

**CITY OF LOMPOC
PLANNING COMMISSION STAFF REPORT**



DATE: MAY 14, 2008
TO: MEMBERS OF THE PLANNING COMMISSION
FROM: LUCILLE T. BREESE, AICP, PLANNING MANAGER
DINAH PEREZ-LOCKHART, ASSOCIATE PLANNER
RE: **DR 07-02 DEVELOPMENT PLAN REVIEW /
LOM 567 TENTATIVE SUBDIVISION MAP –
BURTON RANCH SPECIFIC PLAN AREA**

AGENDA ITEM NO 3.

A request by Donald Jensen of Jensen Survey and Design, for Planning Commission consideration of the following:

LOM 567 – A Vesting Tentative Subdivision Map requesting subdivision of an approximately 14.3 acre site to create 52 parcels; and

DR 07-02 – A Development Plan/Architectural Review for the construction of 55 residential units, including a residential triplex intended as an affordable unit, with approximately 12,632 square feet of common open space.

The proposed project site is approximately 14.3 acres of the total 150 acre Burton Ranch Specific Plan area. The site is located north of the intersection of Purisima Road and Harris Grade Road in the Burton Ranch Specific Plan (SP) Zoning District (Assessor Parcel Numbers: 97-250-002, 97-250-069, 97-250-070).

A Final Revised Environmental Impact Report (EIR 02-01) for the Burton Ranch Specific Plan (SCH # 2002091045) was prepared by Science Applications International Corporation (SAIC) in September 2005. The City Council adopted Resolution No. 5299 (06) certifying FEIR 02-01, making the required California Environmental Quality Act (CEQA) findings of fact and making the necessary statement of overriding considerations on February 7, 2006. Mitigation Measures were adopted as a part of the environmental process and will be incorporated into the project approval. The proposed project is consistent with the Burton Ranch Specific Plan adopted by Council Resolution No. 1519 (06), March 7, 2006. This project is exempt from further CEQA review pursuant to Government Code Section 65457.

SCOPE OF REVIEW:

The Planning Commission is being asked to consider:

- If the proposed Vesting Tentative Subdivision Map is consistent with the approved Burton Ranch Specific Plan and meets the requirements of the Subdivision Ordinance;
- If the proposed Development Plan is consistent with the Burton Ranch Specific Plan Development Standards and the requirements of the City Zoning Ordinance;
- If the required Findings of Fact can be made; and
- If the Conditions of Approval are appropriate for the project.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- Adopt Resolution No. 597 (08) approving LOM 567 as the Vesting Tentative Subdivision Map for the proposed Jensen Development, based upon the Finding of Fact in the Resolution and subject to the attached draft Conditions of Approval; and
- Adopt Resolution No. 598 (08) approving DR 07-02 as the Development Plan for the proposed 55 unit Jensen Residential Development, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.

SITE DATA:

1. Property Owners MJ Land, LLC
2. Site Location Harris Grade at Highway 1
3. Assessor Parcel Numbers..... 97-250-002, 97-250-069, 97-250-070
4. Site Zoning Specific Plan (SP)
5. General Plan Designation Low Density Residential (LDR) - 4.6 units per acre
6. Site Use..... Vacant
7. Surrounding Uses/Zoning..... North: Burton Mesa Ecological Reserve (SBCO)
South: La Purisima Highlands (City of Lompoc)
East: Church, single family residential, vacant (SBCO)
West: Alan Hancock College campus, Ken Adam Park (City of Lompoc)
8. Project Area Approx. 14.3 acres of 150 acre Specific Plan Area

BACKGROUND:

Previous Planning Division File Numbers:

- EIR 02-01 - Revised Final Environmental Impact Report Revised (FEIR)
- GP 02-01 – General Plan Amendment
- ZC 02-01 – Rezoning Request
- Annexation No. 70 – Request for Annexation
- SP 04-01 – Burton Ranch Specific Plan
- DR 05-35 – Development and Annexation Agreement

Dec 12, 2005: Planning Commission recommended City Council certification of FEIR, approval of Specific Plan, Annexation request, General Plan Amendment, Zoning, and Development Agreement for the Burton Ranch Specific Plan Area.

Feb 7, 2006: City Council certified the Revised Final Environmental Impact Report (Revised FEIR 02-01 -- SCH No. 2002091045) and adopted the Burton Ranch Specific Plan (SP 04-01).

May 31, 2007: Effective date of Annexation to the City of Lompoc.

Sept 4, 2007: City Council adopted Ordinance 1547 (07) Amendment No. 1 to Burton Ranch Specific Plan to allow Asphalt Composition Shingle roofing on Craftsman Style Units.

PROJECT DESCRIPTION:

The applicant has described The Cottages at Burton Ranch as a 14.3-acre development with 49 detached single family homes, an affordable triplex housing component, and a lot designated for a possible future religious facility. The project is within Land Use Area Two of the Burton Ranch Specific Plan. The project is a portion of the overall Burton Ranch Development and the design standards for this development are contained within the Burton Ranch Specific Plan. The property is designated as Low Density Residential (LDR) with 4.6 units per gross acre per the Specific Plan. The density of this project is 3.85 dwelling units per acre. The developer proposes a 'sweeping arcs'-type street design with a sidewalk on one side. The site will contain an open space/detention area of 0.29 acres for a detention basin for drainage control. The total project consists of fifty-two (52) lots containing fifty-five (55) units, as follows:

- Lot 1: This 75,286 sq. ft. lot (1.74 acres) could be utilized for a future church
- Lots 2-44, 47-52: Forty nine (49) detached single family homes detailed as follows:
 - Floor Plan 1 (1,974 sq.ft. – single story) – twelve (12) homes
 - Floor Plan 2 (2,183 sq.ft. – single story) – eleven (11) homes
 - Floor Plan 3 (2,683 sq.ft. – two story) – sixteen (16) homes
 - Floor Plan 4 (2,905 sq.ft. – two story) – ten (10) homes

- Lots 45 & 46: Floor Plan 5 (Triplex) (1,633 sq. ft., 1,605 sq. ft., 1,299 sq.ft.)
Six (6) affordable units

The net average residential lot size within the project is over 8,000 square feet. Minimum lot size is 6,235 square feet. and the largest residential lot is 19,065 square feet.

The homes are designed in four floor plans, ranging in size from 1,974 square feet to 2,905 square feet. There are two (2) single-story and two (2) two-story plans. Each plan will have three (3) different elevations, French Country, Country Victorian, and Craftsman and will be alternated in regular and reverse styles to provide a large variation in product style for the project. There are two separate elevations proposed for the affordable triplex housing architectural style.

Residential development is restricted in Plan Unit 2 along the northwest property boundary, where slopes from Highway 1 range from 30% to 50% or more.

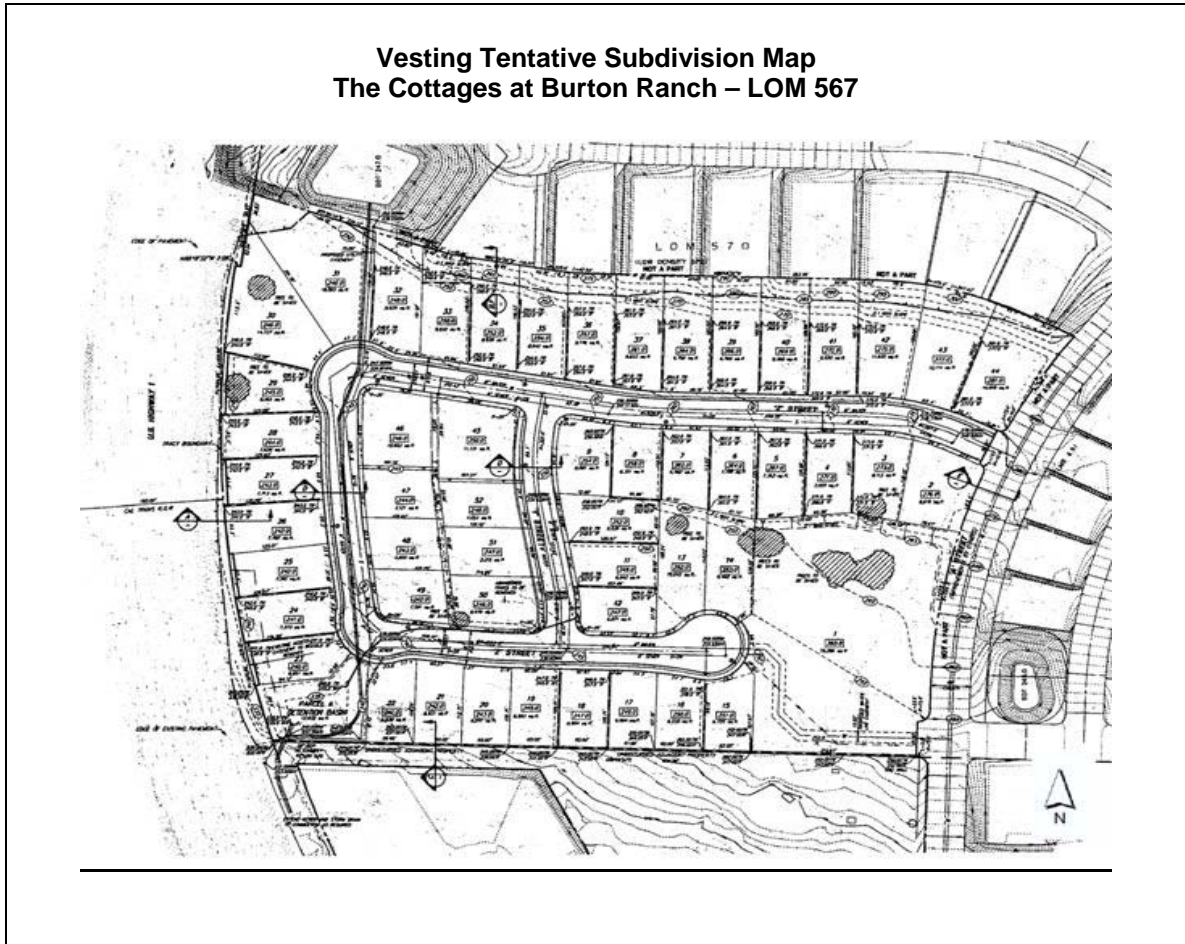
CONFORMANCE WITH ADOPTED CITY POLICIES:

The proposed project must be in conformance with the City of Lompoc General Plan, the Subdivision Ordinance, the appropriate Zoning Ordinance regulations, and the adopted Burton Ranch Specific Plan. An analysis follows:

LOM 567 – Vesting Tentative Subdivision Map:

The Planning Commission has the authority to approve, conditionally approve, or deny a Vesting Tentative Subdivision Map (Lompoc City Code Section 2846). The Vesting Tentative Map expires twenty-four months from the date of approval unless the applicant requests a time extension prior to the expiration (PC Resolution 597 (08) COA P4).

The applicant has requested a Vesting Map which allows the developer to pay the development fees the jurisdiction has in place at the time the completed application is accepted. LOM 567 was deemed complete on November 6, 2007. This is consistent with the Development and Annexation Agreement for the Burton Ranch Specific Plan Area signed in 2006.



DR 07-02 – Development Plan Review:

The Burton Ranch Specific Plan (BRSP) was adopted by the City Council in February 2006. Amendment No. 1 was approved in September 2007. The BRSP was deemed consistent with the City General Plan when it was adopted as required by State Law. Where the BRSP is contrary to the Zoning Ordinance, Subdivision Ordinance or other Development Standards, the BRSP regulations govern development in the Plan Area.

The BRSP has a Land Use Plan designed to disperse the residential density in a manner that follows the natural constraints of the site. The overall number of units allowed on the site is limited to 476, as a result of an agreement between the City of Lompoc and the Mission Hills Community Services District (MHCS D), dated May 2, 2000. MHCS D will provide the BRSP area with water and wastewater services. The City of Lompoc will provide other necessary public services to the development.

There are seven (7) Land Use Areas identified in the BRSP:

- Area 1 is planned to accommodate higher residential density development.
- Area 2 is appropriate for moderate density residential (3 to 5 units per acre)
- Area 3 is appropriate for low density residential (2 to 3 units per acre)
- Area 4 is appropriate for very low density residential (1 to 2 units per acre)
- Area 5 was originally selected as a school site but is considered as part of Area 3
- Area 6 provides for an on-site passive park
- Area 7 preserves land constrained with steep slopes

Each Land Use Area has Zoning Development Standards identified in the Specific Plan. The Jensen Development – The Cottages at Burton Ranch -- is located in Land Use Area 2. The Development Standards for that Area are discussed below:

Burton Ranch Specific Plan – Development Standards

The applicant is requesting a subdivision of an approximately 14.3 acre site to create 52 parcels. Permitted uses under Land Use Area 2 and proposed uses by the development plan are shown:

Burton Ranch Land Use Area 2 The Cottages at Burton Ranch		
Permitted Uses		Proposed
1. Single family homes, detached condominiums, duplexes, triplexes, and related structures 2. Attached affordable housing		1. SFR – 49 units 2. Two (2) Affordable triplex structures – 6 units total
Category	Required/Maximum	Proposed
Height	30 feet	SFR – single-story – 24 feet two –story – 30 feet Triplex – 30 feet
Lot Coverage	50 Percent Maximum	In the residential acreage, lot coverage range is 40.5% - 12.4%.
Front Yard Setback	15 feet from property line	SFR – varies, 15 feet minimum Triplex – 22 feet minimum
Rear Yard Setback	10 feet from property line	Varies, 13 ft. - 63 ft.
Side Yard Setback	Minimum of 5 feet and 7 feet opposite side yard Minimum of 7 feet side yard for triplex structures.	SFR – varies, 5 ft. -9 ft. Triplex – varies, 15 ft. minimum
Minimum Building Site Required	6,000 square feet of land area per dwelling unit	SFR – individual lots vary between 6,235 sq. ft. and 19,065 sq. ft. Triplex – lots vary from 10,903 sq. ft. to 11,731 sq. ft.

Burton Ranch Land Use Area 2 The Cottages at Burton Ranch		
Permitted Uses		Proposed
Parking Pursuant to Zoning Ordinance Section	<p>SFR – 2 covered parking spaces per residential unit – single family.</p> <p>Duplexes and Multi-family Dwellings (Triplexes) – 2 bedroom unit – 1.75 spaces per unit, 1 covered 3 bedroom unit – 2 spaces per unit, 1 covered</p> <p>Required per unit: 2 – 2 bedroom unit 2 covered, 1.5 uncovered 1 – 3 bedroom unit – 2 covered 4 covered, 2 uncovered</p>	<p>SFR – Each SFR has a 2-car garage.</p> <p>Triplexes – 5 covered spaces per duplex unit shown, for a total of 10 covered spaces. *</p>
Storage Requirement Per Burton Ranch Specific Plan	<p>SFR- 120 cubic feet of storage space per unit.</p>	<p>SFR- 120 cubic feet of storage space per unit. Triplex 130 cubic feet of storage space per unit.</p>

* Each triplex structure provides five (5) covered garage spaces for a total of 10 covered parking spaces shown. The floor plan shows: two (2) – 2-bedroom and one (1) 3-bedroom. for total of four (4) covered, two (2) uncovered parking spaces. A COA has been included requiring an additional uncovered parking space be provided (PC Reso. No. 598 (08) COA P-68). As conditioned, DR 07-02 conforms with the Design Development Standard of the Burton Ranch Specific Plan.

Burton Ranch Specific Plan - Architectural

The applicant has presented conceptual architectural to show the basic style of homes that are intended for the development. The Cottages at Burton Ranch proposes three (3) styles of residential treatment: French Country, Country Victorian, and Craftsman in combination with four (4) floor plans. Development standards are consistent with the Burton Ranch Specific Plan and the City of Lompoc’s Architectural Review Guidelines.

The Specific Plan states:

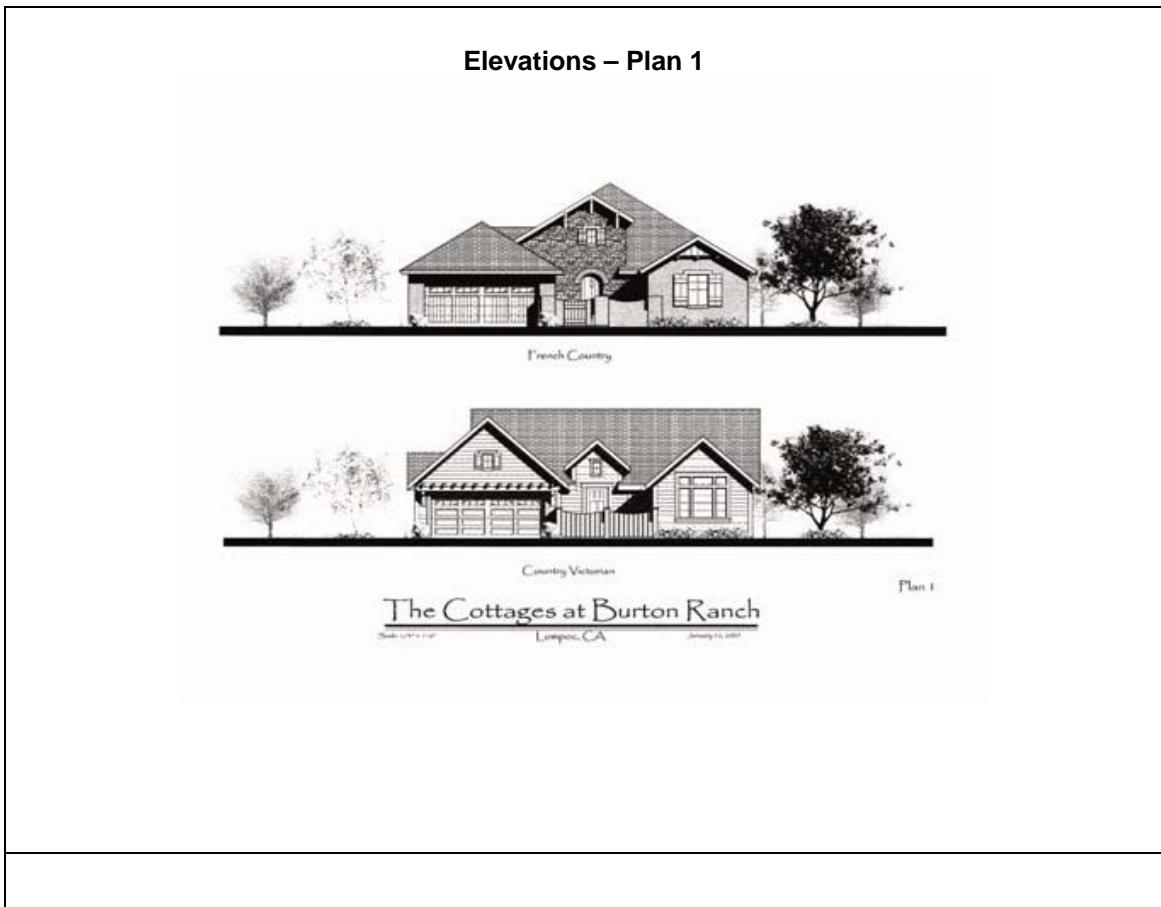
ARCH – 3 Building colors shall be appropriate to a rural atmosphere. Bright colors are not acceptable. Building colors shall be limited to muted earth tones and warm shades of gray, greens and cream colors, or other colors as approved by the Planning Division. [AES-3.2.2]

ARCH – 4 Roofing materials shall consist of rich tones, not light colors that will be visually prominent from a distance. All roofs shall be tiles roofs (concrete or clay is acceptable). Roofs shall be constructed of non-reflective material. Architectural grade asphalt composite shingles may be used on the Craftsman style units subject to the City Planner’s review and approval of a color and material product board identifying the color and quality of the materials. [AES-3.2.3.]

The developer submitted material board shows muted colors such as Navajo White, Durango Dust (yellow), and Velvet Color (green). Roof shingle colors are shown as Light Grey, Tan, Olive Green, and Charcoal Blend. Stone and brick material accents continue the earthtone palette in the building design. Elevations as seen from public streets and right-of-way will be architecturally treated.

ARCH – 6 The footprints of the homes shall be varied for architectural interest. Square boxes are discouraged, unless other details of the homes create offsetting visual interest. [AES-3.2.3]

ARCH – 12 Due to the fact that many rear elevations will be visually prominent from public viewing corridors, architectural styling shall be applied to such rear elevations as well as the front elevations. [AES-3.2.3]





Staff will verify the building elevations submitted with the building permit application to assure compliance with the above noted requirements (PC Reso. No. 598 (08) COA P-69). As conditioned, DR 07-02 conforms with the Architectural Design Standards of the Burton Ranch Specific Plan.

General Plan - Housing Element – Affordable Housing Requirements:

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

Policy 1.11 With the exception of areas within the Old Town Redevelopment Project, Amendment No. 2 area, in all residential developments of ten units or more, at least 10% of all the units shall be affordable to very low-, low-, and median-income households. If it is determined to be infeasible to provide 10% of the units within the very low- to median-income category on site, off-site provision of the units shall be acceptable or payment of an in-lieu fee shall be acceptable provided that the fee shall be applied to housing within the City.

The Specific Plan provides for 10% of the total units proposed in each Plan Unit be 'affordable housing'. Since a total of 55 dwelling units are proposed, 10% or 6 dwelling units are affordable units. Affordability levels of units will consist of

Two (2) very-low (up to 50% of Area Median Income),

Two (2) low- (50%-80% of Area Median Income), and
Two (2) moderate (80%-120% Area Median Income).

The Specific Plan also states that affordable units will be similar in architectural detailing and exterior features as market rate homes, but are not required to be the same size as, or have the same level of interior finishes as, the market rate homes. The applicant must designate the affordable units on the site plan and record a covenant reviewed and approved by the City Attorney prior to occupancy (PC Resolution 598 (08) COA P 52).

Development and Annexation Agreement:

During the approval process for the Burton Ranch Specific Plan and Annexation request, the City Council and the applicants agreed to a Development and Annexation Agreement. Ordinance No. 1520 (06) adopted the Agreement which became effective on the date that the annexation was effective, or May 31, 2007.

- The Agreement requires the developer to *“pay the City \$1,500 per residential unit to supply the City with supplemental funding to operate and maintain public facilities dedicated to fire protection, police protection, and library services. . .”*

A Condition of Approval is included requiring payment of this fee at issuance of building permit for each unit (PC Resolution 598 (08) COA P 66).

- The Agreement *“specifically reserves the right to apply all ordinances, rules, regulations, and official policies in effect at the time applications for future entitlements are made which are not in conflict with this Agreement, including but not limited to building codes, fire codes, other construction codes, processing fees, and impact fees; provided, however, that City agrees not to increase development impact fees (including Quimby Fees adopted pursuant to Government Code Section 66477) for the Project subject to this Agreement for five (5) years after the date this Agreement is approved by the City Council.”*

A Condition of Approval is included agreeing that the “Applicable Law of the Project”, as identified in Exhibit C of the Agreement shall be the rules governing projects under the BASP (generally the 1997 General Plan, the 1974 Zoning Ordinance, the 1995 Architectural Review Guidelines, the 1992 Subdivision Ordinance). Other ordinances, rules, regulations, and official policies which are in effect at the time that an application is received are to be applied. The Jensen project was deemed complete November 6, 2007 (PC Resolution 598 (08) COA P 70).

The City Fee Schedule for 2007/08 shall govern fees for The Cottages at Burton Ranch.

The effective date of the Development and Annexation Agreement was May 31, 2007 and the five (5) year period will end on May 31, 2012.

Based upon the information provided and the conditions of approval imposed upon LOM 567 and DR 07-02, the Vesting Tentative Subdivision Map and the Development Plan will be in conformance with the General Plan, the BASP, the Zoning Ordinance, and the Subdivision Ordinance.

ENVIRONMENTAL REVIEW

A Final Revised Environmental Impact Report (EIR 02-01) for the Burton Ranch Specific Plan (SCH # 2002091045) was prepared by Science Applications International Corporation (SAIC) in September 2005. The City Council adopted Resolution No. 5299 (06) certifying FEIR 02-01, making the required California Environmental Quality Act (CEQA) findings of fact and making the necessary statement of overriding considerations on February 7, 2006. The document was prepared pursuant to the provisions of the California Environmental Quality Act (CEQA).

The purpose of the EIR is to evaluate the project and identify potential environmental impacts. Mitigation Measures were adopted as a part of the environmental process and will be incorporated into the project approval as Conditions of Approval. The proposed project is consistent with the Burton Ranch Specific Plan adopted by Council Resolution No. 1519 (06), March 7, 2006. This project is exempt from further CEQA review pursuant to Government Code Section 65457.

STAFF REVIEW:

Development Review Board (DRB) meetings were held for this project on February 20, 2007 and May 23, 2008. The applicant met with staff to discuss the proposal and draft Conditions of Approval were formulated.

The Development Review Board (DRB) has developed a series of standard conditions of approval (COA) to advise applicants of possible requirements during the development review process. Project specific conditions are included when staff can determine what they should be from the conceptual plans provided for Commission review. A complete plan check occurs after construction plans have been submitted to the Building Division for building permits. Please note that not all COAs included with the Planning Commission Resolution for the project may be applicable. If the applicant has questions and/or concerns regarding specific conditions, he/she should contact the department/division that is recommending the condition. DRB members do not attend the Commission meeting and Planning staff cannot answer specific questions regarding conditions recommended by other departments/divisions.

NOTICING:

On May 2, 2008:

- 1) Notice of the Public Hearing was published in the Lompoc Record:
- 2) A notice was mailed to all the property owners of record within 300 feet of the subject property and interested parties, and
- 3) The project site was posted by staff.

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.

ATTACHMENTS:

- 1) [Draft Resolution No. 597 \(08\)](#) and [Conditions of Approval approving LOM 567](#)
 - 2) [Draft Resolution No. 598 \(08\)](#) and [Conditions of Approval approving DR 07-02](#)
 - 3) Tentative Map, Site Plan, Architectural *
- * (PC only with staff report, available for review in Planning Division)

Staff Report has been reviewed and approved for submission to the Planning Commission			
Arleen T. Pelster, AICP Community Development Director	Date	Lucille T. Breese, AICP Planning Manager	Date

RESOLUTION NO. 597 (08)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A VESTING TENTATIVE SUBDIVISION MAP TO SUBDIVIDE AN APPROXIMATELY 14.3 - ACRE PARCEL FOR RESIDENTIAL DEVELOPMENT WITHIN THE BURTON RANCH SPECIFIC PLAN AREA (PLANNING DIVISION FILE NO. LOM 567)

WHEREAS, a request was received from Donald M. Jensen, representing Jensen Survey and Design, for consideration of a Vesting Tentative Subdivision Map for The Cottages at Burton Ranch residential project located on an approximately 14.3-acre site at the northwest corner of La Purisima Road and Harris Grade Road. The request is to subdivide the current site into fifty-two parcels in the Burton Ranch Specific Plan Area (Assessor Parcel Numbers: 97-250-02, -69, -70); and

WHEREAS, the matter was considered by the Planning Commission at a duly-noticed public meeting on May 14, 2008; and

WHEREAS, at the meeting of May 14, 2008, _____ was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of May 14, 2008, _____ spoke in favor of, and _____ spoke in opposition to, the project; and

WHEREAS, on February 7, 2006 the City Council has certified the Revised Final Environmental Impact Report (SCH No. 20022091045) for the project as required by the California Environmental Quality Act (CEQA) and the Planning Commission has found the proposed project exempt from further CEQA review pursuant to Government Code Section 65457.

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

SECTION 1: After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that:

- A. The General Plan designation for the site is *Low Density Residential -4.6*; the zoning for the project site is Specific Plan; and The Cottages at Burton Ranch project is consistent with the Burton Ranch Specific Plan Land Use Area 2; and the staff analysis provides a basis for the recommendation; therefore, the design and improvements of the proposed subdivision are consistent with the applicable Specific Plan designation and policies adopted by Council Resolution No. 1519 (06), March 7, 2006.

- B. The proposed parcels are of reasonable size to support the type of development proposed by the applicant; therefore, the site is physically suitable for the type and density of the development proposed.
- C. The proposed subdivision of land is in compliance with the City's policies and ordinances, as conditioned; therefore, the design of the proposed subdivision and improvements are not likely to cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.
- D. The design of the proposed subdivision of land, as conditioned, and the type of improvements will not conflict with easements of record or established by judgment, acquired by the public at large, for access through or use of, property within the proposed subdivision; therefore it can be found that the proposed conditions of approval are necessary to provide adequate access to the public.

SECTION 2: Based upon the foregoing, the Planning Commission approves LOM 567 as the Vesting Tentative Subdivision Map for The Cottages at Burton Ranch residential development as reviewed on May 14, 2008, subject to the conditions attached as Exhibit A which are incorporated by reference as if fully set forth herein.

The foregoing Resolution, on motion by Commissioner _____, seconded by Commissioner _____, was adopted at the Planning Commission meeting of May 14, 2008 by the following vote:

AYES:

NOES:

Arleen T. Pelster, AICP, Secretary

Jack Rodenhi, Chair

Attachment: [Exhibit A – Conditions of Approval](#)

**CONDITIONS OF APPROVAL
LOM 567 – TENTATIVE SUBDIVISION MAP
Burton Ranch Specific Plan Area
The Cottages at Burton Ranch - Jensen Design and Survey**

The following Conditions of Approval apply to the plans for LOM 567, prepared by Jensen Design and Survey, received by the Planning Division and stamped on November 6, 2007, and reviewed by the Planning Commission on May 14, 2008.

I. PLANNING

Planning - General Conditions

- P1. All applicable provisions of the Lompoc City Code and the approved Burton Ranch Specific Plan (February, 2006) are made a part of these conditions of approval in their entirety, as if fully contained herein.

- P2. In conformity with Sections 8900, 8935, and 8936 of the Lompoc City Zoning Ordinance, the violation of any condition listed herein shall constitute a nuisance and a violation of the Lompoc City Zoning Ordinance and the Lompoc City Code. In conformity with Section 0107 of the Lompoc City Code, a violation of the Lompoc City Code and the Lompoc City Zoning Ordinance is a misdemeanor and shall be punishable as provided by law. In addition to criminal penalties, the City may seek injunctive relief. The applicant agrees to pay for all attorney's fees and costs, including, but not limited to, staff time incurred by the City in obtaining injunctive relief against the applicant as a result of a failure of the applicant to fully perform and adhere to all of the Conditions of Approval.

- P3. Owner agrees to and shall indemnify, defend, protect, and hold harmless City, its officers, employees, agents and representatives, from and against any and all claims, losses, proceedings, damages, causes of action, liabilities, costs and expenses, including reasonable attorney's fees, arising from or in connection with, or caused by (i) any act, omission or negligence of Owner, or their respective contractors, licensees, invitees, agents, sublessees, servants or employees, wherever on or adjacent to the Property the same may occur; (ii) any use of the Property, or any accident, injury, death or damage to any person or property occurring in, or on or about the Property, or any part thereof, or from the conduct of Owner's business or from any activity, work or thing done, permitted or suffered by Owner or its sublessees, contractors, employees, or invitees, in or about the Property, other than to the extent arising as a result of City's sole active negligence or to the extent of any willful misconduct of the City; and (iii) any default in the performance of any obligations of Owner's part to be performed under the terms of this Agreement, or arising from any negligence of Owner, or any such claim or any action or proceeding brought thereon; and in case any action or proceedings be brought against the City, its officers, employees, agents and representatives, by reason of any such claim, Owner, upon notice from City, shall defend the same at its expense by counsel reasonably satisfactory to City.

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

- P4. Planning Commission approval of LOM 567 is valid for twenty-four (24) months, prior to the expiration of the Map the applicant may request a twelve (12) month extension. LOM 567 shall expire on May 14, 2010 unless the applicant requests a time extension as outlined by City standards.
- P5. The name of the private streets shall be reviewed and approved by the City for consistency with City policy prior to approval of the final subdivision map.
- P6. The map must be in substantial conformance with The Burton Ranch Specific Plan adopted by the City of Lompoc.

II. BUILDING AND FIRE SAFETY

No Project Specific Conditions

III. POLICE DEPARTMENT

No Project Specific Conditions

IV. ENGINEERING

Engineering — General Conditions

- EN1. A Final Map shall be prepared in accordance with the Subdivision Map Act, Section 66426. Upon approval or conditional approval of the Tentative Map by the Planning Commission, a complete review by the Engineering Division of all plans and documentation required by the Subdivision Ordinance of the City of Lompoc shall be required before the acceptance of the Final Map by the City Engineer.
- EN2. The Final Map shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor.
- EN3. In conformance with Chapter 27, Section 2824 of the Lompoc City Code, the Final Map shall be prepared based upon the control monuments as established by the City of Lompoc Coordinate Control System by Record Of Survey filed August 22, 2003, in Book 172, Pages 4 through 7, Santa Barbara County Records. The Final Map shall indicate and identify the control monuments utilized in the preparation thereof. The Final Map shall be delivered in a computer format readily compatible for transfer to the City Geographic Information System at the time of map approval. The following computer formats are acceptable for delivery: DGN (native Microstation); DWX (same as or less than Version 14); DXF.
- EN4. After the Final Map has been prepared and is ready for review, the Applicant's Engineer shall submit three (3) sets of prints to the Engineering Division for first plan check.

- EN5. Final Map shall comply with Engineering Division's "Development Assistance Brochure" entitled "Checklist For Completeness of Subdivision Maps." Development Assistance Brochures can be obtained at the Engineering Division or downloaded from the City Engineering web page:
<http://www.cityoflormpoc.com/departments/pworks/engineering.htm>.
- EN6. Final Map shall show street centerline monuments set in standard street monument wells per City Standards.
- EN7. At the completion of plan review for the Final Map, and before the City Counsel will consider acceptance of the Final Map, the required plans, fees and documentation shall be submitted to the Engineering Division.

The fees and documentation typically include, but are not be limited to, the following:

- A Title Report current within the last ninety days
- Final Map original mylars signed and notarized by the owner, and signed and stamped by the engineer
- Improvement Plan original mylars signed and stamped by the engineer
- Three sets of signed Improvement Agreement
- Final Map Application and the Plan Check fee
- Improvement Security:
- Faithful Performance Security
- Labor and Materials Security
- Monuments Security
- Final Map and Improvement Plans delivered in a computer format readily compatible for transfer to the City Geographic Information System
- Certificate of Insurance
- Encroachment Permit and Fee
- Proof "Tax bond" has been recorded with the County of Santa Barbara
- Recording Fee
- Map Duplicating Fee

Engineering — Project Specific Conditions

- EN8. Show the size, location and purpose of all proposed dedications.
- EN9. Due to the additional maintenance associated with the roundabout intersections, the Developer / Home Owner's Association will provide the City with an annual fee for associated expenses according to one of the following options:
1. Special Roundabout Maintenance District created by the Developer; Or
 2. Agreement between the Home Owner's Association and the City.

The option to be used will be at the discretion of the City and will be required prior to the approval of the final map by the Engineering Division.

- EN10. Applicant shall grant a public utility easement to the City of Lompoc for public underground electric lines and pad mount equipment installed on private property.

- EN11. Prior to Final Map approval, provide a letter from the Mission Hills Community Services District verifying that the road widths are acceptable for them to provide maintenance on the water and wastewater mains.
- EN12. Access for lots 23-31 shall be denied via Highway 1.
- EN13. Private lanes, drives and streets shall have access, drainage and public utility easements as necessary.

I, Donald Jensen of Jensen Design and Survey, as project applicant do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in its approval of the proposed residential development – The Cottages at Burton Ranch. As project applicant, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Donald Jensen

Date

RESOLUTION NO. 598 (08)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC, APPROVING THE DEVELOPMENT PLAN FOR THE JENSEN RESIDENTIAL PROJECT – THE COTTAGES AT BURTON RANCH (PLANNING DIVISION FILE NO. DR 07-02)

WHEREAS, a request was received from Donald M. Jensen, representing Jensen Design and Survey, for consideration of DR 07-02 as the Development Plan for a 55-unit residential project, to be known as The Cottages at Burton Ranch, located on an approximately 14.3 acre site at the northwest corner of La Purisima Road and Harris Grade Road in the Burton Ranch Specific Plan area (Assessor Parcel Numbers: 97-250-02, 69,70); and

WHEREAS, the matter was considered by the Planning Commission at a duly-noticed public meeting on May 14, 2008; and

WHEREAS, at the meeting of May 14, 2008, _____ was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of May 14, 2008, _____ spoke in favor of, and _____ spoke in opposition to, the project; and

WHEREAS, on February 7, 2006 the City Council has certified the Revised Final Environmental Impact Report (SCH No. 20022091045) for the project as required by the California Environmental Quality Act (CEQA) and the Planning Commission has found the proposed project exempt from further CEQA review pursuant to Government Code Section 65457.

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

SECTION 1: After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that:

The Burton Ranch Specific Plan Land Use Area 2 zoning designation provides for Permitted Uses and Design Standards for projects developed within the Specific Plan area. The Cottages at Burton Ranch project conform with the standards identified, therefore it can be found that:

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

- C. The location of The Cottages at Burton Ranch 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 Cottages at Burton Ranch project will have no adverse effect upon the abutting and surrounding property from the permitted use thereof.

SECTION 2: Based upon the foregoing, the Planning Commission approves DR 07-02 as the Development Plan for The Cottages at Burton Ranch, subject to the conditions attached as Exhibit A, which are incorporated by reference as if fully set forth herein.

The foregoing Resolution, on motion by Commissioner ____, seconded by Commissioner _____, was adopted at the Planning Commission meeting of May 14, 2008 by the following vote:

AYES:

NOES:

Arleen T. Pelster, AICP, Secretary

Jack Rodenhi, Chair

Attachments: [Exhibit A – Conditions of Approval](#)
[Exhibit B – Mitigation Measures](#)

CONDITIONS OF APPROVAL
Jensen Design – The Cottages Residential Development – DR 07-02
Burton Ranch Specific Plan Area

The following Conditions of Approval apply to the plans for DR 07-02 – The Cottages at Burton Ranch, prepared by CSA, received by the Planning Division and stamped on November 6, 2007, and reviewed by the Planning Commission on May 14, 2008.

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 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 pursuant to the approved Specific Plan the applicant shall obtain all appropriate permits. Approval of these plans with signage indicated does not imply approval of signage. A sign permit shall be submitted for each identification / entry sign to be located on the project site
- P8. 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.

- P9. 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 - Architectural Conditions

- P10. The Architectural Review approval granted by the Planning Commission is valid for one year from date of approval and will expire on May 14, 2009. A one year extension may be granted by the Planning Manager if the applicant so requests prior to the expiration date.
- P11. All facades which extend above the roof line shall be finished on all elevations exposed to public view.
- P12. Perimeter walls and fencing for the project shall be architecturally treated as identified in the Burton Ranch Specific Plan. Treatment must be approved by the Community Development Department staff, prior to issuance of grading permits.

Planning - Site Plan Conditions

- P13. Street names shall be reviewed and approved by the Community Development Director, Fire Department and Police Department for consistency with City policy, prior to approval of the final subdivision map.

- P14. One copy of the lighting plan shall be submitted to the Engineering Division with the grading/improvement plans. A separate copy shall be submitted to the Building Division with the building plans. The lighting plan shall be reviewed and approved by the Engineering and Planning Divisions prior to issuance of any permits for the project. The plan shall incorporate the following:
- a. Details for external light fixtures both on and off the building(s), all lighting within private streets (including conduit and wiring), external illuminated signage, and any light fixtures at ground level. All lighting shall be shielded to prevent glare and minimize light intrusion to adjacent properties.
- P15. Open space areas if disturbed during construction shall be landscaped with native species.

Planning – Stormwater Conditions

- P16. 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.
- P17. On construction sites which are 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 Engineering Division with the grading plan. The Engineering and Planning Divisions shall approve the SWPPP prior to issuance of the grading permit.
- P18. 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.
- P19. For residential subdivisions which are to have private streets, storm water that flows over any paved surfaces or impervious areas shall be contained and filtered on-site before being released into the City's storm drain system.
- P20. For residential subdivisions which are to have public streets, storm water filters shall be placed in all affected downstream storm drain inlets, per the specifications of the City Engineering Division.

Planning - Landscaping General Conditions

- P21. Five (5) sets of the landscape and irrigation plans shall be submitted to the Planning Division for distribution and review by various City departments/divisions. The City shall contract with a Landscape Architect to review the plans, these services will be paid by the applicant. Typical for corner and interior lots shall be included (Tree size -15 gallon, shrub size – 5 gallon, plant size – 1 gallon). Project landscape conditions of approval shall be printed on the landscape plans submitted to the City

The landscape and irrigation plans shall be reviewed and approved 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.

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) Community Development Director – private property landscaping; and
- 3) Urban Forestry Manager – right-of-way landscaping

P22. A Landscape Maintenance Agreement, in a form satisfactory to the City Attorney, shall be recorded prior to issuance of building permits for the project.

P23. The project must conform with the Urban Forestry Administrative Guidelines.

P24. The final landscaping Conditions of Approval shall be printed on the landscape plans filed with the City.

Planning - Landscaping Irrigation Conditions

P25. The project must conform with sections 3331.1 - 3331.6 of the Lompoc City Code Water Efficient Landscape Standards.

P26. 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.

P27. All irrigation under paving must be Schedule 80 PVC or greater with tracer wires and sleeves.

Planning - Landscaping Tree Conditions

P28. 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.

P29. 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.

P30. All trees must be installed with support staking. All nursery stakes must be removed from trees.

P31. All trees and plant material selection shall be made with the concurrence of the Planning Division.

Planning - Landscaping Installation Conditions

- P32. 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.
- P33. Prior to the final inspection by the Planning Division, the City Certificate of Substantial Compliance shall be completed and submitted by the applicant to the Planning Division. Failure to submit the form will hold up any certificate of occupancy for the project.
- P34. Individual unit landscaping must be installed and deemed in substantial conformance by the Landscape Architect prior to final occupancy for the individual unit.
- P35. 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.
- P36. 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

- P37. Dust (PM₁₀) - 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.

P38. 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. All construction projects on sites larger than 15 acres shall provide temporary traffic control (e.g., flag person) to avoid unnecessary delays to traffic during construction activities which interrupt normal traffic flow.
- c. If feasible, electricity from power poles or ground lines shall be used in place of temporary diesel- or gasoline-powered generators.

P39. Conditions for Long-term and Operational Impacts

- a. Residential Projects
 - 1. 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.
 - 2. 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.

Planning - Mitigation Monitoring Conditions

P40. All mitigation measures set forth in the Burton Ranch Specific Plan Final Environmental Impact Report (EIR) SCH NO. 2002-091045 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.

P41. 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 EIR*. The Agreement shall be reviewed and approved by the City Attorney, and shall be recorded prior to the issuance of any construction permit.

- P42. 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.
- P43. Minor changes to the Mitigation Monitoring Program may be made by the Planning Manager. 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.
- P44. Hours of construction shall be limited to:
- Monday through Friday - between the hours of 7 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.

- P45. The Mitigation Measures to be implemented during construction shall be itemized on a separate page of the grading and improvement plans and related construction drawings filed for any building permits, including the City Council resolution number and the applicant's signed affidavit agreeing to comply with the conditions.
- P46. Copies of the Mitigation Measures and Mitigation Monitoring Plan shall be given to each Contractor and Subcontractor. Each Contractor and Subcontractor shall be responsible for reviewing, being familiar with and implementing all mitigation measures during construction

Affordable Housing Requirements

- P47. Applicant shall comply with affordable housing requirements as specified in General Plan Housing Element Policy 1.11.
- P48. The proposed project is 55 units and six (6) affordable units are required to be dispersed throughout the development. The applicant must designate the 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 30 years.
- P49. The applicant may choose the option of paying the Housing In-Lieu Fee approved by City Council Resolution No. 5135 (03).
- P50. Ten percent (projects not in the Redevelopment Area) 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:

Income Level	1-bedroom	2-bedroom	3-bedroom
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Very-Low		2	
Low		2	
Median		2	
Total		6	

- P51. The sales price for controlled-sale units shall be calculated when the building permits are issued for the controlled-sale units. [controlled-sale units only]
- P52. Prior to the issuance of building permits, the applicant and property owner(s) shall record a covenant which runs with the land against each rent-controlled / controlled-sale unit. The covenant shall be reviewed and approved by the City Attorney prior to the recordation in order to assure continued affordability. The covenant shall specify:
- a. the formula for determining new rental / sales price;
 - b. affordability control mechanisms upon rental / resale;
 - c. refinancing restrictions;
 - d. qualifications of eligible renters / 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 thirty (30) year period starting from the issuance of the Certificate of Occupancy.
- P53. 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.
- P54. Prior to issuance of certificates of occupancy, the applicant and property owner(s) shall obtain the City'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 affordability requirements. [controlled-sale units only]
- P55. Prior to issuance of certificates of occupancy, the applicant and property owner(s) shall obtain the City's approval of the renter selection process, the initial rent, and the eligibility of the initial renters of rent-controlled units. [rent-controlled units only]
- P56. 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. [controlled-sale units

only]

- P57. 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. [rent-controlled units only]
- P58. Prior to the issuance of certificates of occupancy, the owner(s) shall agree to assign to the City the right to any rents collected above affordable levels specified in the recorded covenant. [rent-controlled units only]
- P59. Prior to any sale or other transfer of any interest in the controlled-sale units, it must be approved by the City 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 regarding the terms of the sale, including copies of all documents. [controlled-sale units only]
- P60. Prior to any sale or other transfer of any interest in the rent-controlled units, it must be approved by the City 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 all documents. [rent-controlled units only]

Planning - CC&R's

- P61. Covenants, Conditions & Restrictions (CC&R's) shall be submitted to the City for approval, prior to recordation. The applicant shall create a Homeowner's Association (HOA) for the maintenance of common facilities, including but not limited to common areas landscaping.
- P62. The Covenants, Conditions & Restrictions (CC&R's) shall state that no provision in the CC&R's which is included as a result of these conditions of approval may be amended without the prior written approval of the City. The Covenants, Conditions & Restrictions (CC&R's) shall be reviewed and approved as to form by the City Attorney, prior to issuance of building permits. The CC&R's shall state that no provision in the document may be amended, without the prior written approval of the City of Lompoc.
- P63. The CC&R's shall include the following:
- Any information that must be provided to future homeowners upon transfer of property shall be recorded in the CC&R's.
 - CC&R's shall include provisions for adequate maintenance and replacement of filters.

Planning – Project Specific Conditions

- P64. The park dedication must be accepted by City Council, prior to issuance of any building permits. Park improvements shall be completed by the Applicant prior to issuance of the first residential Certificate of Occupancy.

- P65. During the construction phase of the project, City staff will convene a periodic meeting with applicant construction staff (such as the grading contractor, on-site construction supervisor, etc.) to discuss compliance with construction-related Conditions of Approval (COA's) (i.e. noise, dust, construction refuse, etc.). Such meetings will be called monthly or as needed by the City Planning Manager.
- P66. As referenced in the Development Agreement, in addition to the payment of the City's development impact fees, the Owner shall pay to the City \$1,500 per residential unit to provide City with supplemental funding to insure operation and maintenance of public facilities dedicated to fire protection, police protection, and library services, consistent with mitigation measures PS-2.1.1, PS-4 and PS-6.1 of the Project's Final Environmental Impact Report (FEIR). Said funds shall be paid to City incrementally for each residential unit at issuance of building permit for each such unit.
- P67. The "Applicable Law of the Project", as identified in Exhibit C of the Development and Annexation Agreement shall be the rules and infrastructure timing requirements governing projects under the BRSP (generally the 1997 General Plan, the 1974 Zoning Ordinance, the 1995 Architectural Review Guidelines, the 1992 Subdivision Ordinance). Other ordinances, rules, regulations, and official policies which are in effect at the time that an application is received are to be applied. The Jensen project was deemed complete November 6, 2007.

The City Fee Schedule for 2007/08 shall govern fees for The Cottages at Burton Ranch.

The effective date of the Development and Annexation Agreement was May 31, 2007 and the five (5) year period will end on May 31, 2012.

- P68. The site plan shall be revised to show one (1) additional uncovered parking space. Staff will review the site plan with the building plan check and approve if appropriate.
- P69. Planning staff will review the site plan and architectural submittals for building plans to assure conformance with the Burton Ranch Specific Plan.
- P70. The Applicable Law of the Project shall be those City documents referenced in the Development and Annex Agreement effective May 31, 2007.

II. BUILDING

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 CBC and CFC.
- 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. Public facilities and areas shall be made accessible to persons with disabilities. Residential buildings with three or more units shall also be made to comply.
- 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 and setbacks.
- B11. Certifications for grading, pad preparation, and form locations shall be submitted and approved by the Engineering and Building Divisions prior to foundation inspections.
- B12. Stairs, decks, platforms shall meet the strict guidelines in the most recent adopted Building Code.
- B13. Buildings shall comply with the State's Energy Regulations.
- B14. A sound transmission study complying with the most California Building Code may be required. Sound transmission controls according to CBC Appendix Chapter 12 shall be clearly identified on the plans. (Applies to multi-family unit dwellings only)
- B15. Construction materials and techniques shall comply with the most recent editions Urban Wildland Interface Code and the California Fire Code.

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. Streets less than thirty-six (36) feet wide but more than twenty-eight (28) feet wide shall be posted on one side "Fire Lane No Parking" signs according to CVC and City Standards.
 - b. Roads less than thirty feet wide shall be posted on both sides of the street with "Fire Lane-No Parking" according to CVC and City Standards. No road 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. (Applies to commercial access gates)

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.
 - c. Due to the urban interface with high fire hazard areas additional fire hydrants shall be required. No lot shall be further than 150 feet from a fire hydrant. Additional fire hydrants may be required at areas adjacent to high fire loading interface areas.
- 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.
- F9. Automatic sprinkler systems are required in accordance with the most restrictive of the following: the California Fire Code, the California Building Code, and the Lompoc City Code.

- F10. When fire alarm or sprinkler monitoring systems are installed, fire alarm systems and automatic sprinkler systems shall be supervised on a 24-hour basis at a location approved by the Fire Department.
- F11. When fire alarm or sprinkler systems are installed, 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. (Applies to all commercial buildings and residential buildings with 3 or more units).

IV. ENGINEERING

Engineering – General Conditions

- EN1. Improvement Plans are required with this development. Improvement Plans include:
- Public Improvements:
 - Utilities - Electric (conduit, transformers, street lights, etc.), water and sewer.
 - Drainage - Storm drain (SD) lines, inlets & filters, main line, sidewalk drains, etc.
 - Streets, Sidewalk and Curb & Gutter
 - Private Improvements:
 - Earthwork (grading)
 - Connection Points to utility mains for sewer laterals and water services.
 - Conduit and fixtures for lighting within private streets and/or parking lots
 - Streets & Sidewalk
 - Drainage – SD lines, inlets & filters, sidewalk drains, retention basins, etc.
 - Trash Enclosures
 - Parking Lot Paving
 - Parking Lot Curb & Gutter
 - Street Signing and Striping
- 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 to facilitate the preparation of plans

and reports by the Applicant's engineer and are an essential reference for the preparation of Grading and Public Improvement Plan submittals. "Development Assistance Brochures" can be obtained at the Engineering Division or downloaded from the City Engineering web page:

<http://www.cityoflom poc.com/departments/pworks/engineering .htm>.

- 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.

Landscape Plans

- EN9. Landscape plans required by the Planning Division shall be approved by the Public Works and Utility Departments prior to Improvement Plan approval. 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, to include, but not limited to water, sewer, electric, storm drain, cable, telephone, etc.

Permits & Fees

- EN11. Plan Review, Grading and Encroachment Permit fees are based on Section 2 of the Master Fee Schedule adopted by City Council Resolution No. 5386(07).
- EN12. A Grading Permit issued by the Engineering Division is required prior to any excavation or filling on the site. Any stockpiling of fill dirt will require a Temporary Grading Permit.
- EN13. An Encroachment Permit shall be obtained from the Engineering Division for any work within City street right-of-way or easement.
- EN14. Prior to the issuance of an Encroachment Permit or Grading Permit, the Applicant shall provide a letter to the Engineering Division, addressed to the City Engineer, stating that the engineer who prepared the Improvement Plans, or his/her designated representative, will perform periodic site observations of work shown on the approved Improvement Plans.
- EN15. STREET IMPROVEMENT and TRAFFIC SIGNAL IMPACT FEES will be imposed upon the issuance of a building permit and are based on the City of Lompoc Development Impact Fee Schedule in effect at the time of permit issuance.

Drainage

- EN16. A Drainage/Hydrology Report shall be submitted to the Engineering Division with first plan check submittal of the Improvement Plans.
- EN17. Cross-gutters shall be constructed at intersections where there is surface drainage.
- EN18. The Improvement Plans shall be designed to provide a minimum cross slope of 2% on public and private streets.
- EN19. 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.
- EN20. Storm drain minimum velocities should not be less than 2 feet per second with the pipe flowing full, under the design conditions.
- EN21. Storm drains and drainage inlets in sump conditions shall be sized for a 100-year storm and shall provide positive overland escape.
- EN22. 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.
- EN23. 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.

- EN24. 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.
- EN25. 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.
- EN26. 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.
- EN27. Pre-development flow from adjacent properties onto the project site shall be maintained or accounted for in the final design.

Street Lighting

- EN28. All roadways designed for vehicular use (excluding parking lots) shall have street lighting for the safety of drivers and pedestrians. The lighting design shall be per IES (Illuminating Engineering Society) guidelines for roadway and exterior walkway lighting, as specified in the IES Lighting Handbook, 9th Edition. A photometric plan shall be submitted for approval by the City Engineer showing conformance with the following minimum standards:

Private Streets

- A. Local residential roads- 0.4 foot-candle average, uniformity ratio (average to minimum) no higher than 6:1.
- B. Collector roads and above- 0.6 foot-candle average, uniformity ratio (average to minimum) no higher than 4:1.
- C. Intersections and other high conflict areas shall have additional safety lighting acceptable to the City Engineer.
- D. Pole spacing shall not exceed 200' on center.

Public Streets

- A. Local residential roads- 0.6 foot-candle average, uniformity ratio (average to minimum) no higher than 4:1.
- B. Collector roads and above- 1.0 foot-candle average, uniformity ratio (average to minimum) no higher than 4:1.
- C. Intersections and other high conflict areas shall have additional safety lighting acceptable to the City Engineer.
- D. Pole spacing shall not exceed 200' on center.

Final Approval

EN29. Prior to final approval, the civil engineer or architect who prepared the Improvement Plans shall prepare Record Drawings. Minimum guidelines for Record Drawings can be obtained at the Engineering Division or downloaded from the City Engineering web page:

<http://www.cityoflompop.com/departments/pworks/engineering.htm>

EN30. 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

EN31. Provide centerline radii that meet all sight distance requirements for collectors based on a 25 mph design speed.

EN32. All improvements along Harris Grade Road shall be continuous through the triangular NAP property.

EN33. Proof of a Road Encroachment Permit or other verification of acceptance by Caltrans and Santa Barbara County shall be provided to the City of Lompoc Engineering Division for Highway 1 and Harris Grade Road improvements (respectively) prior to approval of Improvement Plans. (TRANS 1.1c)

EN34. Mission Hills Community Services District shall have a signature block on the Title sheet of the Improvement Plans for approval of the sewer and water systems. The District shall sign the plans prior to approval of the Improvement Plans by the City of Lompoc Engineering Division.

EN35. Prior to issuance of the first certificate of occupancy, the Developer shall provide a letter from Mission Hills Community Services District stating the District's acceptance of off-site and necessary on-site sewer and water improvements that are required to serve the unit in question.

EN36. Provide natural gas service design prior to Improvement Plan approval.

EN37. Provide cable television design prior to Improvement Plan approval.

- EN38. The roundabout design shall be per the City of Lompoc Engineering Bulletin #06-01. The design shall include:
- A. Proof of all turning movements (left, right and straight) of a WB50 design vehicle that does not mount the splitter islands.
 - B. The Improvement Plan shall provide detailed construction information for the roundabout layout, showing the turning movements mentioned above. Provide 6" minimum clear between the design vehicle wheel path and the curb face of the roundabout.
 - C. Provide deflection for the through movement of the roundabout to maintain a 20 mph design speed.
- EN39. A design deposit of \$15,000 is required to be paid to the City of Lompoc for the intersection improvements at Central and H Street. The deposit is required with the submittal of the first Burton Ranch Specific Plan Area Improvement Plans. (TRANS-1.2d)
- EN40. The City of Lompoc will prepare a conceptual design for the improvements listed in EN39 and provide a construction cost estimate for the work. The developer shall pay the City of Lompoc 50% of the cost associated with the improvements at the intersection of Central and H Street to install dual northbound and southbound left-turn lanes minus the \$15,000 deposit referenced in EN39 for this improvement. The estimate value will be in current dollars and assessed a 3% per year increase until paid. This mitigation fee is required prior to the issuance of the first building permit. (TRANS-1.2d)
- EN41. The developer shall pay the City of Lompoc 28% of the cost associated with the installation of a second westbound left-turn lane at the intersection of Harris Grade Road and Purisima Road. The developer shall submit an Engineer's estimate for review and approval by the City of Lompoc Engineering Division for the cost associated with the intersection improvements. This value will be in current dollars and assessed a 3% per year increase until paid. This mitigation fee is required prior to the issuance of the first building permit. (TRANS-1.2e)
- EN42. The developer shall pay the City of Lompoc 23% of the cost associated with the addition of a northbound right-turn lane at the intersection of H Street and Central Avenue. The developer shall submit an Engineer's estimate for review and approval by the City of Lompoc Engineering Division for the cost associated with the intersection improvements. This value will be in current dollars and assessed a 3% per year increase until paid. This mitigation fee is required prior to the issuance of the first building permit. (TRANS-1.2e)
- EN43. The developer shall pay Caltrans 18% of the cost associated with the installation of a signal at the intersection of Purisima Road and State Route 246. The developer shall submit an Engineer's estimate for review and approval by the City of Lompoc Engineering Division and Caltrans for the cost associated with the intersection improvements. This value will be in current dollars and assessed a 3% per year increase until paid. This mitigation fee is required prior to the issuance of the first building permit. A receipt from Caltrans is to be provided to the Engineering Division as proof of payment. (TRANS-1.2e)

- EN44. Install stop signs on Burton Ranch Road and Onstott Road at the intersections with Harris Grade Road. (TRANS-1.4b)
- EN45. Developer shall prepare a public education program to instruct the public on safe driving instructions in roundabouts. The program shall include a minimum three-panel brochure on gloss 8.5" x 11" paper (front and back) and a video produced on-site using the project roundabouts. The brochure and video shall be given to all new homeowners. An original and 1,000 copies of the brochure and one copy of the video shall be provided to the City of Lompoc for distribution at City Hall. The video shall be provided to the City of Lompoc in electronic format for distribution on the City website. (TRANS-3.1)
- EN46. Construct Harris Grade Road improvements (including, but not limited to, a 14' wide median/left-turn lane, pedestrian paths, sidewalks, stop signs, 8' wide Class II bike lane and streetlights) prior to the issuance of the first certificate of occupancy. (TRANS-1.2b, 1.4b, 1.4c, 1.4d, 3.3a, 3.3b, 3.3d)
- EN47. Provide acceleration lanes for the vehicles turning right from Burton Ranch Road and Onstott Road per the Caltrans Highway Design Manual, latest edition.
- EN48. The design speed for Harris Grade Road and Highway 1 shall be 55 mph.
- EN49. Street A-1 to be constructed with the LOM 571 development. Curb to be continuous across Street A-1 along Harris Grade Road until the development of LOM 571. Stripe intersection accordingly.
- EN50. Ensure corner sight distances on Harris Grade Road at the intersections with Burton Ranch Road and Onstott Road for vehicles turning onto Harris Grade Road. Provide this information on the Improvement Plan profiles.
- EN51. Streetlight Plans for Harris Grade Road shall be submitted for review and approval by the City of Lompoc Engineering Division as a part of the Improvement Plans per EN29.
- EN52. A sound study (Noise Wall Plan), paid for by the developer, shall be performed to verify in writing the sound attenuation properties of the sound walls along Harris Grade Road and Highway 1 per AES-3.2.1 and NOISE-2a. The Noise Wall Plan shall be prepared by a City-qualified noise consultant for the development proposed within 250' of Harris Grade Road and 500' of Highway 1. The sound study shall be submitted with the first submittal of the Improvement Plans to verify heights, materials and locations of proposed walls.
- EN53. Curb and gutter on Burton Ranch Road shall be per the City Standard Drawing No. 602. Rolled curb is not acceptable.
- EN54. Onstott Road to be constructed per the section shown on the LOM 570 Preliminary Development Plan as Burton Ranch Road (section on sheet 12) as revised to have a six-inch curb and gutter on each side of the road per the City Standard Drawing No. 602. Rolled curb is not acceptable.
- EN55. Prior to approval of Improvement Plans by the Engineering Division the following grant easement deeds shall be submitted to the Engineering Division ready for recordation:

- a. Burton Ranch Road –
 - 1. A Public Street and Utility Easement for right-of-way required to construct Burton Ranch Road improvements from the intersection of “Z” Street to the intersection of Highway 1.
 - 2. A Public Street and Utility Easement for right-of-way required to construct Burton Ranch Road improvements from the intersection of “Z” Street to the intersection of Harris Grade Road.
 - 3. A Public Street and Utility Easement for right-of-way required to construct bus turnouts and shelters on both sides of Burton Ranch Road, between the Burton Ranch Road / Harris Grade Road intersection and the Burton Ranch Road / Onstott Road intersection.
- b. Harris Grade Road - A Public Street and Utility Easement for right-of-way required to construct the west side of Harris Grade Road improvements.

EN56. Construct Burton Ranch Road, curb-to-curb width and no roundabout, from the intersection of “Z” Street to the intersection with Highway 1 when the project exceeds 275 p.m. peak hour trips.

EN57. Prior to approval of the Improvement Plans by the Engineering Division, a grant deed must be completed for the dedication of the Right-of-Way required to construct the west side of Harris Grade Road improvements.

EN58. Right-of-Way along the property frontage on Harris Grade Road shall follow the face of the proposed screen wall.

EN59. With reference to the positive overland escape mentioned in EN21, basins shall maintain a minimum of 1’ of freeboard above the 100-year spill high water elevation. Show the 100-year spill high water elevation on the Improvement Plans.

EN60. All drainage facilities within the private lanes, drives or streets shall be private and maintained by the Home Owners’ Association.

EN61. All aspects of the development of LOM 567 shall be consistent with the Burton Ranch Specific Plan dated February 7, 2006 and as approved by the City of Lompoc per Resolution #5303(06).

V. AVIATION/TRANSPORTATION

Aviation/Transportation – General Conditions

AT1. Bus Turnouts shall be constructed in conformance with details provided by the Engineering Division.

AT2. Signage and curb markings for bus turnouts shall be in conformance with details

provided by the Engineering Division.

- AT3. A Bus Shelter shall be constructed at each bus turnout. Bus Shelter drawings and specifications are available from the Engineering Division.

Aviation/Transportation – Project Specific Conditions

- AT4. A bus turnout shall be provided on Harris Grade Road north or south of the intersection with Onstott Road, as shown on the preliminary development plan for LOM 570. The bus turnout will require an acceleration lane onto Harris Grade Road. The bus turnout shall be shown on the Improvement Plans for Harris Grade Road.
- AT5. Prior to the issuance of the building permit, the Owner shall complete the Aviation Easement form from the City of Lompoc and file the Federal Aviation Administration Form 7460 with the FAA and provide the City of Lompoc, Aviation/Transportation Administrator with a copy of the approved FAA form.

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

Solid Waste – Project Specific Conditions

SW6. Prior to Improvement Plan approval, the applicant shall prepare and submit a Solid Waste Reduction Plan, including solid waste mitigation measures to the City for review and approval. The plan shall include or address the following measures:

- A portable wood grinder shall be on site to grind and brush and/or trees removed during the grubbing stage.
- Separate containers for recycling construction debris such as wood, cardboard, metal, asphalt and/or concrete materials will be provided during the construction phase of the project.
- The contractor will include the use of green materials during the construction phase of the project.
- An area for three solid waste containers (trash, recycling and green waste) shall be incorporated into the residential design. This area should be located on one side of the residential structure, preferably behind a side yard fence and gate.

VII. 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.
- EL8. The street light fixtures and standards will be City approved and installed per City standards.
- EL9. If utilizing non-metallic standard, an adequate ground bond wire shall be included from the grounded base to the light fixture.
- EL10. All lighting must be powered and photovoltaic controlled.
- EL11. Power requirements are 2-wire service, 90-480 VAC, 50/60 Hz.
- EL12. Must provide 10% spares of standards and light fixtures for emergency and maintenance replacements. (Same 10% as Wireless Broadband Utility requirement)

Electric – Project Specific Conditions

- EL13. Applicant shall grant a public utility easement to the City of Lompoc for public underground electric lines and pad mount equipment installed on private property. Refer to Engineering Condition E2 for information concerning deed approval.
- EL14. All existing overhead utility lines within the development boundaries shall be installed underground.
- EL15. Two new electric utility crossings will be required from the south side of Highway 1 to serve the Burton Ranch project. Crossing #1 is under the intersection of Highway 1 at Burton Ranch Road. Crossing #2 is under the intersection of Highway 1 at Harris Grade Road.
- EL16. Show all existing power & lighting poles on the Improvements Plans.

VIII. WATER

Water – General Conditions

- W1. Mission Hills Community Services District will provide water service. All Improvements shall be per the Development Agreement dated January 27, 2006.
- W2. Design of water infrastructure shall be per the Mission Hills Community Services District Standards for Construction of Water Mains, latest edition.

Water – Project Specific Conditions

- W3. Improvement Plans must show the existing City of Lompoc waterline in Highway 1. The proposed storm drain line that will cross the existing waterline must provide a minimum of 6" clear space between the pipes.
- W4. Prior to issuance of the first certificate of occupancy for any unit in the Burton Ranch Specific Plan area, the Developer shall provide a Well Site and construct a Municipal Well and Treatment System per Section 5 of the Development Agreement dated January 27, 2006.
- W5. At the time that the water connection fee is paid, the Applicant shall pay to the District an in-lieu fee as specified in Section 8 of the Development Agreement dated January 27, 2006. The fee is to fund three single-family residential customer retrofits for each new single family home.
- W6. Automatic meter reading equipment is to be provided on all units.
- W7. Common area landscape irrigation control and backflow devices shall be outside of the public right-of-way.

IX. WASTEWATER

Wastewater – General Conditions

- WW1. Mission Hills Community Services District will provide wastewater service. All Improvements shall be per the Development Agreement dated January 27, 2006.
- WW2. Design of wastewater infrastructure shall be per the Mission Hills Community Services District Standards for Construction of Wastewater Mains, latest edition.

Wastewater – Project Specific Conditions

- WW3. The first Applicant(s) to receive its development permits from the City of Lompoc for development pursuant to the Burton Ranch Specific Plan will be responsible for the design and construction of the Sewer Trunk Extension per Section 4 of the Development Agreement dated January 27, 2006.

X. WIRELESS BROADBAND UTILITY

Wireless Broadband Utility – Project Specific Conditions

- WB1. Must provide and install sufficient and compatible wireless broadband equipment to extend the City's current wireless broadband utility throughout the development. Equipment that meets coverage needs as specified by manufacturer's Lompoc-specific computer model at the time of installation and all associated supporting network hardware and software will be deemed sufficient.
- WB2. Must install and deed to the City light poles of a type and quantity sufficient to support the extension of the wireless broadband utility or provide and deed to the City comparable vertical mounting assets.

- WB3. The light fixtures and standards will be City approved and installed per City standards.
- WB4. If utilizing non-metallic standard, adequate grounding facility for router mounting must be provided.
- WB5. All lighting must be independently powered and photovoltaic controlled.
- WB6. Power requirements are 3-wire service, 90-480 VAC, 50/60 Hz.
- WB7. Mounting assets will be of sufficient height to allow deployment of routers at the height of the average trees and buildings in the local environment.
- WB8. Mounting assets must take into consideration the additional static load of 14lb. (6.4 kg) for the wireless router and 1.5 sq ft (.14 sq m) of sail area presented by mounting the of router.
- WB9. Must provide 10% spares of standards and light fixtures for emergency and maintenance replacements.

I, Donald Jensen of Jensen Design & Survey, as project applicant do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in its approval of the proposed residential development at The Burton Ranch Specific Plan Area. As project applicant, I agree to comply with these conditions and all other applicable laws and regulations at all times.

Donald Jensen

Date

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MITIGATION MEASURES
Burton Ranch Specific Plan Area
Environmental Impact Report – EIR 02-01
The Cottages at Burton Ranch Development Plan – DR 07-02
Tentative Subdivision Map – LOM 567

These Mitigation Measures were extracted from the Final Environmental Impact Report for Burton Ranch (SCH No. 2002091045), which was certified by the City Council on February 07, 2006. 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 FEIR.

Aesthetics

1. Detached single-family residential structures in Land Use Area 2 located nearest to Harris Grade Road shall be limited to a single story and shall not exceed 24 feet in height above the finished topographic grade. (AES-1.1a)
2. Detached single-family residential structures in Land Use Area 3 located within 100 feet of Harris Grade Road shall be limited to a single story. (AES-1.1b)
3. Landscaped perimeter buffers shall be incorporated into all project development plans. These landscaped perimeter buffers shall be established on the outside of any perimeter sound walls along Harris Grade Road and State Highway 1 and shall extend a minimum width of 15 feet with a 30-foot average width as measured from the edge of final roadway pavement to the sound wall. Landscaped buffers shall include a sufficient variety of trees and shrub species and spacing to screen the wall, but at maturity they shall not consistently exceed the height of residential structures adjacent to the perimeter wall or property boundary. Maximum screen tree height shall be kept proportional and in scale with adjacent residential unit heights. (AES-1.2)
4. Project grading shall follow the contour of the existing project topography to the maximum extent feasible, incorporating residential building footprints that are aligned parallel to project slopes, particularly at the perimeter of the project site. (AES 3.1.1)
5. The architecture for the decorative water tower shall be of a rustic design resembling the figure identified as the Specific Plan Water Tower Conceptual Design contained in the Burton Ranch Specific Plan (see Figure 28). Structural colors of the water tower shall be earth tones such as lighter shades of gray, green, tan, and cream. (AES 3.1.2)
6. The 6- to 8-foot high perimeter sound walls shall be staggered and shall be architecturally treated and designed to minimize the continuous form and massing as experienced from scenic roadways and to maximize consistency with the Burton Ranch Specific Plan's rustic ranch atmosphere. The sound walls shall incorporate visual variety features such as tiles, patterns or other physical relief. The applicant shall submit color and material samples to the City of Lompoc. A City-approved acoustical engineer shall verify in writing the sound attenuation properties of the sound walls. (AES-3.2.1)

7. A Perimeter Landscaping Plan shall be prepared for open space buffers along Harris Grade Road and State Highway 1 to create a landscaped corridor along these rights-of-way. It shall require the spacing and clustering of a variety of street trees, accent trees, and ornamental shrubs capable of completely screening views from the public right-of-way of adjacent residential structures, but they shall not consistently exceed the height of residential structures adjacent to the perimeter wall or property boundary. Maximum screen tree height shall be kept proportional and in scale with adjacent residential unit heights. Screen tree species shall generally achieve a height of between 20 to 25 feet at maturity. The perimeter landscape plant species selected shall maximize rapid growth and have the ability to mature in partial shade, assuming some level of sun shading from upper tree canopies. All Harris Grade Road and State Highway 1 street frontage landscaping shall provide a mix of species up to a 36 inch box size and any oak trees proposed near residences shall be a minimum 24 inch box size to provide adequate screening. (AES-3.2.2)
8. The architecture of all residential development shall be of a rustic design consistent with the Burton Ranch Specific Plan architectural guidelines, requiring styles reminiscent of the early Lompoc Valley, including but not limited to Bungalow, Craftsman, Ranch, Country Victorian, European country, Cottage, Barn and Mission. Structural colors shall be limited to earth tones such as lighter shades of gray, green, and cream. Roof treatments shall be consistent with the particular architectural unit style and shall be limited to non-reflective materials and earth tone colors. All development shall be consistent with the City of Lompoc Architectural Review Guidelines. (AES-3.2.3)
9. All second-story structures in Land Use Area 1 within 100-feet of Harris Grade Road and State Highway 1 shall not exceed a maximum height of 30 feet from finished topographic grade. These second-floors shall be partially stepped back from the first-floor walls and oriented away from the adjacent roadways to break up building mass and to reduce the visual effect as experienced from these roadways. These second story floor areas shall be no more than 50 percent of the first-floor area. (AES 3.2.4)
10. All lighting shall be screened and directed downward. Exterior night lighting installed on the project site shall be of a low intensity, low glare design and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels and open space portions of the subject parcels. Lighting adjacent to open space areas and the Burton Mesa Management Area (BMER) shall be of a low level intensity and directed away from these areas. Pole supports shall be of a darker finish to reduce glare. Building wall-mounted and pedestrian walkway lighting fixtures shall be placed at heights that would be sufficiently high to promote safety, but low enough to limit unnecessary spill effects. A Common Area Lighting Plan for all common areas and the passive park shall incorporate these requirements and demonstrate how low level lighting shall be controlled at all times (i.e., use of lighting timers). (AES-4.1)

Air Quality

11. If the project site or portion(s) of the project site (any phase) is graded and left unworked for four days or more, the property owner shall employ the following methods immediately to inhibit dust generation until the area is paved or otherwise developed so that dust generation shall not occur:
 - a. seeding and watering to revegetate graded areas; and/or
 - b. spreading of soil binders; and/or
 - c. any other methods deemed appropriate by the City of Lompoc. (AQ-2.1)

12. Dust generated by the clearing, grubbing, grading, and/or development activities shall be kept to a minimum, with a goal of retaining dust on the site. The following APCD/City of Lompoc standard dust control measures shall be implemented:
 - a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
 - b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - c. The area that is cleared shall be limited to a maximum of 15 acres exposed at any time. On-site vehicle speeds shall be limited to 10 miles per hour.
 - d. Gravel entrances or other acceptable mud and sediment removal methods shall be installed at all access points to prevent tracking of mud onto public roads.
 - e. If importation, exportation, and stockpiling of fill material are involved, stockpiled soil shall be covered, kept moist, or treated with soil binders to prevent dust generation from the point of origin to the point of delivery. Trucks transporting fill material to and from the site shall be covered with tarps from the point of origin.
 - f. Soil binders shall be spread on construction sites, unpaved roads and parking areas, as necessary to keep dust from blowing. In areas where mass grading is completed and development is not proposed, a mixture of native grasses and wildflowers shall be planted/hydroseeded in a mixture and at an application rate approved by the Community Development Department. Water shall be applied as needed to ensure the success of the planting effort.
 - g. The construction contractor shall designate a person or persons to oversee the implementation of a comprehensive dust control program and to increase watering, as necessary. (AQ-2.2)
13. The property owner, 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. (AQ-2.3)
14. ROC and NOX emissions generated by construction equipment shall be reduced by application of the following equipment control measures:
 - a. Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized whenever feasible.
 - b. The engine size of construction equipment shall be the minimum practical size.
 - c. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
 - d. Construction equipment shall be maintained in tune per the manufacturer's specifications.
 - e. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines, if available.
 - f. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.

- g. Diesel catalytic converters shall be installed, if available.
 - h. Diesel particulate emissions shall be reduced using EPA or California certified and/or verified control technologies like particulate traps, if available.
 - i. Diesel-powered equipment shall be replaced by electric equipment whenever feasible.
 - j. Construction worker trips shall be minimized by encouraging carpooling and making available food for purchase during the lunch break onsite. (AQ-2.4)
15. The project applicant shall incorporate the following APCD energy conservation measures into project building plans unless the applicant submits proof of infeasibility acceptable to the City of Lompoc:
- k. Install low-NOX residential water heaters and space heaters.
 - l. Install heat transfer modules in furnaces.
 - m. Use outdoor lighting designed for high efficiency, i.e., solar-powered or controlled by motion detectors.
 - n. Site and orient buildings in such a manner as to reduce energy use, i.e., passive solar cooling/heating.
 - o. Use light colored water-based paint and roofing materials.
 - p. Employ summer shading and wind protection measures to increase energy efficiency.
 - q. Install mechanical air conditioners that use non-ozone depleting chemicals.
 - r. Maximize the use of natural lighting.
 - s. Install energy efficient appliances and lighting.
 - t. Use landscaping to shade buildings and parking lots.
 - u. Install sidewalks and bike paths.
 - v. Install covered bus stops, where appropriate, to encourage the use of public transportation. (AQ-3.1)

Biology

- 16. The loss and fragmentation of Burton Mesa chaparral from the project site, especially along the northern boundary that is contiguous with the BMER, shall be minimized. Residential and educational development shall maximize avoidance or preservation of Burton Mesa chaparral such that preserved areas are accessible to and used by wildlife species. Grading and siting of proposed residential and educational development shall demonstrate efforts to maximize preservation of existing Burton Mesa chaparral habitat. (BIO-1.1a)
- 17. 1: Native habitats not affected by clearing, grubbing, grading, and construction activities, including areas designated as open space (Land Use Area 7) and the adjacent BMER (along the northern boundary of the property) shall be during project construction and occupancy. At a minimum, a 100-foot buffer between the BMER on the northern project boundary and any activities associated with project development prohibiting vegetation removal, ground disturbance, human access, fire management, or other actions associated with construction or occupancy of the project site shall be required.

1. Any chaparral removal for pre-construction clearing or grubbing shall be preceded by a biological survey and be monitored if deemed necessary by the survey biologist. Any grading or clearing in future protection buffer areas or other areas designated as open space shall be subject to onsite restoration.
2. The boundary of open space Land Use Area 7 located within 50-feet of any future ground disturbances shall be temporarily fenced (i.e., with plastic construction or chain link fence) throughout all vegetation clearing, grubbing, grading, and construction activities. All personnel, equipment, and ground disturbances including grading for buildings, roads, easements, utilities, staging areas, and vegetation removal shall be prohibited within the open space area.
3. A solid, non-combustible material, 6-feet high wall shall be erected along the 100-foot buffer boundary to prevent access and to protect the buffer area and adjacent BMER.
4. In order to avoid additional indirect impacts on native habitat south of the solid wall, one of the following (a, b, or c) is required:
 - a. Set back all habitable and accessory structures a minimum of 200 feet from the northern project site boundary. This would provide for the 100-foot buffer, a 30-foot vegetation removal area adjacent to residential structures, and an additional 70-foot wide fuel modification zone. Non-structural improvements including landscaping and roadways shall be limited to the 30-foot cleared zone extending north from the structures.
 - b. Establish a 300-foot buffer area between project development and the BMER to ensure additional protection of the habitat and reduce the impact on Burton Mesa chaparral (see Figure 4.3-2). Alternatively, to minimize the loss of Burton Mesa chaparral, the 300-foot buffer could be averaged across the northern boundary of the property (this would include the 100-foot minimum buffer at the northeast corner of the site, greater than 100-foot buffer at the northern boundary, and all of Land Use Area 7, as depicted in Figure 4.3-2).
 - c. Construct an internal non-collector roadway parallel to and directly south of the solid wall (see Figure 4.3-3). The paved roadway would act as a firebreak that would minimize the amount of area requiring vegetation clearance and maintenance south of the wall.
 - d. Designated onsite open space or other sensitive areas shall be fenced temporarily (such as with construction fence or chain link fence) or otherwise identified and avoided throughout all clearing, grubbing, grading and construction activities. All personnel, equipment and ground disturbances, including grading for buildings, roads, easements, utilities, staging areas and vegetation removal shall be prohibited within the buffer areas or other designated off-limit areas. (BIO-1.1b)
18. Equivalent acreage (i.e., 1:1 ratio) for disturbed (either removed or fragmented) on-site biological habitat that supports similar quality native habitats including Burton Mesa chaparral shall be purchased and preserved in open space. Purchase and preservation preference shall be given to areas contiguous with or that can be incorporated into the Burton Mesa Management Area (BMER) to offset the loss of this habitat type. If an off-site mitigation is proposed, an off-site Burton Mesa Chaparral Habitat Acquisition and Preservation Plan shall be required. (BIO-1.1c)

19. If off-site mitigation is proposed and the quality of off-site Burton Mesa is not equivalent to the habitat lost on-site, an Off-Site Habitat Restoration Plan shall be submitted that includes the following:
 - a. A map depicting the location of the project site relative to the off-site Burton Mesa chaparral mitigation site.
 - b. Specifics for sources of plant materials (including salvaging from the project site, if appropriate), seeding (including timing for seed collection and seeding methods), planting methods and timing, planting density, plant protection, and maintenance. All native plant materials for restoration shall be collected locally.
 - c. Monitoring and maintenance requirements including frequency and timing of watering, weed control methods and timing, and monitoring and reporting procedures. The maintenance requirements shall be no less than 5 years unless satisfactory habitat is established before that time.
 - d. Performance criteria that specify the minimum requirements for size and health of replacement plants including a period of time without supplemental watering. The maintenance requirements shall be no less than 5 years unless satisfactory habitat is established before that time. (BIO-1.1d)
 20. If sufficient off-site Burton Mesa chaparral habitat is not available for purchase or restoration, the applicant shall enter into an agreement with the State of California Department of Fish and Game to pay a fee-per-acre into the existing Santa Barbara County Burton Mesa Chaparral Management Fund for purchase and protection of Level I and Level II habitats equivalent to the onsite habitat acreage lost. (BIO-1.1e)
 21. Areas temporarily affected by construction or remediation activities outside of future development envelopes within the Purisima mitigation site within disturbed, non-native habitats shall be restored to pre-disturbance condition to the maximum extent feasible. The Off-Site Habitat Restoration Plan shall include the following:
 - a. A map depicting the location of the impacted habitats and the extent of the restoration.
 - b. Specifics for sources of plant materials (including salvaging from the project site, if appropriate), seeding (including timing for seed collection and seeding methods), planting methods and timing, planting density, plant protection and maintenance. All native plant materials for restoration shall be collected locally.
 - c. Monitoring and maintenance requirements, including frequency and timing of watering, weed control methods and timing, and monitoring and reporting procedures. The maintenance requirements shall be no less than 5 years unless satisfactory habitat is established before that time.
 - d. Performance criteria that specify the minimum requirements for size and health of replacement plants, including a period of time without supplemental watering. The maintenance requirements shall be no less than 5 years unless satisfactory habitat is established before that time.
 - e. An annual report shall be submitted to the City of Lompoc Community Development Department for review.
- *The preceding mitigation measure would be included as a note on the Purisima site easement granted to the California Department of Fish and Game. (BIO-1.2)

22. A City-qualified biologist shall be retained to conduct the following survey and monitoring activities during initial clearing, grubbing and/or mass grading of the site or portions of the site and construction. All surveys shall be conducted prior to clearing, grubbing and/or grading, and prior to issuance of grading permits.
- a. The biologist shall conduct pre-construction reconnaissance level surveys of the disturbance area to determine the presence of common animal species and the potential capture and relocation of individual animals, to the extent feasible.
 - b. The biologist shall be on-site for the initial phases of clearing, grubbing and grading activities and initial construction activities of each development phase to monitor impacts to wildlife. The monitor shall also ensure that avoidance of native vegetation occurs where feasible.
 - c. Construction fencing or some other appropriate barrier to movement (such as chain-link fence, silt fence, or other temporary barrier) shall be established to minimize animals moving back into the construction zone, and the area shall be periodically surveyed and animals removed.
 - d. The biologist shall periodically visit the site during the construction phase to implement measures to reduce or eliminate injury and mortality of resident wildlife species.
 - e. The biologist shall submit a report detailing the results of any capture and relocation efforts subsequent to the commencement of clearing, grubbing and/or grading.
 - f. The biologist shall be responsible for monitoring activities and shall produce a final monitoring report. (BIO-1.4)
23. A Landscape and Open Space Management Plan shall be prepared for the Burton Ranch Specific Plan area for public, common and open space areas. The plan shall include the following:
- a. A landscaping plan that restricts the use of ornamentals or cultivars that could invade or otherwise cause the degradation of adjacent native plant communities on-site and off-site. (Ornamental plants that do not have the potential to escape into native habitats would be acceptable).
 - b. Provisions for using locally collected native plant materials for any native plant landscaped areas or on-site restoration areas.
 - c. Identity of the party responsible for the long-term maintenance and management of the undeveloped portions of the site, including open space areas, fire management zones, public landscaped areas and any other areas not included in the developed portion of the site (e.g., Homeowners Association).
 - d. Provisions for monitoring and maintaining open space areas, fuel management zones and other undeveloped portions of the site for presence and control of non-native, invasive exotic species.
 - e. All landscaped and open space areas that shall be maintained by a Homeowner's Association.
 - f. Location and plan for removal of all invasive species. (BIO-1.5)

24. The following procedures shall be followed for the protection of sensitive plant species:
 - a. Sensitive plant species shall be avoided (Mitigation measure BIO-1.1a), if feasible, and protection measures (Mitigation measure BIO-1.1b) implemented where these species occur. Clustering development and avoiding areas of Burton Mesa chaparral (Mitigation measure BIO 1.1a).
 - b. Where loss of sensitive plants cannot be avoided, sensitive plants that are removed or otherwise affected by project activities shall be incorporated in on-site restoration activities or in the landscaping plan, especially in areas that are adjacent to Land Use Area 7 and the BMER to the north. (BIO-2.1a)
25. The Landscape and Open Space Management Plan and Off-site Burton Mesa Habitat Restoration Plan shall include sensitive plant species. Seed or cuttings of these species shall be collected and propagated from the affected area to ensure genetic replacement for lost plants. (BIO-2.1b)
26. A City-qualified biologist shall conduct surveys throughout areas that would be disturbed to determine the presence or absence of sensitive wildlife species (legless lizard, American badger, coast horned lizard) prior to ground disturbance. All surveys shall be conducted prior to clearing, grubbing and/or grading and prior to issuance of grading permits. Any sensitive wildlife species that are found shall be captured and relocated to the nearest suitable habitat, to the extent feasible.
 - a. The biologist shall be present on-site during initial site preparation and ground disturbance activities (i.e., clearing, grubbing, grading, vegetation removal) during each phase of the project to ensure that sensitive species are not present in the disturbance area.
 - b. For the American badger, inactive dens shall be excavated by hand with a shovel to prevent badgers from re-using them during construction. If active dens are detected, badgers shall be discouraged from using these dens prior to grading, clearing and/or grubbing of the site by partially blocking the entrance of the den with sticks, debris and soil for 3 to 5 days. Access to the den shall be incrementally blocked to a greater degree over this period. This would cause the badger to abandon the den site and move elsewhere. After badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use. If newly active badger dens are found during construction activities, all work in that area shall cease until the biologist can safely close the badger den. Once the badger dens have been closed, work on the site may resume.
 - c. A report of the survey and monitoring results shall be submitted to the Community Development Department. (BIO-2.2a)
27. Initial ground disturbances (i.e., grading, clearing, grubbing and/or shrub removal) within grassland, oak woodland, coastal sage scrub and chaparral habitats shall avoid the bird breeding season between March 1 to August 15 to the maximum extent feasible. Where the applicant can document that this is infeasible due to economic factors, all ground disturbances occurring between March 1 to August 15 shall be preceded by a pre-construction survey for nesting birds to provide specific information on any nesting activities. A no-construction buffer area shall be established extending 300-feet from all nesting areas. A Pre-construction Bird Breeding Survey and Monitoring Plan, locating all on-site potential grassland, oak woodland, coastal sage scrub and chaparral habitats and bird nests onsite, with a scope of work and budget, shall be prepared by the developer for all ground disturbances occurring between March 1 to August 15. (BIO-2.2.b)

28. An Oak Tree Protection and Replacement Plan shall be prepared by a City-qualified arborist to address the loss of “specimen” oak trees (i.e., greater than 6” in diameter at breast height [DBH]) as a result of buildout in Plan Unit 2 that are not otherwise compensated for through acquisition and preservation of Burton Mesa chaparral and oak savannah habitat. The plan shall include the following:
- a. The location and extent of the oak tree driplines and the type and location of any protective fencing for only those specimen trees designated by the Oak Tree Protection and Replacement Plan to be preserved in Plan Unit 2 outside of proposed grading for residential structures, roadways, and landscaping. The fencing (e.g., chain-link or other material satisfactory to the City) shall be installed 6 feet outside the dripline of each specimen oak tree, and shall be staked every 6 feet to ensure the integrity of the protective fence.
 - b. Any individual project site specimen oak trees that are inadvertently damaged or killed by construction grading, filling, heavy equipment operation, or new landscaping shall be mitigated in terms of their lost habitat area, as determined by the City of Lompoc Urban Forester.
 - c. Oak tree plantings shall be from acorns collected and grown by a qualified nursery or botanist/arborist from local sources (i.e., within the watershed of the planting area or from the Purisima Hills near Lompoc). The trees shall be planted, protected with gopher fencing and irrigated (drip irrigation on a timer), and shall survive through the first 3-years of the maintenance period. During the final two-years, trees shall require reduced maintenance and no irrigation to determine ability of the tree(s) to survive unaided. Replacement tree establishment dictated by survival of at least 50 percent of the planted trees shall be determined after a 5-year period by the City of Lompoc Urban Forester.
 - d. A mitigation replacement tree performance security shall be posted by the applicant as defined by the City Urban Forester prior to issuance of grading permits, and shall be held through to occupancy. (BIO-3.1)
29. The loss and fragmentation of native habitats, including Burton Mesa chaparral, coastal scrub and seasonal wetlands shall be avoided by locating the proposed residential development in the northeastern portion of the site adjacent to Harris Grade Road. Future residential development shall be restricted to ruderal, disturbed and degraded coastal scrub habitats as defined in the LFR Report (September 20, 2004) such that all construction and Santa Barbara Fire Department fuel maintenance requirements extending 100 feet from habitable structures completely avoids Burton Mesa chaparral and seasonal wetlands. (BIO-3.2a)

30. Native habitats not affected by clearing, grubbing, grading, and construction activities, including areas designated as open space in the adjacent BMER (along the northern and southern boundary of the Purisima mitigation site) shall be protected by a preservation buffer. The area between the existing BMER and any future residential development ground and vegetation disturbances shall be preserved. No vegetation removal, ground disturbance, human access, fire management, or other actions associated with construction or occupancy of the project site shall be allowed within this preservation area. A solid, 6-foot high wall, made from non-combustible material, shall be erected between the residential development vegetation disturbance area and the preservation area to prevent access and to protect the adjacent BMER (as proposed in the Burton Ranch Specific Plan EIR, but an alternative fence may be suitable depending on the requirements of the CDFG, managers of the BMER). The wall shall be constructed and in place prior to any residential development within disturbed ruderal areas. In order to allow for the required 30-foot vegetation removal adjacent to residential structures and additional 70-foot wide fuel modification zone, all habitable and accessory structures shall be set back a minimum of 200 feet (i.e., a 30-foot clearing, 70-foot fuel modification zone, and 100-foot buffer) from the future BMER boundary identified by the CDFG. (BIO-3.2b)
31. The boundary of any sensitive native habitat areas not included within the expanded BMER and within 50-feet of any future ground disturbances related to development or remediation shall be temporarily fenced (i.e., with plastic construction or chain link fence) throughout all vegetation clearing, grubbing, grading, and construction activities. All personnel, equipment, and ground disturbances including grading for buildings, roads, easements, utilities, staging areas, and vegetation removal shall be prohibited within the preserved areas or other designated off-limit areas. (BIO-3.2c)
32. A Purisima mitigation site open space easement excluding the residential development area shall be reviewed and approved by the City of Lompoc Community Development Department, and shall be dedicated to an approved management agency (e.g., CDFG).
 - a. A fence suitable to preclude encroachment into the Purisima mitigation site from the residential development shall be constructed. The specific material type and height of fence shall be determined by the management agency accepting the open space easement.
 - b. Signs to limit encroachment and/or disallowed uses between the open space easement and the residential development shall be installed. (BIO-3.2d)
33. A drainage and erosion control plan shall be designed to minimize adverse effects on seasonal wetland resources on-site and downstream areas off the Purisima mitigation site. In addition, project grading shall require a Storm Water Pollution Prevention Plan (SWPPP) from the Regional Water Quality Control Board. Filters, including oil/water separators, shall be installed at any location where storm water enters wetlands or natural drainages. Sediment filters shall be installed wherever storm water would not be retained in a retardation basin. (BIO-3.2e)
34. The Purisima mitigation site residential development shall include a Landscaping Plan that includes the following:
 - a. A landscaping plan that restricts the use of ornamentals or cultivars that could invade or otherwise cause the degradation of adjacent native plant communities in the BMER. (Ornamental plants that do not have the potential to escape into native habitats would be acceptable).
 - b. Provisions for using locally collected native plant materials for any native plant landscaped areas or restoration areas.

- c. Identity of the party responsible for the long-term maintenance and management of the residential area including any undeveloped portions of the site, open space areas, fire management zones, and any other areas not included in the developed portion of the site.
 - d. Provisions for monitoring and maintaining open space areas, fuel management zones, and other undeveloped portions of the site for presence and control of non-native, invasive plant species. (BIO-3.2f)
35. Drainage Basin 3 shall be designed such that it is capable of supporting wetland vegetation similar to existing on-site conditions. Other drainage basins shall also be designed to support wetland habitats, if the location is appropriate and suitable conditions for establishing wetland vegetation can be attained. Revegetation of the drainage swale(s) shall be described in a separate Wetland Mitigation and Restoration Plan or incorporated into the Landscape and Open Space Management Plan (Mitigation Measure BIO-1.5) for the project site. At a minimum, the plan shall include the following:
- a. Identification of existing wetland areas and drainage swales proposed for restoration or creation of wetland habitats.
 - b. List of native plant species to be included in the planting (wetland, transition, and upland species).
 - c. Propagation and planting methods including locations for collection of seeds or cuttings (all native plants shall be from locally collected plant materials).
 - d. Performance criteria to ensure the successful establishment of wetland plant species and the drainage basins function as planned.
 - e. Long-term management of the basins, including timing and methods for periodic maintenance (such as sediment removal) that protects the restored or created wetland resources while ensuring the basins continue to function as planned.

The master drainage and erosion control plan shall be designed to minimize adverse effects on seasonal wetland resources on-site and downstream areas off the site. In addition, project grading shall require a Storm Water Pollution Prevention Plan (SWPPP) from the Regional Water Quality Control Board. Filters, including oil/water separators, shall be installed at any location where storm water enters a detention basin or drainage device. Sediment filters shall be installed wherever storm water would not be retained in a detention basin. (BIO-5)

Cultural Resources

36. In the event that unknown archaeological artifacts are encountered during grading, clearing, grubbing and/or construction activities associated with the proposed project, work shall be stopped immediately in the vicinity of the find and the resource shall be evaluated by a City-qualified archaeologist. An appropriate plan for the preservation of the artifacts from the site shall be prepared, and implementation of the plan shall be overseen by a City-qualified archaeologist prior to commencement of ground disturbing activities. (CR-1.1)

37. In the event that unknown human remains are encountered during grading, clearing, grubbing and/or construction activities associated with the proposed project, all excavation and ground disturbing work on or adjacent to the project site (or area of discovery) shall be stopped immediately in the vicinity. The Santa Barbara County Coroner shall be contacted and the Native American Heritage Commission shall be notified immediately. The site shall be evaluated by the most likely Chumash descendant identified by the Native American Heritage Commission and a City-qualified archaeologist. (CR-1.2)
38. The pre-construction meeting shall include a presentation by a City-qualified archaeologist. Attendees shall include the applicant, construction supervisors and equipment operators to ensure that all parties understand the potential need for a Construction Treatment Plan and their respective roles and responsibilities. All construction personnel who would work during any phase of ground disturbance shall be required to attend the presentation.
- The presentation shall address the following: review the types of cultural resources that may be uncovered; provide examples of common archaeological artifacts and other cultural materials to examine; discuss what makes a cultural resource significant; identify what would temporarily stop construction and for how long; describe a reasonable worst-case resource discovery scenario (i.e., discovery of intact human remains); and describe reporting requirements and the responsibilities of the construction supervisor and crew. The meeting shall make attendees aware of prohibited activities, including unauthorized collecting of artifacts, which can result in impacts on cultural resources. (CR-2)

Geology

39. Clearing, grubbing, grading and construction activities on Plan Unit 1 (Land Use Area 1 and portions of Land Use Area 2 within Plan Unit 1) shall be completed in accordance with recommendations by Earth Systems Consultants (1998a, 1998b), or as amended by future geotechnical report conclusions prepared by a professional civil or geotechnical engineer and approved by the City of Lompoc, and development standards of the Burton Ranch Specific Plan. A complete list of recommendations is provided in Appendix F of the EIR, however, the following recommendations are directly associated with liquefaction and include:
- a. Intercept drains shall be installed north of the most northerly residential units in Land Use Area 3, 4 and 5 to prevent upslope surface water from seeping into near-surface soils that could enhance the potential for liquefaction. The drains shall extend into the dense Orcutt Formation sandstone. Additional drains shall be needed in other areas where major cuts are planned (e.g., in excess of 8 feet to 10 feet in height). The necessity for additional drains shall be evaluated during and subsequent to grading by a licensed geologist or soils engineer.
 - b. Upper soils containing loose and/or saturated soils shall be removed and recompacted in accordance with an on-site licensed geologist or soils engineer recommendations. The depth of removal shall be determined during grading.
 - c. All grading, clearing, grubbing and construction activities shall be completed in accordance with the most recently adopted California Building Code and local ordinances, which regulate grading, clearing, grubbing and construction in seismically active areas. (GEO-1a.1)

40. A site-specific geotechnical investigation shall be completed for Land Use Areas 2 through 5 (Plan Units 2 through 8) to precisely evaluate potential seismic hazards and determine appropriate standard engineering practices for residential buildout. Clearing, grubbing, grading, and construction activities shall be completed in accordance with the recommendations of this geotechnical report. (GEO-1a.2)
41. Clearing, grubbing, grading, and construction activities on Plan Unit 1 (Land Use Area 1 and portions of Land Use Area 2 within Plan Unit 1) shall be completed in accordance with recommendations by Earth Systems Consultants (1998a, 1998b), or as amended by future geotechnical report conclusions prepared by a professional civil or geotechnical engineer and approved by the City of Lompoc, and development standards of the Burton Ranch Specific Plan. A complete list of recommendations is provided in Appendix F of the EIR, however, the following preliminary recommendations are directly associated with unstable slopes and include:
 - a. Clearing, grubbing and grading activities shall be designed to avoid cuts above 4 feet in height from base grade to top-of-slope and fills.
 - b. Cut and fill slopes shall be no greater than 2:1 (horizontal to vertical) and should generally vary from 2:1 to 4:1. In retention basins, slopes shall be contoured and shall vary from 4:1 to 6:1 or flatter.
 - c. Retaining walls shall be designed to be 4 feet high or less in common areas.
 - d. Cut and fill slopes in common areas shall be hydro-seeded and landscaped with trees and shrubs as soon as practical after completion of grading. On private lots, slopes over 6 feet high shall be hydro-seeded on or before completion of construction of buildings on those lots.
 - e. All slope grading shall be designed in accordance with the recommendations of a soils engineer. (GEO-1b.1)
42. A site-specific geotechnical investigation shall be completed for Land Use Areas 2 through 5 (Plan Units 2 through 8) to precisely evaluate potential slope stability hazards and determine appropriate standard engineering practices for residential buildout. Grading, clearing, grubbing and construction activities shall be completed in accordance with the recommendations of this site-specific geotechnical report. (GEO-1b.2)
43. Clearing, grubbing, grading and construction activities on Plan Unit 1 (Land Use Area 1 and portions of Land Use Area 2 within Plan Unit 1) shall be completed in accordance with recommendations by Penfield & Smith (2001) (See EIR Appendix E-2), Earth Systems Consultants (1998a, 1998b) (See EIR Appendix F), or as amended by future geotechnical report conclusions prepared by a professional civil or geotechnical engineer and approved by the City of Lompoc, and development standards of the Burton Ranch Specific Plan. A complete list of recommendations is provided in EIR Appendices E-2 and F; however, the following recommendations are directly associated with differential settlement and slope failure and include:
 - a. Diversion of drainage away from the bluffs at Plan Unit 2 through the use of brow ditches and down drains; and
 - b. Over excavation and recompaction of soils subject to differential settlement located beneath proposed structures. (GEO-2.1)
44. A preliminary and final site-specific geotechnical investigation shall be completed for Land Use Areas 2 through 5 (Plan Units 2 through 8) to evaluate potential slope stability and differential settlement hazards. Clearing, grubbing, grading and construction activities shall be completed in accordance with recommendations of the site-specific geotechnical report. (GEO-2.2)

Hazards

45. A Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) shall be completed prior to initiation of grading. The SWPPP shall include but not be limited to grading and erosion control, City of Lompoc Best Management Practices (BMP's), and hazardous materials BMP's and shall be designed to minimize water quality degradation through storm water monitoring, establishment of BMP's and implementation of spill prevention and containment measures. The SWPPP shall include but not be limited to the following:
 - a. During construction, washing of concrete, paint or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. An area designated for washing functions shall be identified on the grading and drainage plans.
 - b. Fueling shall be completed on impervious surfaces which are greater than 100 feet from established drainages or retention basins. Spill containment booms shall be available for potential spill containment. (HAZ-1a)
46. A County FPS (CUPA) approved site assessment and soil sampling program shall be implemented on Plan Unit 1 and if necessary, soil and/or groundwater remediation. The results of the site assessment and soil sampling program shall be submitted to the City of Lompoc for review and approval. If contamination is found, a CUPA approved remediation plan shall be developed and implemented. (HAZ-4.1)
47. A County FPS (CUPA) approved site assessment and soil sampling program shall be implemented on Plan Unit 4 and if necessary, soil and/or groundwater remediation. The results of the site assessment and soil sampling program shall be submitted to the City of Lompoc for review and approval. If contamination is found, a CUPA approved remediation plan shall be developed and implemented. Borings shall be drilled in the vicinity of the former UST's and samples collected every 5 feet, to a minimum depth of 20 feet. Similarly, shallow (i.e., 1 to 5 feet) soil samples shall be collected in the vicinity of the former pump islands. Samples shall be analyzed for the presence of petroleum hydrocarbon concentrations. In the event that soil and/or groundwater are contaminated in excess of County FPS (CUPA) standards, soil remediation shall be completed to the satisfaction of that agency. (HAZ-4.2)
48. Upon development of Plan Unit 1 and Plan Unit 4, the responsible contractor for each area shall prepare a Hazardous Materials Construction Contingency Plan for Plan Unit 1 and Plan Unit 4 identifying the response requirements in the event that previously unidentified contaminated soil and/or groundwater is encountered during construction activities in this area. This contingency plan shall include but not be limited to provisions for encountering potentially contaminated soil in the vicinity of the former service station. The plan shall also include but not be limited to limiting access to the contaminated area to personnel properly trained in the handling of hazardous waste, treatment and/or disposal of contaminated waste and notification of appropriate regulatory agencies, including the City of Lompoc, DTSC, Santa Barbara County FPS, and Santa Barbara County Public Health Department. (HAZ-4.3)

Hydrology/Water Quality

49. Off-site peak storm flow (for 5-year through 100-year storm events) to the southwest of the subject site shall be reduced to below existing levels. Off-site storm flow shall be reduced in accordance with recommendations by Penfield & Smith (2001) (EIR Figure 4.7-2). A complete list of recommendations is provided in Appendix E-2; however, the following recommendations are directly associated with runoff from impervious surfaces. These recommendations include incorporation of natural drainage Basins 1 and 2 into the project design; incorporation of partially natural drainage Basin 3 into the project design; construction of a new drainage basin; and construction of an additional culvert under State Highway 1. An encroachment permit shall be obtained from Caltrans prior to construction of the culvert under State Highway 1. All work completed in the State Highway 1 right-of-way shall be done to Caltrans engineering and environmental standards, and at no cost to the State.

The detention basins shall incorporate relevant design criteria for vector prevention, including the minimization of ponding within the basin bottom, and the bottom design shall allow for removal of water by gravity or pumping for maintenance. All detention basins shall meet the requirements of City of Lompoc Engineering Bulletin #04-01, Detention Basin Design Criteria (Refer to Final EIR Appendix E-4). (HYDRO/WQ-1)

50. Project drainage improvements shall be completed in accordance with recommendations by Penfield & Smith (2001) (see Appendix E-2, Figure 4.7-2). These recommendations include incorporation of existing natural drainage Basins 1, 2 and 3, as well as one new proposed basin, into the project design as detention basins. Each of these basins shall remain unpaved and preserved as open space, thus allowing stormwater runoff to percolate into the underlying groundwater. (HYDRO/WQ-2)
51. The applicant shall install pursuant to MHCS D specifications, and the overlap annexation agreement, an additional on-site groundwater well that can provide a total water supply equal to or greater than the maximum projected water demand of approximately 200 AFY, to be managed by the MHCS D. (HYDRO/WQ-3)
52. Consistent with MHCS D ordinances, funds shall be provided to MHCS D sufficient to provide retrofitting with 1.6 gallon/flush toilets for three existing homes within the boundaries of the MHCS D for each new home approved. (HYDRO/WQ-4.1)
53. Outdoor water use in all residential and common areas shall be limited through the measures listed below.
- a. Common space landscaping shall be with native/drought tolerant (xeriscape) species unless otherwise approved by the City of Lompoc Community Development Department.
 - b. Drip irrigation or other water-conserving irrigation shall be installed in common space landscaped areas.
 - c. Plant material shall be grouped by water needs.
 - d. Turf shall constitute less than 20 percent of the total landscaped area.
 - e. No turf shall be allowed on slopes of over 10 percent.
 - f. Extensive mulching (2" minimum) shall be used in all landscaped areas to improve the water holding capacity of the soil by reducing evaporation and soil compaction. (HYDRO/WQ-4.2)

54. Indoor water use in all proposed homes shall be limited through the following water conservation measure
 - a. All exposed hot water lines shall be insulated.
 - b. Recalculating, point-of-use or on-demand water heaters shall be installed. (HYDRO/WQ-4.3)
55. Project drainage improvements shall be completed in accordance with the Preliminary Drainage Plan recommendations by Penfield & Smith (2001) in the EIR. A complete list of recommendations is provided in EIR Appendix E-2, however, the following recommendations are directly associated with surface water quality and include:
 - a. Areas immediately downstream of CMP culverts under State Highway 1 located on City of Lompoc property shall be armored with velocity reduction structures to prevent further scour and erosion.
 - b. All drainages shall be directed away from the bluffs at the northwest boundary of the site. (HYDRO/WQ-6.0)
56. The following measures are required to address erosion impacts at the site and shall be included in the SWPPP and on the Final Map Public Improvement Plans:
 - a. Temporary berms and sedimentation traps, such as silt fencing, straw bales and sand bags, shall be installed in association with project grading to minimize erosion of soils and sedimentation in the storm drains. The sedimentation basins and traps shall be cleaned as needed periodically, and the silt shall be removed and disposed of in a location that shall not impact native habitat, as approved by the City of Lompoc Community Development Department and Public Works Department.
 - b. The amount of exposed soils shall be limited during any given period of project development or mass grading. Nonpaved areas shall be revegetated or restored (i.e., geotextile binding fabrics) immediately after grading to minimize erosion and to reestablish soil structure and fertility. Slopes over 6 feet in height on private lots shall be hydro-seeded on or before completion of construction on those lots. Revegetation shall include drought-resistant, fast-growing vegetation that would quickly stabilize exposed ground surfaces.
 - c. Runoff shall not be directed across exposed slopes. All surface runoff shall be conveyed in accordance with the approved site drainage plans.
 - d. Grading shall not occur during the wet season (November 1-April 15) unless erosion control devices indicated in the SWPPP and acceptable to the City Public Works Department are implemented.
 - e. Site grading shall be completed such that permanent drainage away from foundations and slabs is provided and so that water shall not pond near proposed structures or pavements. Individual lot grading shall be designed to minimize runoff. (HYDRO/WQ-6.1)
57. Long-term surface runoff pollution containment and minimization shall be implemented to avoid off-site water quality impacts, consistent with City of Lompoc operational BMP's (see EIR Appendix E-3) for construction and a site-specific SWPPP. The Final Map Public Improvement Plans drainage plan shall include revegetation of detention areas and filters installed at inlets to detention basins to protect groundwater. The plan shall include specifications for the filters to be maintained in working order. A Homeowner's Association (HOA) shall regularly maintain on-site detention basins and storm water filters, as specified in the HOA's CC&R's. (HYDRO/WQ-6.2a)

58. Pet waste pollution minimization shall be implemented in the vicinity of the proposed detention basins. An educational display/sign shall be installed and shall include information pertaining to pet waste and surface water pollution prevention. A Homeowner's Association (HOA) shall install and maintain pet waste plastic bag dispensers, as specified in the HOA's CC&R's. (HYDRO/WQ-6.2b)

Land Use

59. The following Notice of Airport in Vicinity declaration shall be included for all residential units within the Burton Ranch Specific Plan area:
"This property is presently located in the vicinity of an airport, within what is known as the airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (i.e. noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you." (LU-3.1)
60. The applicant shall enter into an aviation easement with the Lompoc Airport for all areas north of Burton Ranch Specific Plan Land Use Area 6 for the airspace associated with the Propeller Driven Departure Path as identified in the Santa Barbara County Airport Land Use Plan (SBCAG 1993). (LU-3.2)

Noise

61. Heavy construction activity for site preparation and for future development shall be limited to the hours of 8 AM to 6 PM, Monday through Friday, and 9 AM and 6 PM on Saturdays. No construction shall occur on Sundays or State Holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities (e.g., interior painting) are not subject to these restrictions. (NOISE-1a)
62. Stationary construction equipment shall be located on-site such that emitted noise is directed away or shielded from sensitive noise receptors. A Noise evaluation of stationary sources shall be conducted, and recommendations shall be developed to address noise emitted from any stationary sources (i.e. drilling rigs). Appropriate measures (i.e. noise blankets) shall be used to ensure that point source noise impacts on adjacent parcels do not exceed City of Lompoc standards. (NOSIE-1b)
63. All stationary and mobile construction equipment shall be equipped with the most modern and effective noise control devices (i.e., properly operating and maintained mufflers). All equipment shall be properly maintained to ensure that no additional noise due to worn or improperly maintained parts would be generated. (NOISE-1c)
64. Stockpiling and vehicle staging areas shall be located as far as practical from sensitive noise receptors. Every effort shall be made to create the greatest distance between noise sources and sensitive receptors during construction activities. (NOISE-1d)
65. A temporary solid barrier a minimum of 6-feet high such as plywood shall be constructed around the perimeter of the proposed water well drill and pump site that shall remain in place until all drilling and mechanical equipment activity has ceased. (NOISE-1e)
66. The applicant shall prepare a Municipal Water Well Enclosure Noise Attenuation Plan consistent with Mission Hills Community Services District specifications that shall demonstrate all well mechanical noise would be attenuated to less than the 60 dBA CNEL level. (NOISE-1.1)

67. Solid noise barriers (a perimeter wall or a combination berm and wall) shall be required for all noise sensitive development (e.g., residential and educational) proposed within 500 feet of State Highway 1 and 250 feet of Harris Grade Road. The height of the barrier would depend upon the location and height of the sensitive receptors as well as the location and height of the barrier. (NOISE-2a)
68. A city-qualified noise consultant shall submit noise attenuation evaluations for residential building plans within 300 feet of State Highway 1 and 185 feet of Harris Grade Road to determine the precise nature of any noise attenuating building materials such as solid core doors, and double-paned glass windows or other suitable noise-attenuating features required to ensure that interior noise levels, including second stories, do not exceed 45 dBA CNEL, consistent with the California Noise Insulation Standards (Title 24) and City of Lompoc standards. (NOISE-2b)

Public Services

69. The applicant shall implement a financing program acceptable to City's Finance Director to create and ensure an adequate long-term revenue stream, to be used by City to mitigate the substantial and continuous deficit funding created by the project's demand for community standard levels of fire prevention and suppression. The required program shall be in a nature of a maintenance endowment fund, a trust fund for specific services, or an equivalent financing mechanism acceptable to City's Finance Director. (PS-2.1.1)
70. A development fee of \$163 per single family dwelling unit and \$67 per multi-family unit, subject to change based on the Lompoc Impact Fee Study Report or as approved by the City Council, shall be paid to the City of Lompoc to provide funding for fire protection infrastructure (Reference Final EIR Appendix J). (PS-2.1.2)
71. The applicant shall prepare and implement a Burton Ranch Specific Plan Fire Protection Plan (FPP) that incorporates facilities and infrastructure into the design of the project to comply with Article 86 of the Uniform Fire Code (UFC), the Wildland Fire Code, and Fire Department Development Standards with respect to fire safety, including but not limited to the following:
 - a. two or more access and evacuation routes;
 - b. road and structure identification in plain view, consistent with Lompoc City Code Section 10-19 et seq.
 - c. private roadway width sufficient to accommodate Fire Department vehicles;
 - d. roadway grade and surface consistent with City Construction standards;
 - e. defensible space and vegetation management;
 - f. fire protection systems and equipment;
 - g. hydrant spacing consistent with Fire Department standards; and
 - h. water supply sufficient to maintain an adequate flow identified by current Insurance Service Organization requirements. (PS-2.2.1)
72. The following structural construction components shall apply to all residential development in Land Use Areas, 3, 4, and 5:
 - a. non-combustible roof coverings (Class A as defined by the UBC), siding and exterior walls;
 - b. double-paned windows;

- c. enclosed overhangs for roofs, balconies and decks constructed with 1-hour fire-resistant construction materials; and
 - d. spark arresters on chimneys. (PS-2.2.2a)
73. The applicant shall prepare a fire vegetation maintenance plan incorporating either Option 1(including a, b, and c), 2 or 3:
- 1a. A mosaic fuel break with a minimum 100-foot width from all residential and educational structures in lieu of a traditional fire break that shall be implemented as an interface between residential development and open space along Land Use Area 7 and the northern project boundary in Land Use Areas 4 and 5.
 - 1b. Within the mosaic fuel break, all flammable vegetation shall be removed within a minimum of 30-feet of structures.
 - 1c. Adjacent islands of native vegetation within 30 to 100 feet of structures shall be retained, surrounded by intervening low-flammable, drought-tolerant vegetation. The intervening planted areas shall be periodically irrigated, mowed, or cleared.
 - 2. Establish a 300-foot buffer area between project development and the BMER to ensure additional protection of the habitat and reduce the impact on Burton Mesa chaparral (see FEIR Figure 4.3-2). Alternative, to minimize the loss of Burton Mesa chaparral, the 300-foot buffer could be averaged across the northern boundary of the property (this would include the 100-foot minimum buffer at the northeast corner of the site, greater than the 100-foot buffers at the northern boundary, and all of the Land Use Area 7, as depicted in FEIR Figure 4.3-2).
 - 3. Construct an internal non-collector roadway parallel to and directly south of the solid wall (see FEIR Figure 4.3-3). The paved roadway would act as a firebreak that would minimize the amount of area requiring vegetation clearance and maintenance south of the wall. (PS-2.2.2b)
74. A development fee of \$181 per single family dwelling unit and \$300 per multi-family unit, subject to change based on the Lompoc Impact Fee Study Report or as approved by the City Council, shall be paid to the City of Lompoc to provide funding for the police services infrastructure (Refer to Final EIR Appendix J). (PS-3)
75. The applicant shall implement a financing program acceptable to City's Finance Director to create and ensure an adequate long-term revenue stream, to be used by City to mitigate the substantial and continuous deficit funding created by the project's demand for community standard levels of police protection. The required program shall be in a nature of a maintenance endowment fund, a trust fund for specific services, or an equivalent financing mechanism acceptable to the City's Finance Director. (PS-4)
76. The applicant shall pay statutory fees acceptable to LUSD as required, depending upon the outcome of the school site dedication. (PS-5.1)
77. The property owner shall offer to negotiate the transfer of a 12-acre elementary/middle school site in Land Use Area 5 to LUSD (by dedication or sale). (PS-5.2)
78. The applicant shall implement a financing program acceptable to City's Finance Director to create and ensure an adequate long-term revenue stream, to be used by City to mitigate the substantial and continuous deficit funding created by the project's demand for community standard levels of library services. The required program shall be in a nature of a maintenance endowment fund, a trust fund for specific services, or an equivalent financing mechanism acceptable to City's Finance Director. (PS-6.1)

79. A development fee of \$488 per single family dwelling unit and \$455 per multi-family unit, subject to change based on the Lompoc Impact Fee Study Report or as approved by the City Council, shall be paid to the City of Lompoc to provide funding for the Lompoc Library facility. (PS-6.2)

Recreation

80. A development fee of \$7,391.00 per single family dwelling unit and \$6,899.00 per multi-family unit, subject to change based on the Lompoc Impact Fee Study Report or as approved by the City Council, shall be paid to the City of Lompoc to offset costs of project population demand on park improvements, park land acquisition, and recreational centers. (REC-1)

Transportation

81. The applicant shall comply with the City of Lompoc standards for Traffic Control and Public Safety provisions (see Final EIR Appendix H-2). The applicant shall apply for an Encroachment Permit with the County of Santa Barbara for all work proposed within the County right-of-way along Harris Grade Road. (TRANS-1.1a)
82. Construction Roadway Maintenance Plan shall be prepared by the applicant to address potential conflicts with roadway circulation and pavement condition. The Plan shall include:
- a. Spillage resulting from hauling or ditching operations along or across any public traveled way shall be removed daily at the contractor's expense.
 - b. Any spoils piles, bedding gravel, base material, etc. shall be placed as far out of the traveled way as possible and removed within 24 hours.
 - c. All loads shall be covered.
 - d. No material or equipment shall be stored where it would interfere with the free and safe passage of public traffic.
 - e. The contractor shall remove all equipment and other obstructions from that portion of the roadway open for use by public traffic at the end of each day's work and at other times when construction operations are suspended for any reason.
 - f. Watering of public roadways to inhibit dust generation shall be prohibited. Construction activities shall utilize low water use sweepers.
 - g. The Construction Roadway Maintenance Plan shall be incorporated into the project Stormwater Pollution Prevention Plan.
 - h. The applicant shall apply for a haul permit from the County of Santa Barbara for the transport of earthwork along County roadways. (TRANS-1.1b)
83. The applicant shall obtain an Encroachment Permit from Caltrans prior to any and all construction within the State Highway 1 right-of-way. All work completed in the State Highway 1 right-of-way shall be done to Caltrans engineering and environmental standards, and at no cost to the State. The applicant shall apply for an Encroachment Permit with the County of Santa Barbara for all work proposed within the County right-of-way along Harris Grade Road. (TRANS-1.1c)
84. State Highway 1 shall be improved adjacent to the project site in conjunction with the proposed development, as specified by the City of Lompoc and approved by Caltrans. These shall include the following at the State Highway 1/project site entrance intersection:

- a. Increase the amount of storage at the left-turn channelization for southbound traffic.
- b. Include right-turn channelization for traffic traveling northbound.

Any improvements within the State Highway 1 right-of-way shall require an Encroachment Permit, which shall meet Caltrans requirements as set forth in the *Highway Design Manual* (Caltrans 2002b). The applicant shall coordinate with Caltrans and obtain an Encroachment Permit prior to initiating any improvements along State Highway 1. All work completed in the State Highway 1 right-of-way shall be done to Caltrans engineering and environmental standards, and at no cost to the State. (TRANS-1.2a)

85. The project applicant shall be responsible for dedicating right-of-way and constructing improvements to Harris Grade Road adjacent to the project site, as specified by the City of Lompoc. These improvements shall include a 14-foot median lane, left turn lanes and sidewalk at all site access points on Harris Grade Road. (TRANS-1.2b)
86. The applicant shall construct improvements that modify the southbound approach and exit lanes at the Harris Grade Road/Purisima Road intersection to provide two through lanes extending south of the intersection far enough to facilitate merging without creating congestion. The new southbound lane shall be 12-feet wide, consistent with HDM standards. The proposed taper that would gradually merge with traffic traveling south on State Highway 1 shall be extended, consistent with Caltrans specifications. A Caltrans Encroachment Permit shall be obtained for this work. All work completed in the State Highway 1 right-of-way shall be done to Caltrans engineering and environmental standards, and at no cost to the State. The applicant shall apply for an Encroachment Permit with the County of Santa Barbara for all work proposed within the County right-of-way along Harris Grade Road. (TRANS-1.2c)
87. The applicant shall be responsible for contributing 50 percent of the costs for the design and construction of dual northbound and southbound left-turn lanes at the H Street/Central Avenue intersection. The new dual northbound and southbound left-turn lanes shall be 12-feet wide, consistent with HDM standards, and utilize existing Caltrans right-of-way along each side of H Street (State Highway 1) or from the median. All work completed in the State Highway 1 right-of-way shall be done to Caltrans engineering and environmental standards, and at no cost to the State. (TRANS-1.2d)
88. The following improvements shall be required at off site key intersections to mitigate the impact of project related traffic and maintain an acceptable LOS upon General Plan buildout Year 2015. The applicant shall pay transportation fees to the City of Lompoc to mitigate the off-site impacts of project related traffic, based upon the level of service requirements specified by the City of Lompoc. The applicant shall contribute on a "fair share" basis to the intersection improvements as follows:
 - a. Harris Grade Road/Purisima Road: add westbound left-turn lane. Project Share of Traffic Increase = 28.13%.
 - b. "H Street/Central Avenue: add northbound right turn-lane. Project Share of Traffic Increase = 23.18%.
 - c. Purisima Road/State Route 246: signalize intersection. Project Share of Traffic Increase = 17.62% (to be provided to Caltrans). (TRANS-1.2e)

89. A development fee of \$3,926 per single family dwelling unit and \$2,756 per multi-family unit, including traffic signal, street improvement, and bikeway impact fees, subject to change based on the Lompoc Impact Fee Study Report, or as approved by the City Council, shall be paid to the City of Lompoc to provide funding for street improvements, installing traffic signals of region-wide benefit, and bikeways (See Final EIR Appendix J). (TRANS-1.2f)
90. The applicant shall install bus stops along project frontages consistent with City of Lompoc Public Works Department standards as required by the Public Works Department during the development review process for each development phase. (TRANS-1.2g)
91. The applicant shall provide and maintain adequate sight distances at all site access points on Harris Grade Road and at all internal intersections. (TRANS-1.4a)
92. The applicant shall install two-way on-site stop signs at the proposed access points onto Harris Grade Road to control site traffic exiting via Street B, Street C and Street D. (TRANS-1.4b)
93. The site access at the Harris Grade Road/Street B and Street C intersections shall include northbound and southbound left-turn lanes on Harris Grade Road within a 14-foot median. (TRANS-1.4c)
94. The site access at the Harris Grade Road/Street D intersection shall include a northbound left-turn lane on Harris Grade Road within a 14-foot median. (TRANS-1.4d)
95. Direct access to Street A on-site shall be located no closer than 300 feet north of the intersection of State Highway 1 to avoid having the access blocked by the 95th percentile queue of southbound vehicles exiting the project site (which is projected to extend 225 feet north of State Highway 1). (TRANS-1.4e)
96. All project site internal street design, including roundabouts and sidewalk widths, shall be designed according to standards deemed acceptable by the City of Lompoc. All collector roads shall be dedicated to the City. Residential and private drives shall be maintained by the homeowner's association or other special assessment district.

The applicant shall prepare a public education program to instruct the public on safe driving instructions in roundabouts. At a minimum, the program shall include three panel brochures on gloss 8.5" x 11" paper (front and back) and a video produced onsite using the project roundabouts. The brochure and video shall be given to all new homeowners. An original and 1,000 copies of the brochure shall be provided to the City of Lompoc for distribution at City Hall. The video shall be provided to the City of Lompoc in electronic format for distribution on the City website. (TRANS-3.1)
97. In the event that an agreement is reached between the applicant and the Lompoc Unified School District to transfer property in Land Use Area 5 for the construction of a school, the pavement width proposed for Street D shall be sufficient to allow parking and bike lanes on both sides of the street to accommodate peak parking demands associated with inclement weather and special events that involve a substantial number of parents parking at or near the school and walking across Street D. In addition, street lighting and pedestrian crosswalk locations along Street D shall be provided that take on-street school parking into account. In the event that an agreement is reached between the applicant and the Lompoc Unified School District but the school is not built by residential project buildout, the applicant shall provide funds sufficient to complete these improvements. (TRANS-3.2a)

98. The project proponent shall provide sufficient off-street parking on-site to meet the requirements of the City of Lompoc, particularly at the school site and the Land Use Area 1 attached multi-family residential units. (TRANS-3.2b)
99. All roundabout designs shall be subject to the review and approval of the City Fire Department and City Public Works Department to insure that the roundabout is consistent with City of Lompoc design criteria and that school buses and emergency vehicles can negotiate the turns required with the radius proposed. In the event that an agreement is reached between the applicant and the Lompoc Unified School District to transfer property in Land Use Area 5 for the construction of a school, all roundabout designs shall be subject to the review and approval of the Lompoc Unified School District. (TRANS-3.2c)
100. In the event that an agreement is reached between the applicant and the Lompoc Unified School District to transfer property in Land Use Area 5 for the construction of a school, the Street C or D/Harris Grade Road intersection access shall be signalized. In the event that an agreement is reached between the applicant and the LUSD but the school is not built by residential project buildout, the applicant shall provide funds sufficient to complete these improvements. (TRANS-3.2d)
101. The applicant shall provide for the following pedestrian and bicycle traffic improvements consistent with City of Lompoc Public Works Department standards:

Harris Grade Road:

- a. A sidewalk or paved trail along the entire west side of Harris Grade Road project site frontage to the Street D intersection.
- b. Improvements at the Harris Grade Road/State Highway 1 intersection to provide for safe pedestrian crossing from the southeast intersection corner to the northwest intersection corner.
- c. A Class II bike lane along the western side of Harris Grade Road pursuant to the General Plan Circulation Element. S.H. 1 and

S.H. 1 and S.H. 1/Purisima Road Intersection:

- d. Extend the existing bike lane on northbound S.H. 1 through the S.H. 1/Purisima Road Intersection, connecting with a new pedestrian/bicycle crosswalk north across Purisima Road, and connecting to a new pedestrian/ bicycle crosswalk spanning Harris Grade Road. All work completed in the State Highway 1 right-of-way shall be done to Caltrans engineering and environmental standards, and at no cost to the State. (TRANS-3.3)

Utilities

102. As part of a Development Agreement entered into with the Mission Hills Community Services District, the applicant shall prepare a plan for the water distribution system, delineating on- and off-site improvements that would be required to effectively provide water service to the site and demonstrating that the proposed water system meets applicable quality and pressure standards. (UTIL-1.1.1)
103. Demolition and/or excess construction materials shall be recycled where applicable (i.e., wood, cardboard, concrete, and asphalt). The applicant shall submit a Construction and Demolition Waste Management Plan. (UTIL-4.1a)
104. Chippers shall be used on-site to reduce excess woody material to mulch. The resulting mulch shall be used on-site or elsewhere, but shall not be taken to the City of Lompoc landfill. (UTIL-4.1b)

