



## Planning Commission Agenda Item

**Planning Commission Meeting Date:** February 14, 2018

**TO:** Members of the Planning Commission

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

**SUBJECT:** Development Plan Review – DR 17-08  
Burger King Architectural Review

### **AGENDA ITEM NO. 3**

A request from John Dodson, representing property owner Richard Quan, for Planning Commission consideration of a proposal to remodel the exterior of an existing Burger King restaurant. The project site is 0.38 acres and is located at 1153 North H Street (APN: 089-011-019) in the *Planned Commercial Development (PCD)* Zoning district. This action is categorically exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

### **Scope of Review**

The Planning Commission is being asked to consider:

- If the project meets the property development standards for the *Planned Commercial Development (PCD)* Zoning District;
- If the proposal is consistent with the Architectural Review Guidelines;
- If the required Findings of Fact in the Resolution can be made; and
- If the Conditions of Approval are appropriate for the project.

### **Planning Commission Action**

1. Adopt Resolution No. 879 (18) approving Development Plan (DR 17-08) for the Burger King Architectural Review, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval; or
2. Provide other direction.

### **Site Data**

1. Property Owner: Richard Quon Trust
2. Site Location: 1153 North H Street
3. Assessor's Parcel Number: 089-011-019
4. Site Zoning: Planned Commercial Development
5. General Plan Designation: General Commercial
6. Site Use: Restaurant (Burger King)
7. Surrounding Uses/Zoning:
  - North - Hilton Garden Inn/PCD
  - South - Multi-Tenant Commercial Center/PCD
  - East - Taco Roco/ PCD
  - West - Multi-Tenant Commercial Center/PCD
8. Site Area: 16,624 Square Feet/0.38 acres

### **Conformance with General Plan**

The General Plan Land Use designation for this property is *Planned Commercial Development (PCD)* and the stated purpose is:

*To provide commercial areas for a wide variety of retail, office, and service oriented enterprises which meet the needs of residents and visitors. To accommodate commercial uses which operate more effectively outside the other commercial areas of the community. (Lompoc 2030 General Plan, Land Use Element, Table LU-1).*

The project proposes to remodel an existing restaurant's building exterior. The existing use is permitted in the *Planned Commercial Development (PCD)* district and consistent with the General Plan Land Use designation.

### **Conformance with Zoning Ordinance**

The zoning for the site is *Planned Commercial Development (PCD)*. The purpose of this zone is:

*To provide for the orderly development of commercial centers in conformance with the comprehensive land use element of the City. This district is intended to provide flexibility in the design arrangements of various types of commercial developments. (Lompoc Municipal Code Section 17.064.010).*

The project, as proposed, meets the zoning standards and is an existing permitted use within the *Planned Commercial Development (PCD)* Zoning District. Therefore, the proposed project is consistent with the zoning district.

### **Site Plan**

The project is located at 1153 North H Street (south of the recently completed Hilton Garden Inn) with an existing one story Burger King restaurant which fronts H Street with access from H Street and Barton Avenue (Attachment 2, Site Plan). The proposed project is a remodel of the exterior of the restaurant and would include a landscape removal and replacement on a portion of the site (as shown highlighted in yellow on the attached site plan). Drought tolerant landscaping is proposed to replace the existing lawn surrounding the building and drive thru. As proposed, no changes would be made to the existing parking lot or circulation configuration.

### **Signage**

The applicant is not requesting review of signage by the Planning Commission at this time. In addition, a Sign Program is not required given that less than four businesses or tenant spaces are located at this parcel. Therefore, signage will only be reviewed at the staff level for compliance with the City's Sign Regulations (COA P49).

### **Architectural Review Guidelines**

The proposed remodel is designed in a contemporary architectural style. The existing mansard roof and glass enclosure would be removed. The building would contain tower elements on each elevation except for the rear of the building which would help break up the building massing. The proposed towers would face both H Street and Barton Avenue and are made of a vintage wood cedar finish. Red natural granite ceramic tile would be placed on the storefront and drive-thru elevations creating architectural variety. The exterior would feature two paint colors (tanners taupe & Monterey cliffs) that are both earth tones creating a consistent color scheme.

Although not shown on the attached elevation drawings, the project has been conditioned with four foot high decorative stone wainscoting which would add additional architectural detailing to the exterior of the building. Metal anodized canopies would be located on all building elevations except at the rear of the building. An illuminated corrugated band would run across the top of each elevation except for the rear of the building. Staff is recommending that the band on the parking lot elevation (south) extend the entire length of the building. Each of these architectural elements and associated colors can be seen on the attached elevation drawings shown in Attachment 1. In addition, a color/materials board will be available at the Planning Commission meeting for review. Staff has reviewed the proposed building elevations and with a condition of approval to add stone wainscoting, the project meets the City's Architectural Review Guidelines.

**Staff Review**

No formal Development Review Board (DRB) meeting was held for this project since this project includes only exterior changes to the building. However, the application was circulated and Conditions of Approval were drafted by each of the departments, providing both standard and project specific requirements as necessary.

As conditioned, the project meets the Development Standards of the zoning ordinance and therefore staff recommends that the Planning Commission adopt Resolution No. 879(18), approving the Development Plan (DR 17-08) based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.

**Environmental Determination**

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

**Noticing**

On January 31, 2018:

- 1) Notices were mailed to property owners within 300 feet by US mail;
- 2) Notice was posted on the City website;
- 3) The project site was posted by City staff;

On February 4, 2018:

- 4) Notice of the Public Hearing was published in the Lompoc Record.

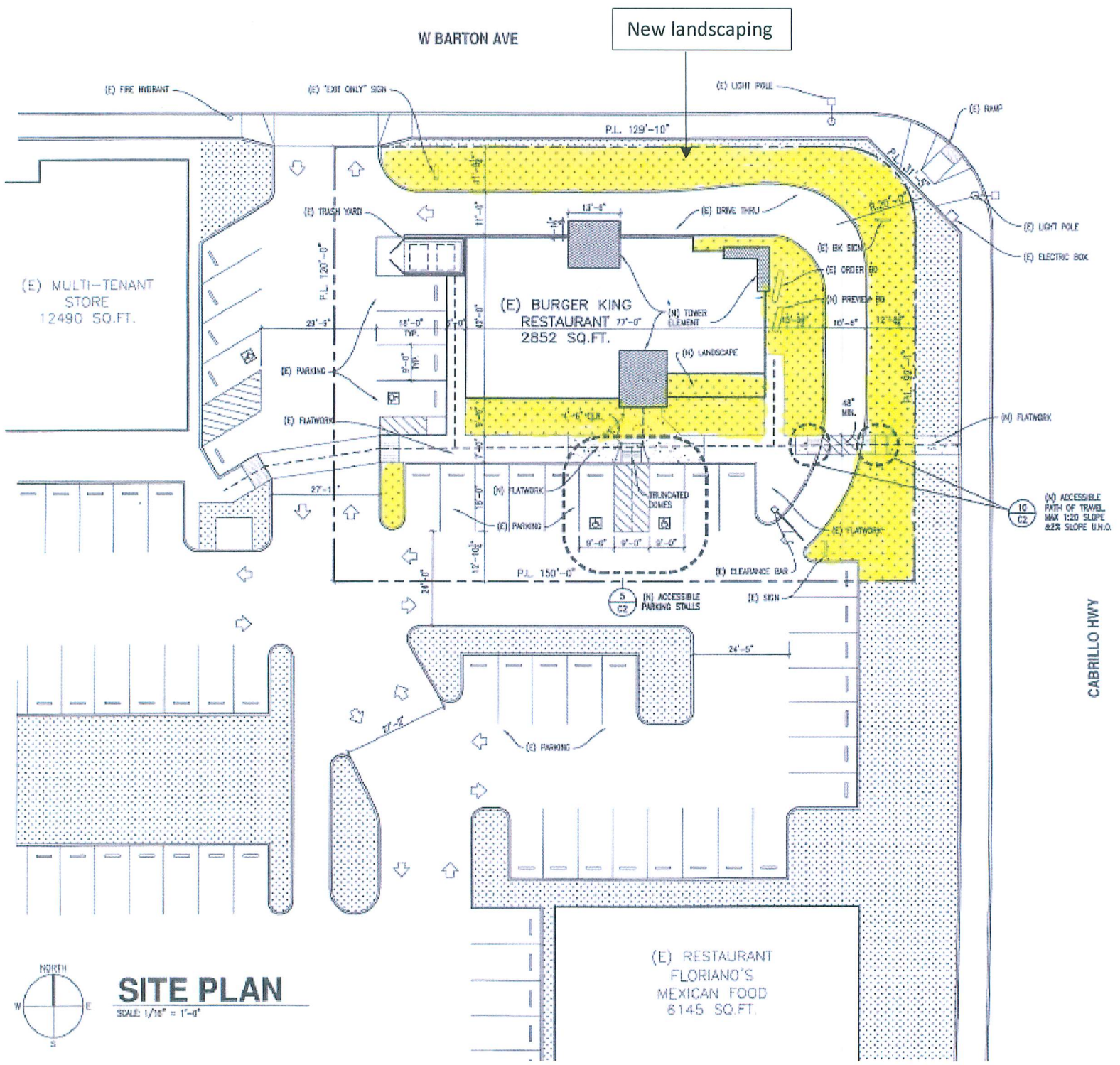
**Appeal Rights**

Any person has the right to appeal the Planning Commission action to the City Council within ten days of the action. Contact a Planning Division staff member for the required appeal form; the fee is \$257.80.

**Attachments**

- 1. [Site Plan, Existing Elevations and Proposed Building Elevations](#)
- 2. [Draft Resolution No. 879\(18\) approving DR 17-08 and Conditions of Approval](#)

Staff Report has been reviewed and approved for submission to the Planning Commission			
Christie Alarcon Interim Economic Development Director		Date	Brian Halvorson Planning Manager
			Date



W BARTON AVE

New landscaping

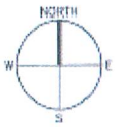
(E) MULTI-TENANT STORE  
12490 SQ.FT.

(E) BURGER KING RESTAURANT  
2852 SQ.FT.

(E) RESTAURANT FLORIANO'S MEXICAN FOOD  
8145 SQ.FT.

### SITE PLAN

SCALE: 1/16" = 1'-0"



(N) ACCESSIBLE PATH OF TRAVEL  
MAX 1:20 SLOPE  
82% SLOPE U.N.O.

CABRILLO HWY



Existing South Elevation

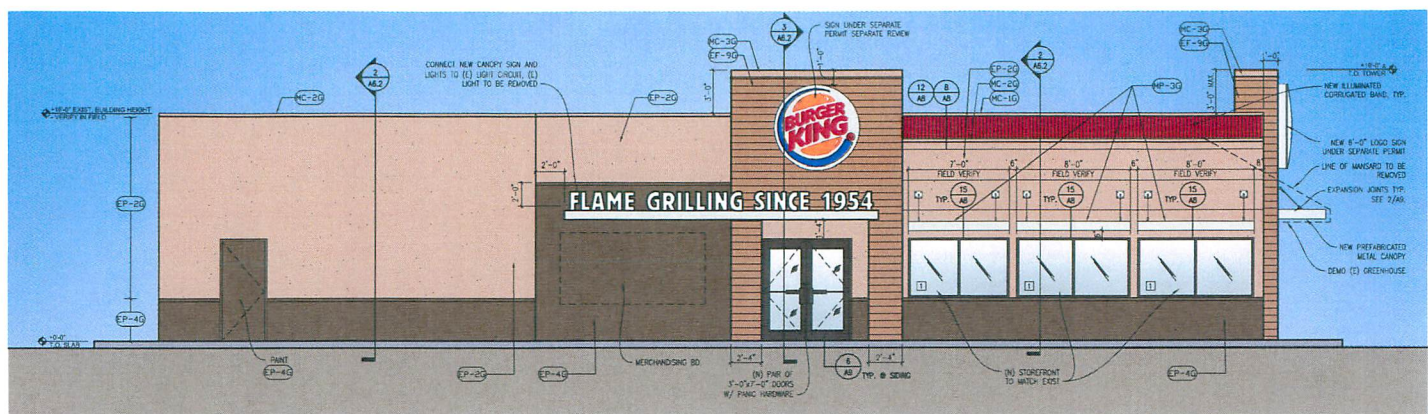


Existing East Elevation (Facing H Street)



ARMÉT DAVIS NEWLOWE & ASSOCIATES, AIA ARCHITECTS  
 1300 OLIVE ST. SUITE 100  
 SANTA MONICA, CALIFORNIA 90401  
 PH 310 452-0333 FAX 310 450-4742

REV. DATE DESCRIPTION



South Elevation



East Elevation (Facing H Street)

ALL FINISHES AS PER GARDEN GRILL FINISH SCHEDULE

STORE #5036

THE USE OF THIS PLAN AND SPECIFICATIONS SHALL BE LIMITED TO THE DRAWING LIST FOR WHICH THEY WERE PREPARED AND NO ALTERATION OR ADDITION SHALL BE MADE WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED.



LOCATION

STORE #5036  
 1153 NORTH H STREET  
 LOMPOC, CA 93438

DATE 10/10/17

JOB NO.

DRAWN BY: A4.8.5  
 CHECKED BY:

FILE NAME: A4.8.5 Elevations.dwg

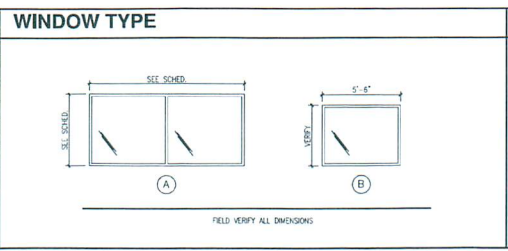
ELEVATIONS

A4

WINDOW SCHEDULE							
NO.	TYP.	SIZE (W x HT.)	FRAME	HEAD HT.	GLAZING	TYP. RATING	U FACTOR SHGC VT NOTES
1	A	8'-0" x 4'-2"	ALUM.	9'-0" VERT.	1/4" DRILL GLASS	-	0.29 0.27 0.64
2	A	8'-0" x 4'-6"	ALUM.	9'-0" VERT.	1/4" DRILL GLASS	-	0.29 0.27 0.64
3	B	5'-8" x 4'-2"	ALUM.	9'-0" VERT.	1/4" DRILL GLASS	-	0.29 0.27 0.64

**WINDOW NOTES**

- DIMENSIONS ARE APPROXIMATE INCLUDING FRAMES. FIELD VERIFY ALL DIMENSIONS FOR ALL WINDOWS.
- NEW STOREFRONT FRAME FINISH SHALL BE BRONZE FINISH. EXISTING FRAMES TO BE PAINTED TO MATCH NEW STORE FRONT.
- 1" LOW-E INSULATED GLASS - F CLEAR ANNEALED GLASS W/ SOLARBAND 70 (2% LOW E-COATING ON INSIDE SURFACE AT OUTBOARD LIGHT), F AIR SPACE, F CLEAR INBOARD LIGHT.
- EXISTING STOREFRONT FRAME AND GLASS SHALL BE CLEANED AND REPAIRED AS REQUIRED.



**LEGEND**

ECT-10	EXTERIOR CERAMIC TILE	GRANITE FINANDE, SENSIBLE STONE EDGOS2, RED NATURAL
ET-90	EXTERIOR FINISH FIBER CEMENT	NORIMA VANTAGE WOOD CEDAR
CR-10	ALUMINUM TRIMS, MICHON	NORIMA VANTAGE WOOD CEDAR
EP-20	EXTERIOR PAINT	PPG, COLOR 'MONKIE'S LAURE'
EP-40	EXTERIOR PAINT	PPG, COLOR 'MONTEREY CLEFTS', #101Y 14/090
MC-10	METAL COPING	W.P. HODGMAN SYSTEMS, INC., COLOR 'SILVERSMITH', A-30
MC-20	METAL COPING	W.P. HODGMAN SYSTEMS, INC., COLOR PAINT TO MATCH EP-20
MC-30	METAL COPING	W.P. HODGMAN SYSTEMS, INC., COLOR PAINT TO MATCH EP-30
MC-40	METAL COPING	CLEAR ANODIZED
MP-30	METAL CANOPY	BERRIDGE ROOFING, COLOR PREMIUM METALLIC 'ZINC COLE'
MP-40	METAL ANIMING / STANDING SEAM ROOF	BERRIDGE ROOFING, COLOR PREMIUM METALLIC 'ZINC COLE'
ET-90	STONE VENEER	BORAL STONE PRODUCTS, COUNTRY LAKESTONE 'ASPEN'
ET-90	NORIMA SIDING	CEDAR FINISH

**GENERAL NOTES**

- ALL SIGNAGE UNDER SEPARATE PERMIT.
- ALL EXISTING LIGHT BAND TO BE REMOVED AND REPLACED WITH NEW PATCH - REPAIR AND PAINT ALL EXISTING EXTERIOR PLASTER TO REMAIN. REFER TO DRAWINGS 1, 2 AND 5 ON SHEET A8 FOR STANDARD PLASTER DETAILS.
- EXISTING STOREFRONT FRAME AND GLASS SHALL BE CLEANED AND REPAIRED AS REQUIRED.
- NEW STOREFRONT FRAME FINISH SHALL BE BRONZE FINISH. EXISTING FRAMES TO BE PAINTED TO MATCH NEW STORE FRONT.

Wainscot required around the exterior of building, as conditioned.





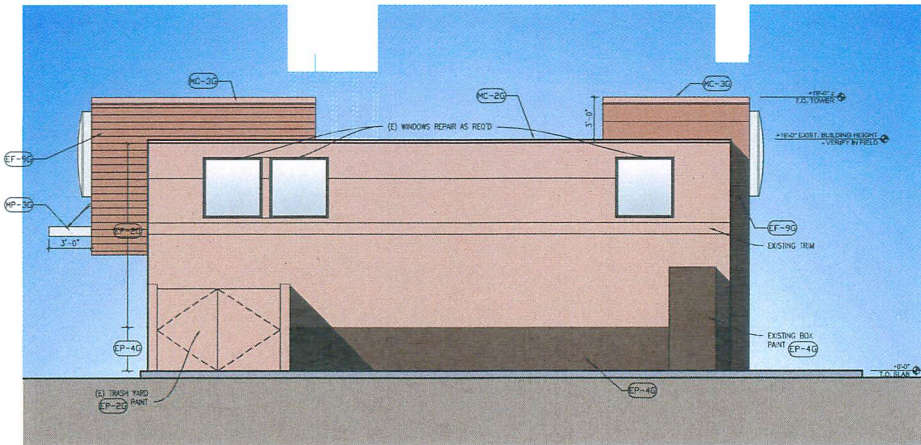
ARMÉT DAVIS NEVLOVE & ASSOCIATES, AIA ARCHITECTS

11325 OLIVE BLVD  
SANTA MONICA, CALIFORNIA 90404  
PH 310 452-0533 FAX 310 452-4742

REV. DATE DESCRIPTION



North Elevation



West Elevation

ALL FINISHES AS PER GARDEN GRILL FINISH SCHEDULE

STORE #5036

THE USE OF TRADE NAMES AND SPECIFICATIONS SHALL BE REFERRED TO THE DRAWING SET FOR WHICH THEY WERE PROVIDED. THE CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN SUCH USE, RE-USE, REPRODUCTION OR PUBLICATION BY ANY METHOD. IN WASTE OF IN TIME OR FINANCES, THIS IS THE PLAN, AND SPECIFICATION SUBJECT WITH THE ARCHITECT WITHOUT FURTHER. VISUAL CONTACT WITH THESE TERMS AND SPECIFICATIONS SHALL CONSTITUTE FROM THIS NOTICE OF THE ACCEPTANCE OF THE RECORDS.



LOCATION  
STORE #5036  
1153 NORTH H STREET  
LOMPOC, CA 93436

DATE  
10/18/17

JOB NO.

DRAWN BY

CHECKED BY

TITLE NAME  
A4&S Elevations.dwg

ELEVATIONS

A5

LEGEND

ECT-10	EXTERIOR CERAMIC TILE	GRANITE FINANDS, SENSIBLE STONE ED2002, RED NATURAL
EP-30	EXTERIOR FINISH FIBER CEMENT	NICHHA, VINTAGE WOOD CEDAR
TR-10	ALUMINUM TRIMS, ARCHON	NICHHA, VINTAGE WOOD CEDAR
EP-20	EXTERIOR PAINT	PPG, COLOR "TANNER'S TAUPÉ"
EP-40	EXTERIOR PAINT	PPG, COLOR "MONTREY CLIFFS", #1071 14/20
MC-10	METAL COPING	M.P. HODMAN SYSTEMS, INC., COLOR "SOLARSHIMMER", A-30
MC-20	METAL COPING	M.P. HODMAN SYSTEMS, INC., COLOR PAINT TO MATCH EP-20
MC-30	METAL COPING	M.P. HODMAN SYSTEMS, INC., COLOR PAINT TO MATCH EP-30
EP-30	METAL CANDY	CLEAR ANODIZED
EP-40	METAL FINISH / STANDING SEAM ROOF	BERRIDGE ROOFING, COLOR PREMIUM METAL/C "ZINC COLE"
EP-80	STONE VENEER	BORAL STONE PRODUCTS, COUNTRY LADGES/STONE "ASPEN"
EP-90	NICHHA SIDING	CEDAR FINISH

GENERAL NOTES

1. ALL SIGNAGE UNDER SEPARATE PERMIT
2. ALL EXISTING LIGHT BAND TO BE REMOVED AND REPLACED WITH NEW PATCH - REPAIR AND PAINT ALL EXISTING EXTERIOR PLASTER TO REMAIN REFER TO DRAWINGS 1, 2 AND 3 ON SHEET A0 FOR STANDARD PLASTER DETAILS
3. EXISTING STOREFRONT FRAME AND GLASS SHALL BE CLEANED AND REPAIRED AS REQUIRED
4. NEW STOREFRONT FRAME FINISH SHALL BE BRONZE FINISH EXISTING FRAMES TO BE PAINTED TO MATCH NEW STORE FRONT

Wainscot required around the exterior of building, as conditioned.

**RESOLUTION NO. 879 (18)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A DEVELOPMENT PLAN (DR 17-08) FOR THE BURGER KING ARCHITECTURAL REVIEW LOCATED AT 1153 NORTH H STREET**

**WHEREAS**, a request from John Dodson, representing property owner Richard Quon, for Planning Commission consideration of a proposal to remodel the exterior of an existing Burger King restaurant. The project site is 0.38 acres and is located at 1153 North H Street (APN: 089-011-019) in the *Planned Commercial Development (PCD)* zone; and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on February 14, 2018; and

**WHEREAS**, at the meeting of February 14, 2018, \_\_\_ was present, and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of February 14, 2018, \_\_\_ spoke in favor of or in opposition to the project; and

**WHEREAS**, this action is exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

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

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that the proposal, as conditioned, meets the requirements of the Lompoc Municipal Code and is consistent with the applicable policies and development standards. The Planning Commission finds that:

- A. The proposed use, as conditioned, is consistent with the applicable policies and development standards set forth in Lompoc Municipal Code Chapter 17.048.
- B. The site for the proposed use is adequate in size and topography to accommodate said use, and all yards, spaces, walls and fences, and landscaping are adequate to properly adjust such use with the land and uses in the vicinity.
- C. The site of the proposed use relates to streets and highways adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed use.

- D. The proposed use will have no adverse effect upon the abutting and surrounding properties from the permitted uses thereof.
- E. The proposed use is within the intent and purpose of the *Planned Commercial Development (PCD)* zoning district.
- F. The proposed use is not more obnoxious or detrimental to the public welfare, and is of a comparable nature and of the same class as the uses enumerated in Section 17.048.020 of the Lompoc Municipal Code.
- G. The conditions stated in Exhibit A to this Resolution are necessary to protect the public health, safety, and welfare.
- H. The proposed project is in compliance with the City's Architectural Review Guidelines.

**SECTION 2:** Based upon the foregoing, the proposal under DR 17-08 at 1153 North H Street is approved on February 14, 2018, subject to the conditions attached as Exhibit A, which are incorporated by reference as if fully set forth herein.

The foregoing Resolution was adopted, on motion by Commissioner\_\_\_\_, seconded by Commissioner\_\_\_\_, at the Planning Commission meeting of February 14, 2018 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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Brian Halvorson, Secretary

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Ron Fink, Chair

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

**DRAFT CONDITIONS OF APPROVAL  
DR 17-08 – Burger King Architectural Review  
1153 North H Street (APN 089-011-019)**

The Conditions of Approval apply to DR 17-08 and the plans prepared by John Dodson dated October 10, 2017, received by the Planning Division on January 16, 2018 and reviewed by the Planning Commission on February 14, 2018.

**I. PLANNING**

**Planning - General Conditions**

- P1. All applicable provisions of the Lompoc City Code are made a part of these conditions of approval in their entirety, as if fully contained herein.
- P2. In conformity with Sections 17.140.010, 17.152.010, and 17.152.020 of the Lompoc City Zoning Ordinance, the violation of any condition listed herein shall constitute a nuisance and a violation of the Lompoc City Zoning Ordinance and the Lompoc City Code. In conformity with Sections 1.24.010 and 1.24.060 of the Lompoc City Code, a violation of the Lompoc City Code and the Lompoc City Zoning Ordinance is a misdemeanor and shall be punishable as provided by law. In addition to criminal penalties, the City may seek injunctive relief. The applicant agrees to pay for all attorney's fees and costs, including, but not limited to, staff time incurred by the City in obtaining injunctive relief against the applicant as a result of a failure of the applicant to fully perform and adhere to all of the Conditions of Approval.
- P3. The applicant is advised that certain fees and charges will be collected by the City prior to issuance of building permits and/or prior to issuance of Certificates of Occupancy.
- P4. These conditions of approval shall be noted on the construction drawings filed for any building permits, including the Planning Commission resolution and the applicant's signed affidavit agreeing to comply with the conditions.
- P5. All revisions made by the Planning Commission and specified in the planning conditions of approval shall be shown on a revised site plan, which shall be reviewed by the Planning Division prior to submittal of construction drawings.
- P6. Minor changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the Planning Manager and approved if acceptable. Major changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the Planning Commission and approved if acceptable.
- P7. Prior to the installation of any signage or sign related construction the applicant shall obtain all appropriate permits. Approval of these plans with signage indicated does not imply approval of signage.

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

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

P9. Building permits shall be obtained from the City of Lompoc for all tenant improvements to the structure and all new construction.

P10. The Engineering and Planning Divisions shall review and approve a plan for all work/stripping in the parking area to assure conformance with City standards

P11. The applicant shall notify the City of Lompoc Planning Division of a change of ownership for the property or a change of project representative within 30 days of such change at any time during the City process prior to final Certificate of Occupancy.

P12. Lompoc Municipal Code Section 17.006.030 allows any person to appeal a decision of the Planning Commission within 10 calendar days after the Planning Commission's decision. No grading, building, demolition, or other ministerial permit, nor any other discretionary permit, shall be issued by the City for the Project until the later of (1) the expiration of the 10-day appeal period, or (2) the City Council's decision on the appeal, if a timely appeal is filed.

P13. The right to use an occupancy permit shall be contingent upon the fulfillment of any general and special conditions imposed by the Development Review Permit procedure.

P14. 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.

P15. All of the conditions shall be consented to in writing by the applicant.

**Planning - Architectural Conditions**

P16. The Architectural Review approval granted by the Planning Commission is valid for one year from date of approval and will expire on February 14, 2019. A one year extension may be granted by the Planning Manager if the applicant so requests prior to the expiration date.

P17. All facades which extend above the roof line shall be finished on all elevations exposed to public view.

P18. All mechanical, ventilation, and utility equipment shall be architecturally screened to prevent visibility from public view and shall be designed and placed to harmonize with the major structures on the site and with the neighborhood.

P19. The use of a trellis shall be limited to ornamental plants only. The trellis shall not be used to display banners or signs of any kind and shall utilize large posts.

**Planning - Site Plan Conditions**

P20. Architectural review is required for this project prior to issuance of building permits.

P21. No outside vending machines, except fully enclosed newspaper racks, shall be allowed on site. All newspaper racks shall be pedestal-mounted.

**Planning - Landscaping General Conditions**

P22. 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 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) Planning Manager – private property landscaping; and
- 3) Urban Forestry Supervisor – right-of-way landscaping

P23. A Landscape Maintenance Agreement, in a form satisfactory to the City Attorney, shall be recorded prior to issuance of building permits for the project.

P24. The project must conform to the Urban Forestry Administrative Guidelines.

P25. The final landscaping Conditions of Approval shall be printed on the landscape plans filed with the City.

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

- P26. The project must conform to Chapter 15.52 of the Lompoc City Code Water Efficient Landscape Standards.
- P27. 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.
- P28. All irrigation under paving must be Schedule 80 PVC or greater with tracer wires and sleeves.

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

- P29. The number and size of trees installed on the site shall meet the tree density requirements, as set forth in Chapter 17.092 of the City Code. The density will be approved or denied during Plan Check.
- P30. All trees must be planted at least ten feet away from public utilities, to include but not limited to water, sewer, electric, storm drain, cable, telephone, etc.
- P31. All trees must be installed with support staking. All nursery stakes must be removed from trees.
- P32. All trees and plant material selection shall be made with the concurrence of the Planning Division.

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

- P33. Installation of all irrigation and landscaping shall be performed by a licensed landscape contractor. Open trench inspection of the irrigation installation is subject to approval of City officials.
- P34. A layer of bark (non-red in color) two to four inches deep must be applied in all landscape areas. A sample of the bark shall be submitted to the Planning Division for review and approval prior to the issuance of building permits.
- P35. All plant material is subject to inspection by the Planning Division and must be guaranteed for two years from the date of final inspection.
- P36. Prior to the final inspection by the Planning Division, a Certificate of Substantial Compliance shall be completed and submitted to the Planning Division.
- P37. All landscaping shall be installed and accepted by the City prior to issuance of a certificate of occupancy for the building.
- P38. Drought tolerant landscaping and a minimum of 3-4 additional trees shall be planted within the areas of the proposed new landscaping. The species, size and number of plants shall be shown on the plans submitted for plan check and approved by the Planning Division prior to installation

## Planning - Air Quality Conditions

- P39. Dust (PM<sub>10</sub>) - a dust abatement program shall be prepared by the applicant and submitted with the grading/improvement plans. The program shall be reviewed and approved by the City Engineer, Senior Environmental Coordinator, and Planning Manager prior to issuance of grading permits. The dust abatement program shall include, but is not limited to, the following dust control measures:
- a. Sprinkle all construction areas with water (recycled when possible) at least twice a day, during excavation and other ground-preparing operations, to reduce fugitive dust emissions.
  - b. Construction sites shall be watered and all equipment cleaned in the morning and evening to reduce particulate and dust emissions.
  - c. Cover stockpiles of sand, soil, and similar materials, or surround them with windbreaks.
  - d. Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces or have adequate freeboard to prevent spillage.
  - e. Post signs that limit vehicle speeds on unpaved roads and over disturbed soils to 10 miles per hour during construction.
  - f. Soil binders shall be spread on construction sites, on unpaved roads, and on parking areas; ground cover shall be re-established through seeding and watering.
  - g. Sweep up dirt and debris spilled onto paved surfaces immediately to reduce resuspension of particulate matter through vehicle movement over those surfaces.
  - h. Require the construction contractor to designate a person or persons to oversee the implementation of a comprehensive dust control program and to increase watering, as necessary.
  - i. The name and 24/7 contact information for the person responsible for dust control shall be provided to the City prior to issuance of grading permits.
  - j. If dust is not controlled on the site, the City shall shut down work on the project until the applicant can provide adequate dust control.
  - k. Streets and alleys surrounding the project shall be kept clean and free of dirt.
- P40. Ozone (O<sub>3</sub>) Precursors: (NO<sub>x</sub> and ROC)
- a. All construction equipment engines and emission systems shall be maintained in proper operating order, in accordance with manufacturers' specifications, to reduce ozone precursor emissions from stationary and mobile construction equipment.



- b. 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.

### **Planning – Cultural Resources Conditions**

- P41. If archaeological artifacts are unearthed or exposed during demolition or construction, the artifacts and the site shall be evaluated by an experienced Archaeologist. An appropriate plan for the preservation of the artifacts from the site shall be prepared and its implementation overseen by an experienced Archaeologist.
- P42. If paleontological artifacts are unearthed or exposed during demolition or construction, the artifacts and the site shall be evaluated by an experienced Paleontologist. An appropriate plan for the preservation of the artifacts from the site shall be prepared and its implementation overseen by an experienced Paleontologist.
- P43. If human remains are discovered during construction, the County Coroner, and the Native American Heritage Commission shall be notified and their recommendations and requirements adhered to, prior to continuation of construction activity.

### **Planning – Project Specific Conditions**

- P44. Hours of construction shall be limited to:
  - Monday through Friday - between the hours of 7:30 a.m. and 5 p.m.
  - Saturday - between the hours of 8 a.m. and 5 p.m.
  - Sunday – None

Minor modifications to the hours of construction may be granted by the Planning Manager.
- P45. The elevations shall be revised to include stone wainscoting around the base of the entire building. The wainscoting shall be a minimum of four (4) feet in height.
- P46. Uses occupying the building and site shall operate in conformance with the City of Lompoc Municipal Code noise regulations.
- P47. No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, shall be permitted except in accord with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction of such activities.
- P48. Tenant improvements, including interior modifications, will be subject to building permit requirements.
- P49. No signage is proposed at this time. Future signage shall require a sign permit through the Planning and Building Divisions.

- P50. A Temporary Use Permit shall be obtained from the Planning Division prior to installation of a construction trailer on the project site.
- P51. Striping of the parking lot shall conform to Section 17.112 of the Lompoc Municipal Code.
- P52. The applicant shall contact all applicable regulatory agencies and apply for necessary permits prior to occupancy.
- P53. The proposed red banding to be located on the parking lot building elevation shall extend along the entire upper portion of the building facade.

## II. BUILDING

### 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. A separate grading plan complying with Appendix J, CBC and City standards is required.
- B4. 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.
- B5. Dimensioned building setbacks and property lines, street centerlines, and between buildings or other structures shall be designated on plot plans.
- B6. All property lines and easements must be shown on the plot plan. A statement that such lines and easements are shown is required.
- B7. The Title Sheet of the plans shall include:
  - a. Scope of work
  - b. Occupancy group
  - c. Description of use
  - d. Type of construction
  - e. Height of the building
  - f. Floor area of building(s)
- B8. California accessibility regulations shall be incorporated within the plans.
- B9. Fire sprinklers may be required per Building, Fire and/or City Codes.
- B10. Project shall comply with current City and State water conservation regulations.
- B11. Dust and erosion control shall be in conformance with standards and regulations of the City of Lompoc.

- B12. The permittee shall put into effect and maintain all precautionary measures necessary to protect adjacent water courses and public or private property from damage by erosion, flooding, deposition of mud or debris originating from the site.
- B13. Certification of compliance with the grading plans and soils report shall be submitted to the Building Division prior to final approvals.
- B14. A licensed surveyor/engineer shall verify pad elevations, setbacks, and roof elevations.
- B15. Stairs, decks, platforms shall meet the strict guidelines in the most recent adopted Building Code.
- B16. Smoke and carbon monoxide detectors shall be provided in conformance with the most recent adopted Building and Fire Codes.
- B17. Building pads shall have a drainage gradient of 2% toward approved drainage facilities.
- B18. Buildings shall comply with the New Green Building Codes and the State's Energy Regulations Title-24. Title-24 energy forms shall be incorporated within the plans.
- B19. A sound transmission study shall be required. Mitigating factors shall be indicated on the plans.
- B20. Developer shall minimize the use of on-street parking, by construction workers and equipment, during construction. Temporary bathroom facilities for construction are required.

#### **Building – No Project Specific Conditions**

### **III. FIRE**

#### **Fire - General Conditions**

- F1. Ensure proper licensing of fire protection system engineer(s) and California State Fire Marshal licensed installers for design specific systems. Additionally, a City of Lompoc business license may be required of any installers. Verify with the City Clerk any concerns for the local business license of project employees.
- F2. All fire extinguishers required to have an 'A' rating shall have a minimum rating of 2A10BC. Location, number and types shall be in accordance the California Code of Regulations Title 19. Any areas of hazard may require larger extinguishers, consult Title 19.
- F3. A Knox key box shall be installed as directed by the Fire Code Official when a building permit is obtained for any work. The key box shall contain keys that will allow the fire department access to all portions of the building. The keys shall have tags affixed identifying their purpose. The nominal height of the Knox box installations shall be 5 feet above grade. Consult with the Fire Marshal for placement and specifications.
- F4. Fire alarms shall be tested on a routine basis, including annual audible testing with the Lompoc Fire Department present.

- F5. Any area that requires a red curb shall be maintained at all times. OSHA Red or similar paint is required with a highly reflective white paint stenciled on the red paint that reads: "FIRE LANE – NO PARKING" in repeating intervals.
- F6. Address labels shall be at least 10 inches in height and 2 inches in letter thickness at a minimum. Additionally, the address shall be of high contrast to the background on the building.

**Fire - Project Specific Conditions**

- F7. Where a carbon dioxide system is present on the interior of the structure for soda fountain purposes, the system shall be monitored with a leak detection alarm that alerts occupants in an emergency.
- F8. Note: If the commercial cook line is changed, a separate hood systems design drawing shall be submitted with the plans and an acceptance test will be required to be scheduled to be witnessed by the Lompoc Fire Department.
- F9. Evaluate and address the emergency lighting, including any restrooms. The age of the building may require updating these features for safety purposes.
- F10. At time of submittal, provide an updated occupant load analysis.

**IV. GRADING - No General or Project Specific Conditions**

**V. AVIATION/TRANSPORTION – No general or project specific conditions**

**VI. ENGINEERING**

**Engineering – General Conditions**

- EN1. Any landscape and irrigation plans required by the Planning Division shall be approved by the Public Works and Utility Departments prior to Public Improvement Plan approval by the Engineering Division. An approval block shall be provided on the landscape plan title sheet for the City Engineer's signature.
- EN2. All trees and large rooted shrubbery must be planted at least ten feet away from public utilities, including but not limited to, water, sewer, electric, stormdrain, cable and telephone.

Final Approval

- EN3. Prior to issuance of the Certificate of Occupancy, any Public Improvements damaged during construction shall be repaired as directed by the Public Works Inspector and in conformance with the City of Lompoc Standard Plans and Specifications.

**Engineering – Project Specific Conditions**

- EN4. All renovations to the parking lot shall be shown on the Building Permit plans and shall be reviewed to be in conformance with the latest Building

- VII. **SOLID WASTE - No General or Project Conditions**
- VIII. **ELECTRIC – No General or Project Conditions**
- IX. **WATER – No General or Project Conditions**
- X. **WASTEWATER – No General or Project Conditions**
- XI. **STORMWATER**

**Stormwater – General Conditions**

- S1. Roof drains and gutters shall be directed to landscaping, unless to do so would result in foundation damage or slope instability, as verified by a statement to that effect, stamp and signature, by qualified engineer, on the improvement plans. PCR requirements are to be met, with only 5% of the site not draining to infiltration before reaching property line. Please note that current drawings show the South West and South East roof drains to be draining to concrete/paving adjacent to property lines.
- S2. All landscaping shall be drought tolerant, and low maintenance.

**Stormwater – No Project Specific Conditions**

- XII. **POLICE – No General or Project Specific Comments**

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

\_\_\_\_\_  
John Dodson, Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Richard Quon, Property Owner

\_\_\_\_\_  
Date

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