

**CITY OF LOMPOC  
PLANNING COMMISSION STAFF REPORT**



**MEETING DATE:** JUNE 14, 2004

**TO:** MEMBERS OF THE PLANNING COMMISSION

**FROM:** LUCILLE T. BREESE, AICP, CITY PLANNER

**RE:** CUP 89-03 – CONDITIONAL USE PERMIT REVIEW

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**CONSENT CALENDAR:**

(All items listed under Consent Calendar are considered to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the time the Commission votes on the motion to adopt).

**CONSENT AGENDA ITEM NO. 1**

A request submitted by The Lodge of Lompoc (formally Franciscan Manor) for the required review of the Conditional Use Permit for the facility located at 1420 West North Avenue (APN: 89-040-032 and –033). The review was imposed in connection with Tentative Parcel Map LOM 485-P. This action is Categorically Exempt pursuant to the provisions of the California Environmental Quality Act (CEQA).

**AUTHORITY**

The Planning Commission has the authority to impose conditions such as the subject review in conjunction with approval of a Conditional Use Permit (Lompoc City Code Section 8882).

**BACKGROUND:**

Conditional Use Permit CUP 89-03 was approved by the City Council on June 6, 1989, Resolution No. 3844 (89). The approval was for a 150 bed convalescent care hospital (to be constructed) and a 130 bed residential care facility (which was in operation) on a 4.7 acre parcel in a 7-R-1 zoning district. Condition of Approval No. 2 required that the Planning Commission review the CUP every five years.

On April 22, 1996 the Planning Commission adopted Resolution No. 96-08 approving Tentative Parcel Map LOM 485-P which subdivided the existing lot into two parcels. During the review of the proposed Parcel Map it came to staff's attention that the required review had not occurred. It was a Condition of Approval for the map that the five year review be applied for prior to recordation of the Final Parcel Map.

On June 10, 1996 the Planning Commission conducted the first review of CUP 89-03. Several items of concern were noted and the Commission adopted Resolution No. 96-12 placing several additional conditions on CUP 89-03.

On June 14, 1999 the Planning Commission reviewed the Conditional Use Permit and adopted Resolution 102 (99), approving the five year review. It was noted at that time that the required Landscape Maintenance Agreement had been recorded and all Conditions of Approval had been complied with. Since that time the name “Franciscan Manor” has been changed to “The Lodge of Lompoc”.

**STAFF REVIEW:**

A Development Review Board meeting was not held for this request as it is an existing use and no internal or external changes are proposed. The Building / Fire Department was contacted regarding extension of this permit and no issues were identified. The intent of this contact was to assure that the applicant had completed all requirements of the original CUP and that there were no outstanding issues that should be considered by the Planning Commission prior to renewing the CUP.

**CUP REVIEW:**

In June of 1989 the City Council approved a Conditional Use Permit (CUP 89-03) for the operation of the Franciscan Manor at 1420 West North Avenue in Lompoc. Resolution Number 3844 (89) included a Condition of Approval (COA P-2) requiring Planning Commission review of the Conditional Use Permit every five (5) years. There have been no complaints received by the City regarding this use. A Condition of Approval is included which requires Planning Commission review of CUP 89-03 on or before June 2009 (COA P4).

**NOTICING:**

Notice of the Public Hearing was published in the Lompoc Record on June 4, 2004 and all property owners of record within 300 feet of the subject site were notified by U.S. Mail on June 4, 2004.

**ENVIRONMENTAL DETERMINATION:**

The project is categorically exempt from review pursuant to Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA). A Notice of Exemption will be filed for the project following the Commission action.

**RECOMMENDATION:**

Staff recommends that the Planning Commission adopt the attached Resolution 346 (04) approving the five-year review of CUP 89-03 for The Lodge of Lompoc based on the Findings of Fact noted in the Resolution and subject to the attached Conditions of Approval.

**ATTACHMENTS:**

1. Draft Resolution No. 346 (04)

RESOLUTION NO. 346 (04)

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING THE RENEWAL OF CONDITIONAL USE PERMIT - CUP 89-03**

**WHEREAS**, a request was submitted by The Lodge of Lompoc, LLC for the required review of the Conditional Use Permit for The Lodge of Lompoc located at 1420 West North Avenue (APN: 89-040-032 and -033); and

**WHEREAS**, the request was considered by the Planning Commission at duly-noticed public meeting on June 14, 2004; and

**WHEREAS**, at the meeting of June 14, 2004, \_\_\_\_\_ was present to address Commission questions and concerns; and

**WHEREAS**, at the meeting of June 14, 2004, \_\_\_\_\_ spoke in support of, or in opposition to, the required review; and

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

**SECTION 1:** The use, as conditioned, is compatible with neighboring residential uses; therefore, it can be found:

- A. The use is not resulting in adverse effect upon the abutting and surrounding property from the permitted use thereof.

The use, as conditioned, meets the requirements of the Lompoc City Code; therefore, it can be found that:

- B. The additional conditions imposed in the decision are deemed necessary to protect the public health, safety, and welfare.

**SECTION 2:** Based upon the foregoing, CUP 89-03 is conditionally renewed as proposed on June 14, 2004, subject to the conditions attached as Exhibit A which are incorporated by reference as if fully set forth herein.

The foregoing resolution, on motion by Commissioner\_\_\_\_\_, seconded by Commissioner\_\_\_\_\_, was adopted at the regular Planning Commission meeting of June 14, 2004 by the following vote:

**AYES:**

**NOES:**

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

\_\_\_\_\_  
Jack Rodenhi, Chair

**CONDITIONS OF APPROVAL**  
**Review of CUP 89-03**  
**The Lodge of Lompoc – 1420 West North Avenue**

The following special conditions are imposed by the Planning Commission during their required review of Conditional Use Permit CUP 89-03 on June 14, 2004.

**I. PLANNING**

**Planning - General Conditions**

- P1. All applicable provisions of the Lompoc City Code are made a part of these conditions of approval in their entirety, as if fully contained herein.
- P2. The right of use and occupancy permits shall be contingent upon the fulfillment of all general and special conditions imposed by the conditional use permit procedure.
- P3. Except as modified here, all original conditions of approval in the City Council Resolution No. 3844 (89) and Planning Commission Resolutions No. 96-12 and 102 (99) shall remain in full force and effect.
- P4. The next required Planning Commission review of CUP 89-03 shall be conducted in June 2009.

**Planning – Conditional Use Permit Conditions**

- P5. The right to use an occupancy permit shall be contingent upon the fulfillment of any general and special conditions imposed by the conditional use permit procedure.
- P6. All of the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors or assigns and a covenant to the effect may be required.
- P7. All of the conditions shall be consented to in writing by the applicant.
- P8. The resolution granting the application, together with all consent forms and a description of the property shall be recorded by the Recorder of the County of Santa Barbara.
- P9. The use permit granted is conditioned upon the rights and privileges acquired thereby being utilized within one year after the effective date of approval, and should the rights or privileges authorized hereby fail to be executed or utilized within said year, or when a building permit has not been issued within said year, or when some form of work is involved which has not actually commenced within said year, or if so commenced, is null and void; unless such permit has not been utilized or such construction work started or completed within such one year period by reason of delays caused by the City in approving plans, in which event the City Planner shall grant and record

a commensurate extension. The Planning Commission may, at its discretion, and with the consent or upon request of the permittee, for any cause, grant a reasonable extension of time in addition to the one (1) year period hereinabove provided. Such a request for extension shall have been filed with the Secretary of the Planning Commission fifteen (15) days prior to the expiration of the one (1) year.

P10. This Conditional Use Permit may be reviewed and reconsidered by the Planning Commission at any time for the purpose of imposing new conditions to mitigate a nuisance or to revoke the permit to abate a nuisance.

**II. BUILDING AND FIRE SAFETY**

No General or Project Specific Conditions

**III. PARKS AND URBAN FORESTRY**

No General or Project Specific Conditions

**IV. AVIATION/TRANSPORTATION**

No General or Project Specific Conditions

**V. ENGINEERING**

No General or Project Specific Conditions

**VI. SOLID WASTE**

No General or Project Specific Conditions

**VII. ELECTRIC**

No General or Project Specific Conditions

**VIII. WATER**

No General or Project Specific Conditions

**IX. WASTEWATER**

No General or Project Specific Conditions

As project applicant, I do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the required review of Conditional Use Permit 89-03 for The Lodge of Lompoc. As project applicant, I agree to comply with these conditions and all other applicable laws and regulations at all times.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date