

**CITY OF LOMPOC  
PLANNING COMMISSION STAFF REPORT**



**MEETING DATE:** MARCH 12, 2007  
**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** LUCILLE T. BREESE, AICP, CITY PLANNER  
**RE:** CUP 05-07 – CONDITIONAL USE PERMIT

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**AGENDA ITEM NO. 1**

Planning Commission review for possible revocation for Conditional Use Permit (CUP 05-07) granted to Calvin Tucker, representing New Life Ministries. Basis for revocation would be lack of compliance with Conditions of Approval. The project is located at 336 North G Street (Assessor Parcel Number 85-022-03) in the Commercial Industrial (CM) Zoning District.

**BACKGROUND:**

March 13, 2006	Planning Commission adopted Resolution Number 476 (06) with Conditions of Approval, approving Conditional Use Permit for the operation of the New Life Ministries.
April 12, 2006	Mr. Tucker signed Conditions of Approval.
June 13, 2006	Engineering Division issued Stop Work Order.
Sept. 19, 2006	A letter was sent to Mr. Tucker regarding the lack of compliance with the Conditions of Approval.
Oct. 09, 2006	Planning Commission reviewed proposal, directed staff to return in two months with status report. Minutes of meeting attached (Attachment No.2)
Oct. 19, 2006	Building, Engineering, and Planning staff met with Mr. Tucker to clarify Conditional of Approval requirements. Letter of October 24, 2006 was sent requesting progress statement from Mr. Tucker by November 28, 2006 (Attachment No. 3)
Jan. 10, 2007	Mr. Tucker requested a continuance to the March 2007 Planning Commission meeting.
Feb. 12, 2007	The Commission continued the hearing to March 2007.

**DISCUSSION:**

The Conditional Use Permit for the New Life Ministries was approved by the Commission with Conditions of approval that required the applicant to obtain Building permits and Fire Department clearance for safety issues related to the change of occupancy. These requirements are in place to assure the safety of the occupants of the building. The safety requirements are different based upon the type of occupancy proposed for the building. To date, the New Life Ministries has not submitted plans for the required changes.

The Conditions of Approval also required that the property be developed according to City development standards. These include the parking lot design, landscaping, signage. These requirements are in place to assure that a use is consistent with the development standards adopted by the Council. To date, the New Life Ministries has incorrectly striped the parking lot and was advised that the design was incorrect. Staff had asked to review any plans prior to the work being done but this did not occur. The landscape plan was submitted by the property owner and staff has worked with him. This work will be completed in the near future even if the Church does not remain at the site.

Planning staff has checked with the Building Division and Engineering Division staff and neither Division has had any contact with Mr. Tucker or any person representing Mr. Tucker as of Tuesday March 6, 2007.

**NOTICE:**

Notice was provided to the applicant pursuant to the Lompoc City Code Section 8882 g. Conditional Use Permit Procedure Revocation of Conditional Use Permit.

**APPEAL RIGHTS:**

Any person has the right to appeal the Planning Commission action to the City Council within ten days of the action. Contact a Planning Division staff member for the required appeal form, the fee is \$36.70.

**RECOMMENDATION:**

Staff recommends that the Planning Commission adopt Resolution No. 544 (07) revoking the Conditional Use Permit – CUP 05-07 granted to the New Life Ministries at 336 North G Street for lack of compliance with Conditions of Approval.

**ATTACHMENTS:**

- 1) [PC Resolution No. 544 \(07\)](#)

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 City Planner	Date

**RESOLUTION NO. 544 (07)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC  
REVOKING A CONDITIONAL USE PERMIT TO ALLOW OPERATION OF THE  
NEW LIFE MINISTRIES CHURCH AT 336 NORTH G STREET (CUP 05-07)**

**WHEREAS**, on March 13, 2006 the Planning Commission adopted Resolution No. 476 (06) with Conditions of Approval to allow the operation of the New Life Ministries Church at 336 North G Street (Assessor Parcel Number: 85-022-03); and

**WHEREAS**, on September 19, 2006 staff advised the applicant that the Conditions of Approval that had been agreed to by the applicant were not met; and

**WHEREAS**, on October 9, 2006 the matter was considered by the Planning Commission at a duly-noticed public meeting and the applicant was advised to work with staff to meet the Conditions; and

**WHEREAS**, on December 11, 2006 the matter was reviewed by Planning Commission at a duly noticed public hearing and the applicant was advised that failure to comply with the Conditions of Approval would result in the Conditional Use Permit being considered for revocation; and

**WHEREAS**, on December 12, 2006 the applicant was notified by Certified Mail that, based upon lack of conformance with Conditions of Approval, the Planning Commission would consider revocation of CUP 05-07. The notice was provided in accordance with Section 8882 of the City of Lompoc Zoning Ordinance; and

**WHEREAS**, at the meeting of February 12, 2007 the applicant requested and was granted a continuance to March 12, 2007; and

**WHEREAS**, at the meeting of March 12, 2007 the Commission the Commission held a public hearing to consider revocation of CUP 05-07; and

**WHEREAS**, at the meeting of March 12, 2007 \_\_\_\_\_ was present and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of March 12, 2007 \_\_\_\_\_ spoke in favor of, or in opposition to, the proposal.

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

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

- A. Specific Conditions of Approval placed on the Conditional Use Permit were necessary for the health and safety of inhabitants of the building; and

- B. Specific Conditions of Approval were placed on the Conditional Use Permit to comply with the City of Lompoc Development Standards and Architectural Review Guidelines; and
- C. The applicant signed and agreed to the Conditions of Approval; and
- D. The Conditions of Approval have not been met.

**SECTION 2:** Based upon the above noted findings of fact, the Planning Commission of the City of Lompoc resolves that Conditional Use Permit (CUP 05-07), granted to the New Life Ministries on March 13, 2006, is hereby revoked, effective immediately.

The foregoing Resolution, revoking Conditional Use Permit -- CUP 05-07 to allow , on a motion by Commissioner \_\_\_\_, seconded by Commissioner \_\_\_\_, was adopted at the regular Planning Commission meeting of March 12, 2007 by the following vote:

**AYES:**

**NOES:**

\_\_\_\_\_  
Arleen T. Pelster, AICP, Secretary

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Jack Rodenhi, Chair