3) 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 City of Lompoc Successor Housing Agency, which will be recorded on the property for a period of 55 years.

P52. Three (3) of the dwelling units shall be at prices affordable to very-low, low- and median income families. The distribution and affordability levels of these units, termed “rent-controlled units” / “controlled-sale units” shall be as follows:

<b>Income Level</b>	<b>One Bedroom Units</b>
Very-Low	1
Low/Moderate	2
<b>Total</b>	<b>3</b>

P53. Prior to the issuance of building permits, the property owner(s) shall sign a covenant which runs with the land against each rent-controlled unit. The covenant shall be prepared by the City of Lompoc Successor Housing Agency in order to assure continued affordability. The covenant shall specify:

- a. the formula for determining new rental price;
- b. affordability control mechanisms upon rental;
- c. refinancing restrictions;
- d. qualifications of eligible renters;
- e. annual reporting requirements;
- f. occupancy requirements;
- g. the period during which affordability is to be maintained;
- h. that the owner grants to the Agency, or other entity designated by the Agency, 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 55-year period starting from the issuance of the Certificate of Occupancy.

P54. 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.

P55. Prior to issuance of Certificates of Occupancy, the applicant and property owner(s) shall obtain the City’s/Successor Housing Agency’s approval of the renter selection process, the initial rent, and the eligibility of the initial renters of rent-controlled units.

P56. Prior to the issuance of Certificates of Occupancy, the renters of the rent-controlled units shall agree to occupy the units as their principal place of residence.

- P57. Prior to the issuance of certificates of occupancy, the owner(s) shall agree to assign to the City/ Successor Housing Agency the right to any rents collected above affordable levels specified in the recorded covenant.
- P58. Prior to any sale or other transfer of any interest in the rent-controlled units, it must be approved by the City/ Successor Housing Agency as being in compliance with the requirements set forth in the covenant. Full disclosures must be made in writing to the City regarding the terms of the sale, including copies of closing statements from escrow and all other documents.

**Planning – Project Specific Conditions**

- P59. No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, shall be permitted except in accord with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction of such activities.
- P60. No signage is proposed at this time. Any signage shall require a separate sign permit through the Planning and Building Divisions.
- P61. A Temporary Use Permit shall be obtained from the Planning Division prior to installation of a construction trailer on the project site.
- P62. The applicant shall contact all applicable regulatory agencies and apply for necessary permits prior to occupancy.
- P63. The applicant is eligible to request up to three (3) concessions due to the project providing at least 30 percent of the total units for lower income households as stated in the State Density Bonus (Government Code Section 65915). However, the applicant is requesting one concession in order to reduce the required ten foot wide landscape planter area between any parking area and adjacent residential districts (LMC 17.092.040) to five feet wide.
- P64. The applicant is requesting to utilize the prescriptive parking requirement outlined in Government Code Section 65915 which states uncovered parking spaces are allowed and that the maximum required parking is one parking space per one-bedroom unit, and this includes guest spaces and accessible spaces.
- P65. Landowner must covenant to restrict use of property to 100% affordable or provide additional off-street parking as required by this Chapter if property is converted to other uses.
- P66. Bicycle racks to accommodate two (2) bicycles shall be provided on-site. The location and type of bicycle racks shall be reviewed on the site plan drawing and approved by the Planning Division prior to issuance of building permits.

## II. ENGINEERING

### Engineering - General Conditions

- EN1. Public Improvements are required with this development. Public Improvements include all work within the public right-of-way or easement, as well as improvements to public infrastructure. Separate Public Improvement Plans **are not required**. Public Improvements may be included within the Grading Plan Set. As such, the Grading Plan (once approved) will be used for encroachment permit issuance.
- Public Improvements:
- a. Utilities – Electric (conduit, transformers, street lights, etc.), Water and Sewer
  - b. Streets, Sidewalk, and Curb & Gutter (Public and Private)
  - c. Street Signing and Striping
  - d. Drainage – Storm Drain Lines, Inlets & Filters, Main Lines, Sidewalk Drains, etc.
  - e. Existing and proposed public easements (permanent structures shall not be constructed over any public easements)
- Private Improvements:
- a. Connection Points to utility mains for sewer laterals, water services and storm drain
- EN2. Public Improvement Plans shall be prepared by or under the supervision of a registered civil engineer.
- EN3. All Public 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: <http://www.cityoflomdoc.com/standards/>
- EN4. "Development Assistance Brochures" are available to facilitate the preparation of plans and reports by the Applicant's engineer and are an essential reference for the preparation of the Grading and Public Improvements Plan submittals. "Development Assistance Brochures" are available at: [http://www.cityoflomdoc.com/PublicWorks/develop\\_asst.htm](http://www.cityoflomdoc.com/PublicWorks/develop_asst.htm)
- EN5. In conformance with Title 12, Chapter 12.28.040 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. An "R" value shall be determined by the Soils Investigation and included in the Soils Report or an "R" value of 15 can be assumed for design. A note shall be placed on the Public Improvement 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.

### Easement Dedication

- EN7. All public utilities such as water mains, sewer mains, electric lines, electric transformers, etc., within the development shall be located within public utilities easements (PUE).

PUE's shall be dedicated by grant deed as described below and shall be prepared by a licensed land surveyor or qualified civil engineer. Grant deed forms are available at: <http://www.cityoflompop.com/PublicWorks/engineering.htm>

Applicant shall submit a draft copy of the deed (including an 8-1/2"x11" deed map and legal exhibit) to the Engineering Division for review and approval. With draft submittal include all referenced documents and a preliminary title report current within the last ninety days.

After the Engineering Division has reviewed and approved the draft grant deed, the Applicant will submit the original deed to the Engineering Division for acceptance and recordation. The submitted deed originals must be signed by the grantee(s) and notarized, and signed and stamped by a licensed land surveyor or qualified civil engineer. A PUE deed ready for recordation shall be on file in the Engineering Division prior to approval of the Improvement Plans.

### Plan Review

- EN8. First plan check submittal shall include hydraulic calculations (storm drain and sanitary sewer), a current Soils Investigation Report, and all other calculations and data necessary for review and approval of the project plans.

### Landscape Plans

- EN9. Any landscape and irrigation plans required by the Planning Division shall be approved by the Public Works and Utility Departments prior to Public Improvement Plan approval by the Engineering Division. An approval block shall be provided on the landscape plan title sheet for the City Engineer's signature.
- EN10. All trees and large rooted shrubbery must be planted at least ten feet away from public utilities, including but not limited to, water, sewer, electric, stormdrain, cable and telephone.

### Permits & Fees

- EN11. Encroachment Permit Fees are based on the City fee schedule in effect at the time of permit issuance.
- EN12. 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 proposed public improvements noted in EN1 shall be submitted to the Engineering Division and is used for determining the Encroachment Permit Fee. The Form used for Cost Estimates may be obtained on the City's website at the following location: <http://www.cityoflompop.com/PublicWorks/engineering.htm>

- EN13. Prior to the issuance of an Encroachment Permit, the Applicant shall provide a letter to the Engineering Division, addressed to the City Engineer, stating that the engineer who prepared the Public Improvement Plans, or his/her designated representative, will perform periodic site observations of work shown on the approved Public Improvement Plans and that Record Drawings will be submitted and approved prior to occupancy.
- EN14. 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

- EN15. A Drainage/Hydrology Report shall be submitted to the Engineering Division with the first plan check submittal of the Public Improvement Plans.
- EN16. Drainage from parking lots to the public right-of-way or easement will be filtered through a City approved filter system. The filter shall be located on the development property and maintained by the property owner.

#### Sidewalk/Driveways

- EN17. 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

- EN18. Prior to issuance of the Certificate of Occupancy, any Public Improvements damaged during construction shall be repaired as directed by the Public Works Inspector and in conformance with the City of Lompoc Standard Plans and Specifications.
- EN19. Prior to issuance of the Certificate of Occupancy, Record Drawings in conformance with Development Assistance Brochure (DAB) E-30 shall be prepared and approved by the City Engineer. DAB E-30 can be downloaded from the City Engineering web page  
  
(<http://www.cityoflompoc.com/departments/pworks/engineering.htm>).
- EN20. After construction is complete and the City has approved the Record Drawings, the Applicant shall provide the Engineering Division with a copy of the Record Drawings, in a computer format (DWG, DGN or DXF file) readily compatible for transfer to the City Geographic Information System.

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

### **NO PROJECT SPECIFIC CONDITIONS**

### **III. 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. Provide and install one 2-inch or 3-inch conduit (as required) from the pull box in the street easement to the building, in same trench with the electric service conduit.
- EL7. Public Utility Easement required for all City owned electrical lines and pad mounted equipment located on private property.

#### **Electric – Project Specific Conditions**

#### **NO PROJECT SPECIFIC CONDITIONS**



#### **IV. SOLID WASTE**

##### **Solid Waste – General Conditions**

- SW1. Trash enclosures shall be designed in accordance with City standards for up to 450-gallon automated containers accessible to automated trash collection trucks and in locations as approved by the City Solid Waste Superintendent. The trash collection trucks are side loading and have a 40-foot turning radius. On-site circulation for the trucks shall be designed so trash collection trucks will not need to back up in order to turn around and exit.
- SW2. Trash enclosures shall not have any doors and shall be enclosed on three sides with a six-foot wall, which is architecturally compatible with the on-site buildings as approved by the Planning Division, or a solid waste agreement with the city shall be completed prior to issuance of a building permit.
- SW3. Trash enclosure access openings must be placed no more than one-foot from drive aisle.
- SW4. Trash containers must be kept side-by-side and parallel with alley or drive aisle. Enclosures with more depth than the minimum required seven-foot depth of one container must be constructed with a wheel-stop sufficient to keep the containers at the front edge of the enclosure so that the operator of the trash collection truck does not have to move containers out for collection.
- SW5. If the applicant cannot provide an acceptable on-site trash enclosure, the property owner shall submit a written agreement indicating that the property owner/business operator will relocate the dumpster on collection days to a location as approved by the Solid Waste Superintendent. The applicant shall return the dumpsters to the enclosure within twelve (12) hours of pickup. Said agreement must be made prior to the issuance of building permits.
- SW6. In accordance with the CalGreen Building Code (Sections 4.408 and/or 5.408), applicants are required to submit a site specific Solid Waste Management Plan (SWMP) and divert at least 65% of the construction materials during the project. The SWMP shall include, but not be limited to, the following information: identification of the waste materials to be diverted from landfill disposal through recycling or reuse, diversion methods and strategies, identification of diversion facilities where materials will be taken, and the designee of the responsible party to implement the SWMP. The approved SWMP shall be reproduced on the architectural/construction plans.

##### **Solid Waste – Project Specific Conditions**

##### **NO PROJECT SPECIFIC CONDITIONS**

## **V. 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. 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.
- W3. All public water system components must be constructed within public right-of-way or public easements.
- W4. 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 50' of a fire hydrant.
- W5. When a fire sprinkler system is required or proposed the utility plan shall show the fire line connection point to water main.
- W6. 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.
- W7. The make, size, and location of all water meters shall be determined by the Engineer/Architect or his authorized representative. All water meters will be furnished and installed by the Water Division at the expense of the owner/contractor/developer.

### **Water –Project Specific Conditions**

#### **NO PROJECT SPECIFIC CONDITIONS**

## **VI. 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. 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.

WW4. All water softeners shall indicate type (i.e., self-regenerating, tank exchange) and location on either, the Architectural Plans for softeners indoors or the Grading Plans for softener outdoors. All water softeners shall comply with Federal, State, and City requirements. The discharge of self-regenerating water softeners is prohibited from entering the City's sanitary sewer.

WW5. All wastewater improvements shall comply with Federal, State and City requirements for the protection of the City's Wastewater System.

#### **Wastewater – Project Specific Conditions**

#### **NO PROJECT SPECIFIC CONDITIONS**

### **VII. AVIATION/TRANSPORTATION**

#### **NO GENERAL OR PROJECT SPECIFIC CONDITIONS**

### **VIII. BUILDING AND LIFE SAFETY – BUILDING AND FIRE DEPARTMENTS**

#### **Building – General Conditions**

B1. The Project shall comply with the requirements of the most recently adopted California Code of Regulations Title 24 and City of Lompoc regulations.

B2. Plans shall be submitted by a California licensed architect and/or engineer when required by the California Architect's Practice Act and by CBC [A]107.3.4.

B3. A separate Grading Plan complying with City Standards and Appendix J of the 2016 CBC is required.

B4. Fire-resistive assemblies may be required for occupancy separation and/or exterior wall protection. Parapets may be required in accordance with the CBC and CFC.

B5. Dimensioned building setbacks and property lines, easements, street centerlines, and dimensions between buildings or other structures, along with all significant site features, shall be shown and identified on plot plans.

B6. All property lines and easements shall be shown and identified on the plot plan. A written statement by the Applicant that such lines and easements are shown is required.

B7. The Title/Cover /first sheet of the plans shall include:

- a. Code Analysis addressing all work
- b. Complete Scope of Work to be performed
- c. Occupancy group(s)
- d. Description of use(s)
- e. Type of construction
- f. Height of the structure(s) and number of stories
- g. Floor area of structure(s), existing and new, broken down by Use or Occupancy Type, with Totals.

- B8. See City submittal requirements for other information that may be required in the Construction Documents, including but not limited to: Soils Engineer's Plan Review Letter, Energy Compliance Statements, CALGreen (CGBSC) code compliance forms, CWM Plan (Construction Waste Management Plan), listing of Special Inspections required, Deferred Submittals.
- B9. State of California accessibility requirements shall be incorporated within the design of the site and structures.
- B10. Fire sprinklers are required per Building, Fire, and/or City codes.
- B11. The Project shall show compliance with the CALGreen codes and current City and State water conservation regulations.
- B12. Contractor shall minimize the use of street parking by construction workers and equipment during construction. Temporary toilet and handwash facilities for construction are required. Trash and debris shall be contained on-site.
- B13. All special inspections shall be stated when required on the plans. All special inspectors are required to check-in at City Hall with the Building Division prior to conducting any inspections. Inspection results are required to be submitted within 48-hours to the Building Division at 100 Civic Center. No special inspectors shall perform work on weekends or without checking in.
- B14. No one shall occupy the building until a Certificate of Occupancy has been issued by the Building Official.
- B15. A pre-construction meeting is required on site prior to commencement of work. Schedule a pre-construction meeting at least 72-hours in advance with the Building Division. All key team members shall be present including the General Contractor and the Architect and/or Engineer of Record.

**Building –Project Specific Conditions**

**NO PROJECT SPECIFIC CONDITIONS**

**Fire – General Conditions**

- F1. Ensure proper licensing of fire protection system engineer(s) and California State Fire Marshal licensed installers for design specific systems. Additionally, a City of Lompoc business license may be required of any installers. Verify with the City Clerk any concerns for the local business license of project employees.
- F2. All FDC's and fire sprinkler risers shall be maintained with a protective coat of red paint (OSHA Red or similar) to protect against marine influences and rust for the life of the system.
- F3. All fire sprinkler systems are to be maintained accordingly. Annual flow testing is required and a current 5-year fire sprinkler certification is required for the life of the system.

- F4. All fire extinguishers required to have an 'A' rating shall have a minimum rating of 2A10BC. Location, number and types shall be in accordance the California Code of Regulations Title 19. Any areas of hazard may require larger extinguishers, consult Title 19.
- F5. All newly installed Fire Department connections will be required to install Knox brand FDC caps (or substantially similar as determined by the Fire Chief). Lompoc Ordinance No. 1601 Section 507.5.8.
- F6. A Knox key box shall be installed as directed by the Fire Code Official when a building permit is obtained for any work. The key box shall contain keys that will allow the fire department access to all portions of the building. The keys shall have tags affixed identifying their purpose. The nominal height of the Knox box installations shall be 5 feet above grade. Consult with the Fire Marshal for placement and specifications.
- F7. Fire alarms shall be tested on a routine basis, including annual audible testing with the Lompoc Fire Department present.
- F8. Any area that requires a red curb shall be maintained at all times. OSHA Red or similar paint is required with a highly reflective white paint stenciled on the red paint that reads: "FIRE LANE – NO PARKING" in repeating intervals.
- F9. Electric gates shall have Knox box access key pad and emergency power back-up.
- F10. All gates placed in the path of circulation shall operate automatically.

#### **Fire – Project Specific Conditions**

- F11. Driveways through the parking lot area provided on APN 085-150-090 must remain clear to circulate for aerial apparatus access.
- F12. Any future electric gates shall have Knox box access key pad and emergency power back-up.
- F13. All future gates placed in the path of circulation shall operate automatically.

### **IX. GRADING**

#### **Grading – General Conditions**

- GR1. Grading Plans shall be prepared by or under the supervision of a registered Civil Engineer or Architect.
- GR2. Grading 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 online at: <http://www.cityoflompoc.com/PublicWorks/engineering.htm>

- GR3. Grading Plans shall be prepared in conformance with City of Lompoc “Development Assistance Brochures.” E-10 through E-90 that apply, “Development Assistance Brochures” are available to facilitate the preparation of plans and reports by the Applicant’s engineer and are an essential reference for the preparation of Grading Plan submittals. “Development Assistance Brochures” can be obtained from the City Engineering web page: [http://www.cityoflompoc.com/PublicWorks/develop\\_asst.htm](http://www.cityoflompoc.com/PublicWorks/develop_asst.htm)
- GR4. In conformance with Title 12, Chapter 12.28.040 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.
- GR5. First plan check submittal shall include estimated grading quantities, a current soils investigation report, retaining wall calculations, drainage and infiltration analysis/calculations, and all other pertinent information (as needed) relating to the Grading Plans and their approval.
- GR6. The Soils Investigation Report shall be prepared by a Soils Engineer who will be retained by the Applicant to observe, test, and certify that all recommendations outlined in the Soils Investigation Report are fulfilled during construction. **A signature block shall be provided on the Grading Plan stating that the Soils Engineer has verified that the plans are in accordance with the Soils Report. The signature block shall list the title of the Soils Report, the preparer and the date prepared.**
- GR7. Dust and Erosion Control shall be in conformance with the Standards and regulations of the City of Lompoc. An Erosion Control Plan shall be part of the Grading Plan.
- GR8. An Erosion and Sediment Control Plan and related inspections, as required by the State Water Resources Control Board, will be required as a part of the grading permit.
- GR9. Building pads shall have a drainage gradient of 2% toward approved drainage facilities. Finished grades shall slope 5% for 10 feet away from the building.
- GR10. Grading Permit fees are based on Section 2 of the Master Fee Schedule adopted by City Council Resolution No. 5386(07).
- GR11. A Grading Permit issued by the Building Division is required prior to any excavation or filling on the site. Any stockpiling of fill dirt will require a Temporary Grading Permit.
- GR12. Prior to the issuance of a Grading Permit, the Applicant shall provide a letter to the Building Division, addressed to the Building Official, stating that the engineer who prepared the Grading Plans, or his/her designated representative, will perform periodic site observations of work shown on the approved Grading Plans. **In addition, the letter shall state that the Owner is aware that as-built drawings will need to be completed by the design engineer and approved by the City prior to the issuance of the Certificate of Occupancy.**

- GR13. Drainage from parking lots and private streets 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.
- GR14. 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 a public storm drain, street or alley.
- GR15. Parking lot design and structural section shall conform to the City's Standard Requirements, Section 8 and conforming to E-70 DAB.
- GR16. Areas of the parking lots that will be used for truck traffic shall be designed with a heavier structural section than areas for passenger cars.
- GR17. 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.
- GR18. Prior to the issuance of the Certificate of Occupancy, Record Drawings in conformance with Development Assistance Brochure (DAB) E-30 shall be prepared and approved by the City Building Official. DAB E-30 is available upon request at the Engineering Division or on line at the following City of Lompoc web address:  
<http://www.cityoflompoc.com/PublicWorks/pdf/E30.pdf>
- GR19. A licensed surveyor/engineer shall verify pad elevations, setbacks, and roof elevations and provide documentation to the City prior to the issuance of the Certificate of Occupancy.
- GR20. After the Record Drawings have been approved, the Applicant shall provide the City Management Services Department, Information Systems Division, with the following as-build information, in a computer format readily compatible for transfer to the City Geographic Information System [computer formats acceptable for delivery include DGN (native Micro-station); DWG (same as or less than Version 14); DXF]. Record Drawing information submitted in computer format will include but not be limited to the following:

<b>WATER</b>	<b>WASTEWATER</b>	<b>ELECTRIC</b>	<b>DRAINAGE</b>	<b>SURFACE</b>
Mains	Mains	Lines	Manholes	Road
Valves	Manholes	Transformers	Inlets	Curb/Gutter
Blowoffs	Lift Stations	Junction Boxes	Swales	Sidewalk
Air Vacs	Laterals	Pull Boxes	Basins	Drives
Fire Hydrants		Poles	Structures	Access Ramps
Services		Street Lights	Filters	Parking Lots
Meters			Curb Drains	Survey Mon's
RP Backflow				Retaining Walls
				Bus Turnouts

## **GRADING – PROJECT SPECIFIC CONDITIONS**

GR21. Due to the proximity of the retaining walls to the property line, verification of a construction easement on APN 085-150-090 shall be provided prior to approval of grading plans and permit issuance.

## **X. STORMWATER**

### **Stormwater – Stormwater Standard Conditions for Post-Construction Projects**

- S1. A Storm Water Control Plan shall be fully completed and submitted and signed, stamped and dated by a licensed civil engineer along with construction drawings.
- S2. The project improvement plans shall show compliance with the storm water requirement for five (5) percent or less Effective Impervious Area (EIA). Storm Water Control Measures (SCMs) including infiltration structures, bio-retention or infiltration basins, vaults or similar, shall be shown, details and cross-sections provided on improvement, grading, drainage and landscaping plans. SCM design, location and proposed plantings shall be subject to review by the City Engineering and Planning Divisions, prior to issuance of grading permits. Percolation testing shall be conducted to determine if the proposed location, size, method and construction proposed for the Infiltration Area(s) will be able to meet the 95% EIA infiltration requirement. Minor modifications to the location and methods of stormwater infiltration, consistent with other conditions of approval, may be approved by Planning Division Staff, as long as the requirement for 5% EIA is met.



- S3. A statement shall be included on the improvement plans that reads “The site and each infiltration area (Structural Storm Water Control Measures or SCM) is adequately sized and designed to capture and infiltrate 95% of the runoff from the 85<sup>th</sup> percentile, 24-hour storm, over the new or replaced impervious area on-site, within 72 hours. The statement shall be signed and stamped by a licensed professional engineer.
- S4. Grading and Drainage plans shall provide elevations and directional arrows to show how run-off from each area of the property will be directed to infiltration areas and SCMs. Plans shall identify the 5% of the site which is not to be infiltrated.
- S5. If pervious pavement is proposed, its design shall comply with City of Lompoc Technical guidance sources, including the Central Coast Low Impact Development Initiative (LIDI) permeable pavement details.
- S6. If the applicant proposes to incorporate Rain Gardens to address the 95% infiltration requirements, LIDI guidance should be followed: [http://www.centralcoastlidi.org/uploads/LIDI\\_Bioretention\\_Technical\\_Specifications\\_2013.03.06.pdf](http://www.centralcoastlidi.org/uploads/LIDI_Bioretention_Technical_Specifications_2013.03.06.pdf). Mulch is to be high quality compost, not bark or rock. Material under mulch to be Bioretention Soil Media and aggregate, not amended planting soil, as shown on detail. Bioretention Soil Media shall be consistent with that identified by the Low Impact Development Initiative (LIDI) training of 65% sand, 20% sandy loam and 15% high quality compost, resulting in a final product having 5% organic matter. Filter fabric is not recommended. Plantings to be specific to rain garden types (reference LIDI training).
- S7. Any proposed Rain garden areas shall be fully de-compacted prior to construction and shall be protected from compaction during site development.
- S8. All storm water that flows from paved areas of vehicle travel, maintenance, parking or uncovered outdoor storage, shall be filtered for trash, sediment, oil and grease, prior to discharge into City streets, storm drains, infiltration SCMs, landscaped area, biologically sensitive areas or the Santa Ynez River and its tributaries. Trash filters shall be of the type required by the City and the State Water Resources Control Board at the time of installation.
- S9. Storm drain inlets shall be stenciled or marked “No Dumping, Drains to the River” and storm infiltration inlets shall be stenciled “No Dumping, Drains to Groundwater”.
- S10. Roof drains and gutters shall be directed to landscaping or infiltration structure, unless to do so would result in foundation damage or slope instability, as verified by a statement to that effect, stamp and signature, by qualified engineer, on the improvement plans.
- S11. All infiltration areas and other Storm Water Control measures shall be installed on the private property in interest, which will contain the new building and uses. Storm water control measures, must be located on the project site.

- S12. The property owner shall be responsible for maintaining structural (SCMs) free from trash, litter, and odor and in a manner that allows full functioning and infiltration capacity of the SCM. Maintenance shall be regularly performed as described in the Storm Water Control Measure Maintenance Plan prepared for the project. Infiltration areas shall be maintained to ensure they continue to infiltrate the 85<sup>th</sup> percentile storm, are clean and devoid of trash/refuse and that plant material is living. If infiltration areas cease to function properly and result in off-site flooding, any cost incurred by the City of Lompoc in remediating the situation shall be assessed to the property owner.
- S13. Each SCM shall be inspected a minimum of once a year, prior to October 1, cleaned out and replaced as necessary and a report detailing the inspection, date, person inspecting, condition of the SCM and measures taken to clean or replace, shall be submitted to the City of Lompoc Planning Division, documenting the inspection and any maintenance actions taken.
- S14. The project engineer shall prepare a memo listing short and long-term maintenance requirements, recommended frequency of maintenance, and details of maintenance, for each SCM to be installed. The memo shall be submitted with the improvement plans and will be incorporated into the Storm Water Control Measure (SCM) Maintenance Plan and property owner's commitment to SCM maintenance (see 10 below).
- S15. The property owner(s) shall sign a statement accepting responsibility for the operation and proper maintenance of all the Stormwater Control Measures installed on-site, including but not limited to: storm chambers, storm water filters, gutters, landscaping and "No Dumping Drains to the River / Groundwater" stencils or markers on storm drain inlets, in a form acceptable to the City Attorney, which shall be recorded prior to issuance of occupancy permit for the project.
- S16. Prior to Issuance of Occupancy Permits, privately owned LID features and facilities, and on-site treatment structures and controls shall be inspected by the designing engineer to ensure they are properly in place, per the approved plans. As-built plans shall be produced, signed and stamped by the engineer or a letter issued with signature, date and stamp, verifying the proper installation of the project SCMs, including, but not limited to: Infiltration basins or boxes and interceptors or other required storm water filters.
- S17. No pollutants, including, but not limited to, sediment, chemicals, trash and contaminated storm water shall be discharged from private property into, or where they could be transported to, City property, the City's storm drain system, streets, storm channels, or waterways, either during or after construction.

**Stormwater –Project Specific Conditions**

**NO PROJECT SPECIFIC CONDITIONS**

**XI. POLICE**

**NO GENERAL OR PROJECT SPECIFIC CONDITIONS**

I do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the project. As the project applicant/owner, I agree to comply with these conditions and all other applicable laws and regulations at all times.

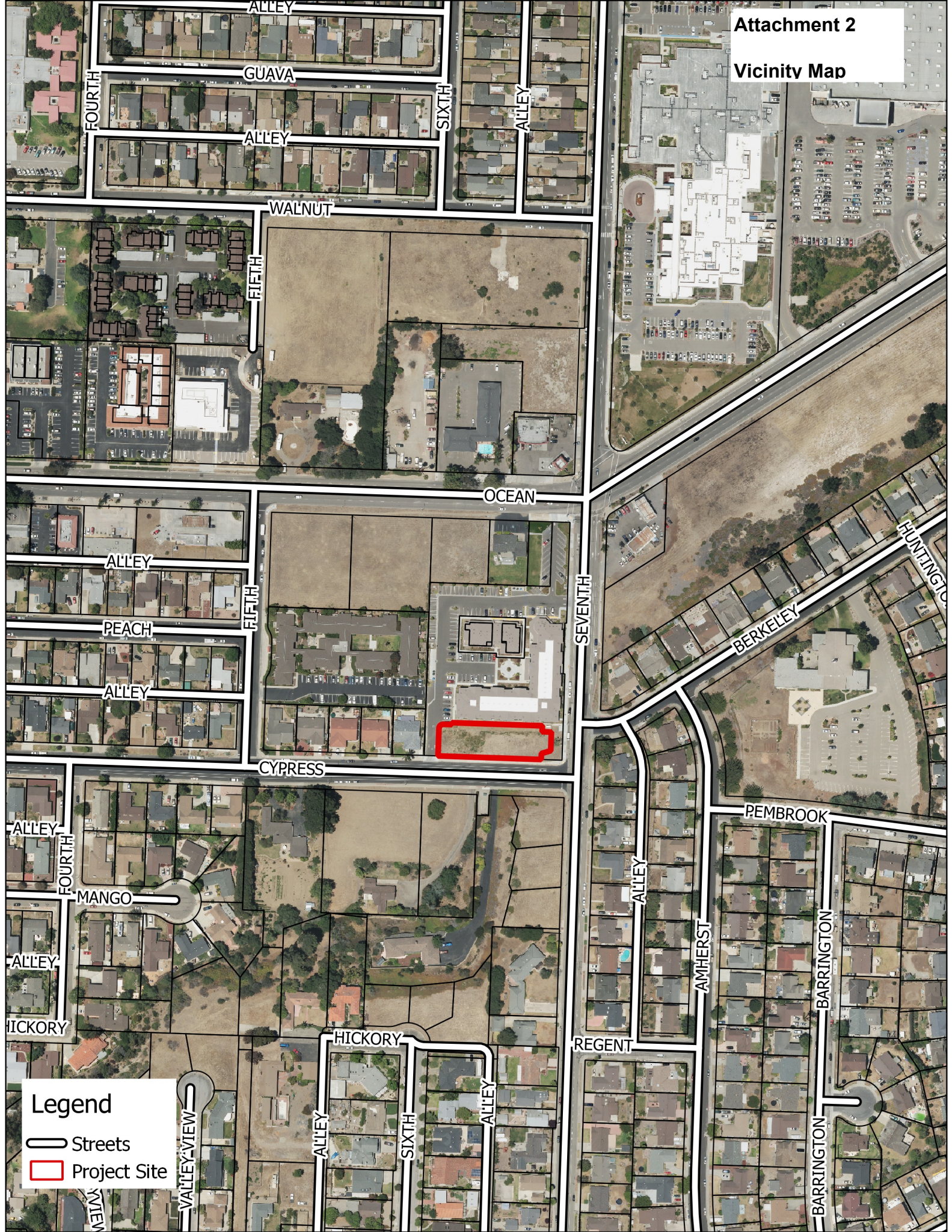
\_\_\_\_\_  
Tony Tomasello, Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Larry Deese, Property Owner

\_\_\_\_\_  
Date

G:\COMDEV\Projects\CUP\2018\CUP 18-04 Cypress and Seventh Fifteen Unit Apartment Complex\Conditions of Approval



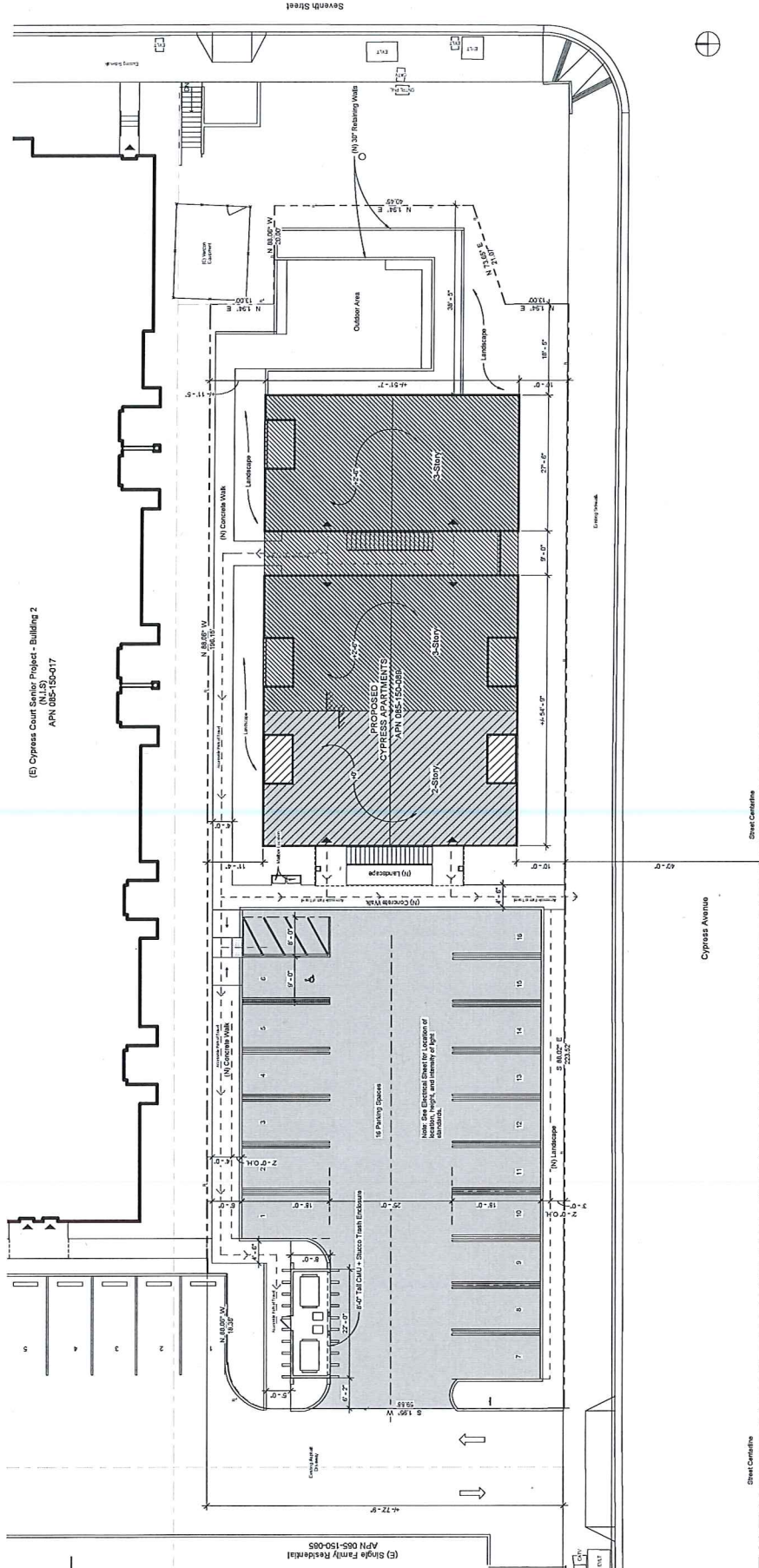
Legend

Streets

Project Site



RRM Design Group  
10 E. Flaveria St., Suite 200  
Santa Barbara, CA 93101  
Tel: 805.943.8253  
Fax: 805.943.8184  
www.rmdesign.com



(E) Cypress Court Senior Project - Building 2  
APN 025-15B-017

(E) Single Family Residential  
APN 025-15B-005

1 Site Plan  
SCALE: 1" = 10'-0"

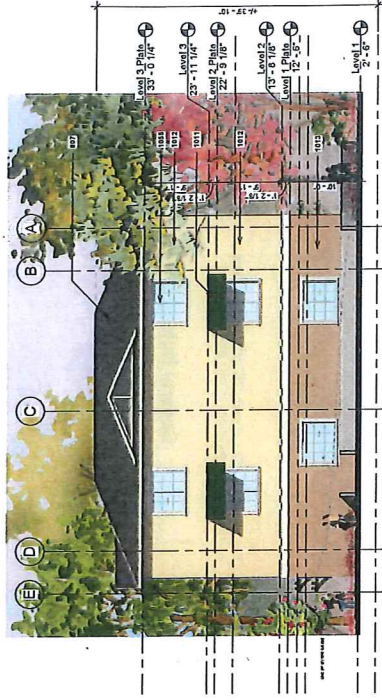


**RDM Design Group**  
 10 E. Figueroa St., Suite 200  
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 Fax: 805.963.8184  
 www.rdmgroup.com

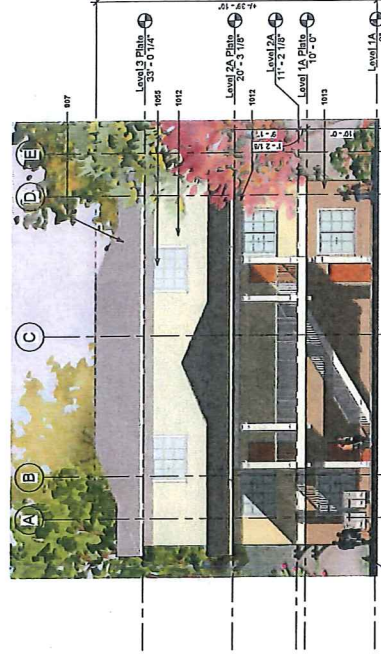
Cypress & 7th Apartments  
 1401 East Cypress Ave., Tempe, CA  
 Exterior Elevations

**A2.1**  
 12.24.18

Keynote	Elevation Keynotes	Description
807	(A)	COMP. SHINGLE ROOF, TYP.
1011	(B)	AWNING, TYP. SEE COLOR BOARD.
1013	(C)	CEMENT PLASTER STUCCO, MATERIAL 01, TYP. SEE COLOR BOARD.
1014	(D)	CEMENT PLASTER STUCCO, MATERIAL 02, TYP. SEE COLOR BOARD.
1054	(E)	GLASS BAL. TYP.
1055	(F)	VINYL WINDOWS, TYP.



③ North Elevation  
 SCALE: 1/8" = 1'-0"



① East Elevation  
 SCALE: 1/8" = 1'-0"



② West Elevation  
 SCALE: 1/8" = 1'-0"

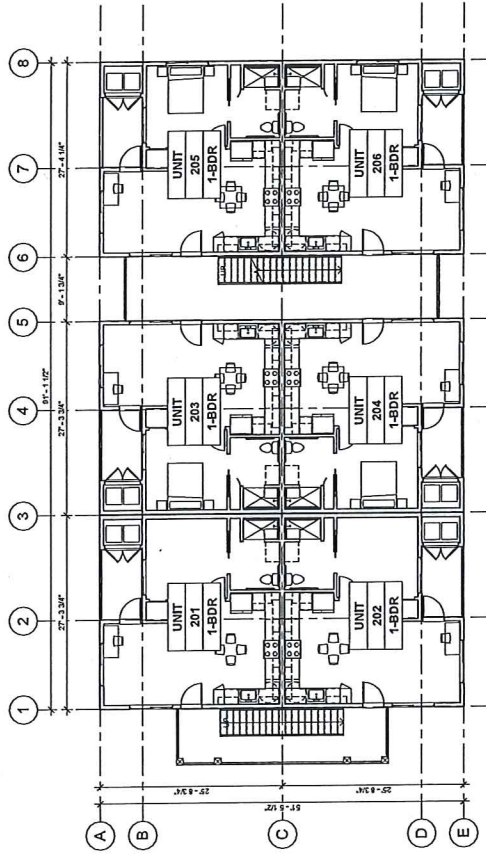
④ South Elevation  
 SCALE: 1/8" = 1'-0"



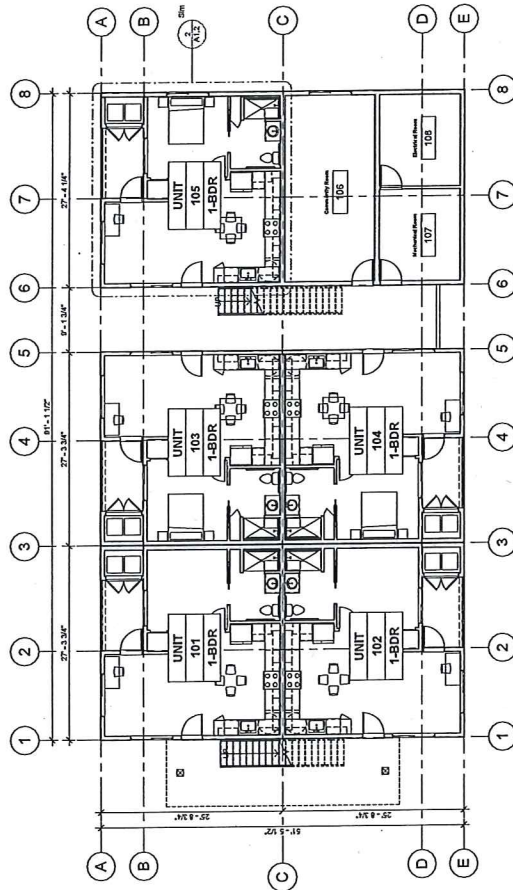
**RRM Design Group**  
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www.rmdesign.com

Cypress & 7th Apartments  
1401 East Cypress Ave., Lompoc, CA  
Level 1 and Level 2 Plans

**A1.1**  
11.01.14



2 Level 2  
SCALE: 1/8" = 1'-0"



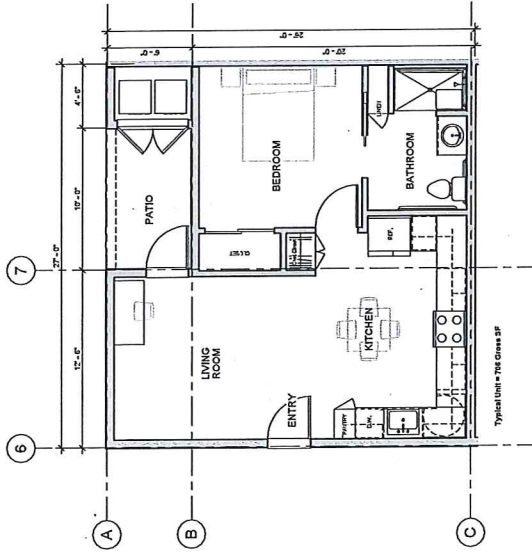
1 Level 1  
SCALE: 1/8" = 1'-0"



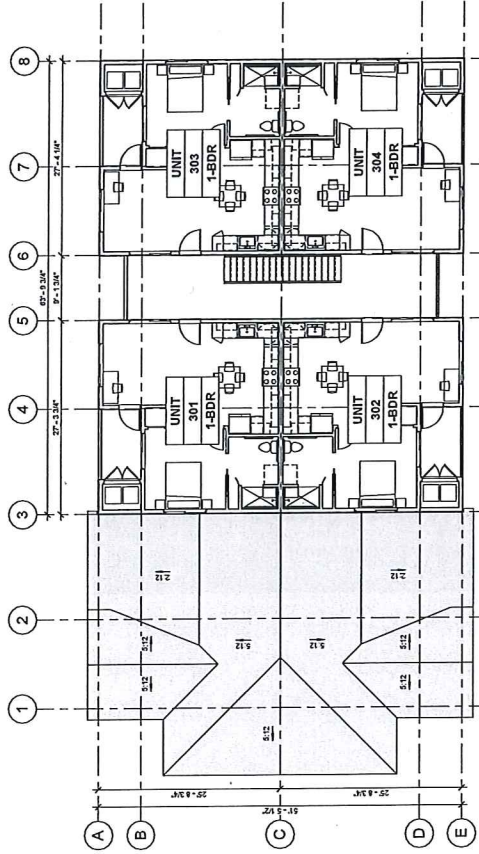
**RRM Design Group**  
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Cypress & 7th Apartments  
 1401 East Cypress Ave., Longport, CA  
 Level 3 Plan, Typical Unit

**A1.2**  
 TITLE

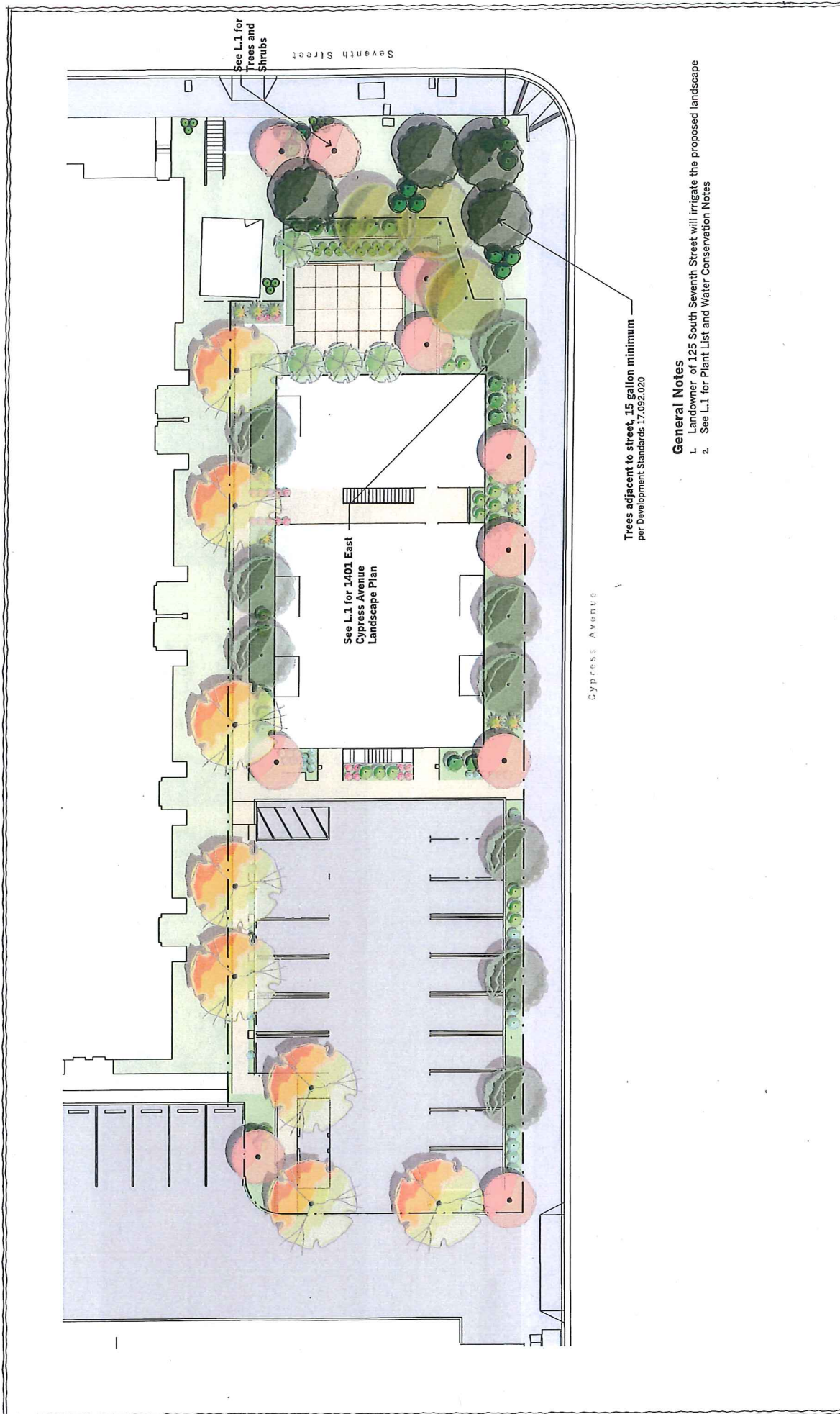


2 Typical Unit Plan  
 SCALE: 1/4" = 1'-0"



1 Level 3  
 SCALE: 1/8" = 1'-0"





**General Notes**

1. Landowner of 125 South Seventh Street will irrigate the proposed landscape
2. See L.1 for Plant List and Water Conservation Notes

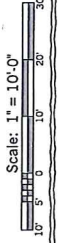


**Preliminary Landscape Plan  
Off Site Improvements**

Housing Authority of the County of Santa Barbara  
125 South Seventh Street, Lompoc, CA 93436



North



**L-2**

December 4, 2018

File Name: Lompoc\_Corpusculars\_2182\_Plan.dwg User: Dan.Mahoney 12/27/18









PRICE, POSTEL & PARMA LLP

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C.E. Chip Wullbrandt  
Ryan D. Zick

Our File Number:  
20222-80

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3330 Cameron Park Drive, Suite 100  
Cameron Park, CA 95682-7652  
Ph (805) 962-0011  
Fax (805) 965-3978

February 19, 2019

RECEIVED

FEB 19 2019

VIA HAND DELIVERY

City of Lompoc City Council  
100 Civic Center Dr.  
Lompoc, CA 93436

City of Lompoc  
Planning Division

Re: Proposed Comprehensive General Plan Amendments, Zone Changes, and  
Amendments to Title 17 of the Lompoc Municipal Code

Dear Mayor Osborne and Members of the City Council:

This firm represents the Housing Authority of the County of Santa Barbara ("Housing Authority"), which owns and manages the Cypress Court Affordable Senior Housing property (APN 085-150-090) and the Cypress & 7th property (APN 085-150-089) in Lompoc. We request that the City Council continue tonight's hearing on the proposed amendments to the City's General Plan and Zoning Ordinance until such time as the proposed General Plan designation changes and re-zoning of the Cypress Court and Cypress & 7th properties can be properly analyzed for consistency with State laws related to the development of affordable housing.

The Cypress Court property currently provides affordable housing to 60 low-income seniors, and the Cypress & 7th property is currently pending approval of a conditional use permit for a proposed 15-unit affordable housing development as mentioned in the City staff report. Given the myriad of State laws—existing and pending—protecting affordable housing projects, we believe the City should re-consider the proposed General Plan and Zoning Ordinance changes for the Cypress Court and Cypress & 7th properties. These changes will impede the Housing Authority's ability to provide quality affordable housing opportunities in Lompoc, in contravention of State laws encouraging the development of affordable housing.

City of Lompoc City Council

Re: Proposed Comprehensive General Plan Amendments, Zone Changes, and Amendments to Title 17 of the Lompoc Municipal Code

February 19, 2019

Page 2

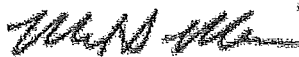
Because the Cypress & 7th property is currently vacant land slated for development as affordable housing, the City Council's approval of the proposed changes may constitute a violation of the "Least Cost Zoning Law," which requires a local agency to designate and zone sufficient vacant land for residential use to meet the housing needs identified in the housing element of the general plan. (Government Code § 65913.1.) The purpose of the Least Cost Zoning Law "is to encourage local governments to approve needed and sound housing developments that will alleviate the 'severe shortage' of affordable housing for low and moderate income families." (Shea Homes Ltd. P'ship v. Cty. of Alameda (2003) 110 Cal. App. 4th 1246, 1260.) We believe the City has failed to adequately analyze whether the proposed changes are consistent with State law. If the proposed changes go forward without further review and analysis, we intend to pursue all legal actions necessary to ensure the Cypress & 7th project is completed, as proposed.

Please note that in the event the proposed General Plan and Zoning Ordinance changes are approved, the City's discretion to deny the Cypress & 7th project application is nevertheless limited by the Housing Accountability Act ("HAA"), which severely limits a city's discretion to deny a housing development project. (Gov. Code § 65589.5.) Because the City cannot demonstrate that the project as proposed will have a specific adverse impact upon the public health and safety, we believe the proposed General Plan and Zoning Ordinance amendments are unnecessary to the extent the City desires to thwart the Cypress & 7th project from being completed.

For these reasons we believe it is in both the City's and the Housing Authority's best interests to delay the adoption of these amendments until the City Council is given adequate opportunity to review the applicable State affordable housing laws and work with the Housing Authority toward an amicable resolution of this matter without the need for more costly litigation.

Thank you for your favorable consideration of this request.

Very truly yours,



Mark S. Manion  
for PRICE, POSTEL & PARMA LLP

cc: Housing Authority of the County of Santa Barbara