



# CITY OF BUELLTON

## CITY COUNCIL AGENDA

**Regular Meeting of March 14, 2013 – 6:00 p.m.  
City Council Chambers, 140 West Highway 246  
Buellton, California**

Copies of staff reports or other written documentation relating to each item of business referred to on this Agenda are on file in the office of the City Clerk and are available for public inspection

### **CALL TO ORDER**

Mayor Judith Dale

### **PLEDGE OF ALLEGIANCE**

Council Member Holly Sierra

### **ROLL CALL**

Council Members Ed Andrisek, Leo Elovitz, Holly Sierra, Vice Mayor John Connolly, and Mayor Judith Dale

### **REORDERING OF AGENDA**

### **PUBLIC COMMENTS**

Speaker Slip to be completed and turned in to the City Clerk prior to commencement of meeting. Limited to matters not otherwise appearing on the agenda. Limited to three (3) minutes per speaker. No action will be taken at this meeting.

### **CONSENT CALENDAR**

**(ACTION)**

The following items are scheduled for consideration as a group. Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion.

- 1. Minutes of February 28, 2013 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2012-13**
- 3. Approval of Fiscal Year 2013-14 Budget Adoption Process Schedule**  
❖ (Staff Contact: Finance Director Muñoz)

**PRESENTATIONS****PUBLIC HEARINGS****(POSSIBLE ACTION)**

4. **Ordinance No. 13-03 – “An Ordinance of the City Council of the City of Buellton, California, Approving a Specific Plan Amendment (13-SP-01) for the Village Specific Plan, Located on Assessor’s Parcel Number 137-090-045 and Making Findings in Support Thereof” (Introduction and First Reading)**  
❖ *(Staff Contact: Planning Director Marc Bierdzinski)*

**COUNCIL MEMBER COMMENTS****COUNCIL ITEMS****WRITTEN COMMUNICATIONS**

Written communications are included in the agenda packets. Any Council Member, the City Manager, or City Attorney may request that a written communication be read into the record.

**COMMITTEE REPORTS**

This Agenda listing is the opportunity for Council Members to give verbal Committee Reports on any meetings recently held for which the Council Members are the City representatives thereto.

**BUSINESS ITEMS****(POSSIBLE ACTION)**

5. **Discussion/Possible Decision Regarding Allocation of Transient Occupancy Tax**  
❖ *(Staff Contact: City Manager Kunkel)*
6. **Ordinance No. 13-02 – “An Ordinance of the City Council of the City of Buellton, California, Adopting Revisions to Title 19 (Zoning) of the Buellton Municipal Code (13-ZOA-01) Relating to Section 19.04.170.E.6.d, Community Identification Signs and Making Findings in Support Thereof” (Second Reading)**  
❖ *(Staff Contact: Planning Director Marc Bierdzinski)*
7. **Department Head Reports – (Finance, Personnel, Planning, Public Works, and Sheriff’s Department)**

**CITY MANAGER’S REPORT****ADJOURNMENT**

The next regular meeting of the City Council will be held on Thursday, March 28, 2013 at 6:00 p.m.

# CITY OF BUELLTON

**CITY COUNCIL MEETING MINUTES**  
**Regular Meeting of February 28, 2013**  
**City Council Chambers, 140 West Highway 246**  
**Buellton, California**

## **CALL TO ORDER**

Mayor Judith Dale called the meeting to order at 6:00 p.m.

## **PLEDGE OF ALLEGIANCE**

Vice Mayor Connolly led the Pledge of Allegiance

## **ROLL CALL**

**Present:** Council Members Ed Andrisek, Leo Elovitz, Holly Sierra, Vice Mayor John Connolly and Mayor Judith Dale

**Staff:** City Manager John Kunkel, City Attorney Ralph Hanson, Public Works Director Rose Hess, Planning Director Marc Bierdzinski, Finance Director Annette Muñoz, and City Clerk Linda Reid

## **REORDERING OF AGENDA**

None

## **PUBLIC COMMENTS**

None

## **CONSENT CALENDAR**

- 1. Minutes of February 14, 2013 Regular City Council Meeting**
- 2. Minutes of February 13, 2013 Special City Council Meeting**
- 3. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2012-13**
- 4. Consideration of Reallocation of Funding to People Helping People**

### **RECOMMENDATION:**

That the City Council approve the Consent Calendar as listed.

**MOTION:**

Motion by Council Member Sierra, seconded by Council Member Andrisek approving the consent calendar as listed.

**VOTE:**

Motion passed by a roll call vote of 5-0.

**PRESENTATIONS**

None

**PUBLIC HEARINGS**

5. **Ordinance No. 13-02 – “An Ordinance of the City Council of the City of Buellton, California, Adopting Revisions to Title 19 (Zoning) of the Buellton Municipal Code (13-ZOA-01) Relating to Section 19.04.170.E.6.d, Community Identification Signs and Making Findings in Support Thereof” (Introduction and First Reading)**

**RECOMMENDATION:**

That the City Council consider the introduction and first reading of Ordinance No. 13-02.

**STAFF REPORT:**

Planning Director Bierdzinski presented the staff report.

**DOCUMENTS:**

Staff Report with attachments (Ordinance No. 13-02, photos of proposed signs, and Planning Commission Resolution No. 13-01)

**SPEAKERS/DISCUSSION:**

The City Council discussed the following issues:

- ❖ Reviewing process for the Community Identification Signs
- ❖ Sign sponsorship
- ❖ Ratio of businesses to community identification on the sign
- ❖ Having the Sign Committee review the sign
- ❖ Content to be reviewed by Economic Development Task Force with recommendations to the Chamber of Commerce
- ❖ Having the City Council review the content of the sign
- ❖ Taking out the last sentence in (Section 3, vii) of the ordinance as follows: “Any charges received for identification on the sign shall be limited to covering the cost of the installation and ongoing maintenance of the sign”
- ❖ Adding style standards and/or a review process as part of the ordinance
- ❖ Having the sign reviewed by Council for final approval
- ❖ Having sign design standards drafted through an architectural board

Mayor Dale opened the Public Hearing at 6:26 p.m.

Ron Anderson, President of the Buellton Chamber of Commerce Board of Directors, expressed his support for the Community Identification Signs in order to promote business in Buellton.

Peggy Brierton, Buellton, stated the Community Identification Sign Ordinance should be considered separately from the sign's design.

Kathy Vreeland, Executive Director of the Buellton Chamber and Visitor's Bureau, expressed her support for the Community Identification Signs and stated the Chamber of Commerce will be sponsoring this sign. Ms. Vreeland stated the signs will help promote business in Buellton.

Judi Stauffer, Buellton, stated the Council is looking at changing the existing ordinance and she requested the Council consider all issues involved.

Steve Lykken, Buellton, questioned why the Council is discussing an appeal process at this time and provided his support for the sign.

There being no further public comment, Mayor Dale closed the Public Hearing at 6:49 p.m.

**MOTION:**

Motion by Council Member Andrisek, seconded by Council Member Sierra, approving the introduction and first reading of Ordinance No. 13-02 – “An Ordinance of the City Council of the City of Buellton, California, Adopting Revisions to Title 19 (Zoning) of the Buellton Municipal Code (13-ZOA-01) Relating to Section 19.04.170.E.6.d, Community Identification Signs and Making Findings in Support Thereof” by title only and waive further reading and deleting the following sentence in (Section 3, vii) “Any charges received for identification on the sign shall be limited to covering the cost of the installation and ongoing maintenance of the sign” and that (Section 3, v) be modified to include community organizations.

**VOTE:**

Motion passed by a roll call vote of 4-1, with Council Member Elovitz voting no.

**COUNCIL MEMBER COMMENTS**

Council Member Sierra announced there is a new link on the City's website entitled “Doing Business in Buellton”.

**COUNCIL ITEMS**

Mayor Dale announced some upcoming events in Buellton.

**WRITTEN COMMUNICATIONS**

None

**COMMITTEE REPORTS**

Mayor Sierra announced that she attended the Santa Barbara County Association of Governments Board Meeting and provided an oral report regarding the meeting.

Mayor Andrisek announced that he attended the Central Coast Water Authority Board Meeting and provided an oral report regarding the meeting.

## **BUSINESS ITEMS**

### **6. Presentation by Caltrans Regarding Capital Preventative Maintenance Project (CAPM) and Sidewalk Improvements**

Paul Martinez, representing Caltrans provided a presentation regarding the Capital Preventative Maintenance Project and Sidewalk Improvements.

The City Council discussed the following issues:

- ❖ Having the sidewalk in front of the Shell Station installed prior to 2015
- ❖ Approximate cost for the sidewalk to be paid by the City would be \$300,000; Caltrans plans to pay for the road maintenance to raise the road and the City will pay for the sidewalks in this area
- ❖ Caltrans Cooperative Agreement with the City will be put into place prior to work beginning

### **7. Discussion and Possible Changes Regarding Trips Offered by the Recreation Department**

#### **RECOMMENDATION:**

That the City Council continue to allow long term excursions through independent travel companies, without paid City employee supervision on trips.

#### **STAFF REPORT:**

Recreation Coordinator Abello presented the staff report.

#### **DOCUMENTS:**

Staff Report with attachments (Buellton's liability waiver, recreation publications from other cities, letter from David Cook of Collette Vacations, references provided by Collette Vacations, and letter from Norman Lefmann with California Joint Powers Insurance Authority)

#### **SPEAKERS/DISCUSSION:**

A letter in support of continuing Recreation trips was received and made part of the record from Frances Carricaburu of Santa Ynez.

Bob Holda, Buellton, provided his support for the trips and stated he enjoys participating in City sponsored trips and can do so without a chaperone.

Pam Curran, Buellton, provided her support for the trips and stated she enjoys participating in City sponsored trips and would like to have the City continue having a staff member accompany travelers.

The City Council discussed the following issues:

- ❖ Liability issues
- ❖ The advantages of having staff accompany travelers
- ❖ Having someone not affiliated with the City accompany travelers

**MOTION:**

Motion by Vice Mayor Connolly, seconded by Council Member Elovitz approving long term excursions through independent travel companies, without paid City employee supervision on trips.

**VOTE:**

Motion passed by a roll call vote of 4-1, with Council Member Sierra voting no.

**8. Resolution No. 13-01 – “A Resolution of the City Council of the City of Buellton, California, Regarding Parking Restrictions at Various Transit Stop Locations”**

**RECOMMENDATION:**

That the City Council approve Resolution No. 13-01.

**STAFF REPORT:**

Public Works Director Hess presented the staff report.

**DOCUMENTS:**

Staff Report with attachments (Resolution No. 13-01 and Exhibit A)

**DISCUSSION:**

The City Council discussed the following issues:

- ❖ Changing the proposed white curb in front of Houston’s Liquor to green with a five minute limit

**MOTION:**

Motion by Vice Mayor Connolly, seconded by Council Member Andrisek approving Resolution No. 13-01 – “A Resolution of the City Council of the City of Buellton, California, Regarding Parking Restrictions at Various Transit Stop Locations” with the above referenced change.

**VOTE:**

Motion passed by a roll call vote of 5-0.

**9. Department Head Reports – (Finance, Personnel, Planning, Public Works, and Sheriff’s Department)**

Department Heads provided informational reports for the record.

**CITY MANAGER’S REPORT**

City Manager Kunkel provided an informational report for the record.

**ADJOURNMENT**

Mayor Dale adjourned the regular meeting at 9:05 p.m. The next regular meeting of the City Council will be held on Thursday, March 14, 2013 at 6:00 p.m.

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Judith Dale  
Mayor

ATTEST:

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Linda Reid  
City Clerk

BACK-UP/SUPPORT DATA IS AVAILABLE FOR COUNCIL REVIEW IN CITY HALL

The following is a list of claims to be ratified and approved for payment by the City Council at the **March 14, 2013** Council Meeting.

Listed below is a brief summary of the attached claims:

	EXHIBIT A		\$	<u>89,089.41</u>
	EXHIBIT B		\$	<u>34,277.22</u>
	Council Pay	2/22/13	\$	2,311.70
	Payroll	2/28/13	\$	<u>40,089.32</u>
<b>TOTAL AMOUNT OF CLAIMS:</b>			<b>\$</b>	<b><u><u>165,767.65</u></u></b>

	<u>FY 2011-12</u>	<u>FY 2012-13</u>
The total amount of claims and demands paid by the City for the Fiscal Year through March 4, 2013	\$ 6,388,112.04	\$ 7,167,299.94

**AUTHORIZATION IS HEREBY GIVEN TO THE CITY TREASURER TO PAY ALL CLAIMS AS REVENUES BECOME AVAILABLE.**



Run date: 03/05/2013 @ 14:57  
Bus date: 03/05/2013

City of Buellton  
Check Summary Report

EXHIBIT A  
Page 2 of 2

Check-Run	Seq#	Date	Vendor Name	Checking	# Obls	Discount	Net amount	Status
** Total check amount **					89,089.41			
							.00	

Payments via Electronic Fund Transfer (EFT):

Payroll Taxes	2/4/13	10,812.84
Payroll Taxes	2/20/13	11,362.11
FSA-Council	2/22/13	100.00
Payroll Taxes	2/25/13	120.39
FSA-Staff	2/28/13	755.63
Payroll Taxes	3/4/13	11,126.25
<b>Total</b>		<hr/> <b>\$ 34,277.22</b>

**FISCAL YEAR 2012-13 REVENUE AND EXPENDITURE RECAP**

As of January 31, 2013  
58.3%  
of the year elapsed

<u>GENERAL FUND</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>	<u>Cash Balance at 1/31/13</u>
Total Revenues (1)	\$4,296,365.00	\$2,863,761.71	67%	\$2,916,098.95
Total Expenditures (1)	\$5,017,791.00	\$2,829,978.76	56%	
<u>SPECIAL REVENUE FUND</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>	<u>Cash Balance at 1/31/13</u>
Total Revenues	\$501,419.00	\$430,518.44	86%	\$1,875,375.61
Total Expenditures	\$1,164,304.00	\$408,533.78	35%	
<u>WATER/SEWER</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>	<u>Cash Balance at 1/31/13</u>
Total Revenues	\$2,051,250.00	\$1,266,240.35	62%	\$5,021,385.62
Total Expenditures	\$2,698,458.00	\$1,276,582.38	47%	
<u>SUCCESSOR AGENCY</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>	<u>Cash Balance at 1/31/13</u>
Total Revenues	\$0.00	\$65,240.82	N/A	\$29,672.51
Total Expenditures	\$0.00	\$1,790,272.49	N/A	

The Revenue Status Report and Expenditure Status Report are available for your review.

The Cash Balances as of March 4, 2013 are as follows:

	Balance as of:	<u>FY 2011-12</u>	<u>FY 2012-13</u>
<b>Checking</b>			
Rabobank	3/4/13	<u>134,656.11</u>	<u>240,253.72</u>
<b>Total Checking</b>		<u>134,656.11</u>	<u>240,253.72</u>
<b>Savings/Investments</b>			
LAIIF-savings	1/31/13	13,429,693.24	12,564,648.42
Rabobank-money mkt	1/31/13	202,568.43	203,475.90
Morgan Stanley-bonds	1/31/13	375,000.00	126,410.54
Great Pacific-treasuries	1/31/13	0.00	500,505.00
First Empire-bonds	1/31/13	<u>3,235,000.00</u>	<u>2,506,014.47</u>
<b>Total Savings/Investments</b>		<u>17,242,261.67</u>	<u>15,901,054.33</u>
% of cash invested		21.94%	20.67%
<b>Total Cash</b>		<u><u>17,376,917.78</u></u>	<u><u>16,141,308.05</u></u>

- 1.) General Fund revenues and expenditures include Storm Water, Parks and Rec and Landscape Maintenance
- 2.)\*Restricted cash of \$6,163,158.84 not included in general fund cash balance at 1/31/13

**CITY OF BUELLTON**  
City Council Agenda Staff Report

City Manager Review: JHK  
Council Agenda Item No.: 3

To: The Honorable Mayor and City Council

From: Annette Muñoz, Finance Director

Meeting Date: March 14, 2013

Subject: Approval of Fiscal Year 2013-14 Budget Adoption Process Schedule

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**BACKGROUND**

Each year the Finance Department works with the City Council and various Department Heads to plan and prepare the City's Budget for the next fiscal year. The fundamental purpose of the City's Budget is to link short-term goals with the resources required to achieve these goals.

The attached Fiscal Year 2013-14 Budget Adoption Process Schedule is provided for your use and information.

**FISCAL IMPACT**

The approval of the Fiscal Year 2013-14 Budget Adoption Process Schedule will not cause any fiscal impact to the City.

**RECOMMENDATION**

That the City Council review and approve the Fiscal Year 2013-14 Budget Adoption Process Schedule.

**ATTACHMENT**

Attachment 1 - Fiscal Year 2013-14 Budget Adoption Process Schedule



*City of Buellton*

*Memorandum*

**TO:** Department Heads  
**FROM:** Annette Muñoz, Finance Director  
**DATE:** March 5, 2013  
**RE:** Budget Time Line

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The following dates outline the anticipated dates for the budget time line.

- |                    |                                                                                                  |
|--------------------|--------------------------------------------------------------------------------------------------|
| <b>February 28</b> | <b>Department Heads</b> submit final budget figures for fiscal year 2013-14 to Finance Director. |
| April 16           | City Manager and Finance Director begin reviewing budget figures.                                |
| May 2              | Preliminary budget printed and ready for Council review.                                         |
| May 9              | First review of preliminary budget at Council meeting.                                           |
| May 23             | Second review of preliminary budget at Council meeting.                                          |
| June 13            | Final review and adoption of budget.                                                             |

**CITY OF BUELLTON**  
City Council Agenda Staff Report

City Manager Review: JHK  
Council Agenda Item No.: 4

To: The Honorable Mayor and City Council

From: Planning Commission  
By: Marc Bierdzinski, Planning Director

Meeting Date: March 14, 2013

Subject: Ordinance No. 13-03 – “An Ordinance of the City Council of the City of Buellton, California, Approving a Specific Plan Amendment (13-SP-01) for the Village Specific Plan, Located on Assessor’s Parcel Number 137-090-045 and making Findings in Support Thereof” (Introduction and First Reading)

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**BACKGROUND**

The Village Specific Plan was adopted by the City Council on September 27, 2007. The Specific Plan contained various sections on land uses, infrastructure, development standards, and phasing. On December 13, 2012, the City Council adopted Ordinance No. 12-02 amending the phasing requirements of the Specific Plan (upon the recommendation of the Planning Commission).

The City and the applicant’s representative, John Franklin, have begun work on designing the improvements to the central park area. This has included the applicant hiring a landscape architect. Both staff and the applicant feel that combining the 1.4 acre central park and the 0.4 acre pocket park located at the northeast corner of the site (near Glennora Way) into a central 1.8 acre park would provide a larger and more usable park area. Also, by reorienting the park in an east-west direction provides a better buffer area between the retail and proposed residential area. The proposed changes to the Specific Plan to accommodate this change are shown on Exhibit A to Resolution No. 13-02. The original configuration of the land uses and the two parks is provided in Attachment 1.

The Specific Plan still keeps the access prohibition to Glennora Way for other than emergency vehicles (see Figure 5 of Exhibit A).

The park planning that staff and the applicant are currently working on will be brought before a joint meeting of the Planning Commission and Parks and Recreation Commission for their input and ultimate recommendation to the City Council.

The Planning Commission reviewed the proposed amendment at a public hearing on February 7, 2013. Resolution No. 13-02 (see Attachment 2) was adopted, which recommends that the City Council adopt the proposed specific plan amendment.

### **ENVIRONMENTAL REVIEW**

The proposed amendment is adequately addressed in the prior environmental document (Addendum EIR) prepared for the Village Specific Plan. No further environmental review is required.

### **FISCAL IMPACT**

No fiscal impacts are anticipated as a result of the proposed specific plan amendment.

### **RECOMMENDATION**

That the City Council consider the introduction and first reading of Ordinance No. 13-03 – “An Ordinance of the City Council of the City of Buellton, California, Approving a Specific Plan Amendment (13-SP-01) for the Village Specific Plan, Located on Assessor’s Parcel Number 137-090-045 and making Findings in Support Thereof” by title only and waive further reading.

### **ATTACHMENTS**

Attachment 1 – Village Specific Plan  
Attachment 2 – Planning Commission Resolution No. 13-02  
Ordinance No. 13-03 with Exhibit A (Amendment to the Village Specific Plan)



HIGHWAY 101

MC MURRAY ROAD

HIGHWAY 246

City Limit

GLENNORA WAY

FREEAR DRIVE

Hotel  
approx. 4.0 ac

(Townhomes/Condos/Apartments/Single-Family)  
Residential  
approx. 12.0 ac

Park  
approx.  
0.4 ac

Park  
approx.  
1.4 ac

Commercial  
approx. 4.0 ac

### LEGEND

Property Boundary

10' Dedication off Mc Murray Rd.

approx. 12.0 ac Townhomes/Condos/Apartments:  
(6-25 du/ac, max 244 units)

approx. 8.0 ac Hotel + Commercial (Retail + Office)

100,000-200,000 sq.ft. Hotel (150-300 rooms)

40,000-55,000 sq.ft. Retail + Office

approx. 1.8 ac Parks

Roadways-Public ROWs

Notes: \*Aerial photo from City of Buellton

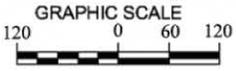


FIGURE 5

## The Village

BUELLTON, CA

The Village Specific Plan:  
Land Use Plan

June 18, 2007

## Planning Commission Resolution No. 13-02

### **A Resolution of the Planning Commission of the City of Buellton, California, Recommending to the City Council the Approval of a Specific Plan Amendment (SP-13-01) for the Village Specific Plan Located on Assessor's Parcel Number 137-090-045, and Making Findings in Support Thereof**

**SECTION 1:** The Village Specific Plan was approved on September 27, 2007, by City Council Ordinance No. 07-07, and amended on December 13, 2012, by City Council Ordinance No. 12-02.

**SECTION 2:** The City and John Franklin (hereinafter referred to as the "Applicant"), have filed an application requesting approval of an amendment to the adopted Specific Plan requesting changes that would combine the 1.4 acre park and 0.4 acre park into one 1.8 acre park and adjust the residential and commercial areas to accommodate the change to the parks.

**SECTION 3:** All proceedings having been duly taken as required by law, and upon review of the information provided in the staff report, consideration of the testimony given at the public hearing, as well as other pertinent information, the Planning Commission finds the following:

- A. Record.** Prior to rendering a decision on any aspect of the Project, the Planning Commission considered the following:
1. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the Planning Commission on February 8, 2013 ("Public Hearing").
  2. All oral, written and visual materials presented by City staff in conjunction with the Public Hearing.
  3. The following informational documents which, by this reference, are incorporated herein.
    - a. That certain written report and attachments submitted by the Planning Department dated February 7, 2013 (the "Staff Report").
- B. Public Review.** On the basis of evidence hereinafter listed, all administrative procedures and public participation requirements prescribed in the Buellton Zoning Ordinance have been lawfully satisfied:

1. A notice of public hearing was published in a newspaper on January 24, 2013 (the "Public Notice"), a minimum of ten (10) days in advance of the Public Hearing.
2. The Public Notice was mailed to the Applicant, affected public agencies, persons owning property within 300 feet of the Project site and others known to be interested in the matter on January 24, 2013, 10 days in advance of the Public Hearing.
3. The Public Notice and Agenda for the Public Hearing were posted in three conspicuous public places a minimum of 10 days before the Public Hearing.

C. **Environmental Clearance.** The proposed amendment is adequately addressed in the prior environmental document (Addendum EIR) prepared for the Village Specific Plan. No further environmental review is required.

D. **Consistency Declarations.** Based on (i) the evidence presented in the Staff Report (incorporated herein by reference), (ii) consultations with affected City Departments, and (iii) testimony and comments received in connection with the Public Hearing, the Planning Commission does hereby declare as follows:

1. **Specific Plan Adoption.**

a. **Findings:**

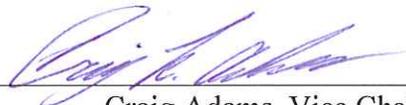
- i. The form and substance of the Specific Plan Amendment, as well as the process used in its preparation and adoption, are consistent with the requirements set forth in the Buellton Municipal Code (Section 19.08.140).
- ii. The Specific Plan Amendment is in conformance with all applicable policies and implementation programs set forth in the 2025 Buellton General Plan.
- iii. The Specific Plan Amendment will not be detrimental to the health, safety, comfort, convenience, property values and general welfare of the community based on the development standards set forth in the Village Specific Plan and with the incorporation of the mitigation measures from the AEIR (both not being changed by the Specific Plan Amendment).

- iv. The Specific Plan Amendment will not adversely affect such necessary community services, including traffic circulation, sewage disposal, fire protection, police protection and water supply based on the development standards set forth in the Village Specific Plan and with the incorporation of the mitigation measures from the AEIR (both not being changed by the Specific Plan Amendment).

**SECTION 4:** Based upon the forgoing findings, facts and conclusions, including, but not limited to, the review of the information provided in the Staff Report, consideration of the testimony given at the Planning Commission Public Hearing, as well as other pertinent information, the Planning Commission hereby recommends that the City Council adopt, by ordinance, an amendment to the Village Specific Plan as noted in Exhibit A, attached hereto to this resolution.

**SECTION 5:** The Planning Commission Secretary shall certify as to the adoption of this Resolution and shall cause the same to be transmitted to the City Clerk for consideration by the City Council.

**PASSED, APPROVED, AND ADOPTED** this 7th day of February 2013.

  
\_\_\_\_\_  
Craig Adams, Vice Chair

**ATTEST:**

  
\_\_\_\_\_  
Clare Barcelona, Planning Commission Secretary

Exhibit A – Proposed Changes to the Village Specific Plan



The property is designated *Specific Plan* on the adopted General Plan land use map and zoned CR-SP (General Commercial-Specific Plan) (see Figure 2). The surrounding property land uses and zoning are as follows:

Hilltop driveway to a ranch zoned CR 2.14 acre site to the North

Highway 246 shopping center; zoned CR, 10 acre site to the South

Thumbelina Subdivision 13 single-family dwellings zoned RS-10 to the East

McMurray Road six parcels zoned CR to the West.

The site is currently undeveloped.

The topography is fairly flat with a gentle slope from the southeast up to the northwest corner. Elevations on the project site range from a maximum of 392.1 at the north property line, which drops to 377.4 for a majority of the north portion of the site then down to 363.9 at the south area flanking Highway 246. These numbers indicate a vertical drop 13.5 feet in approximately 1500 horizontal feet. The site drainage is toward the south. See Figure 3 for topographic information.

### **C. Overview of Existing Plans and Policies**

#### **The General Plan**

As required by state law the General Plan serves as a “community’s blueprint for the use and development of land within its planning area.” The City of Buellton General Plan identifies and designates types and locations of land uses, and creates an overall set of policies to guide development within the City. The General Plan is comprised of the following elements:

Land Use –2005

Housing – 2004-2009

Circulation – 2005

Conservation - 2007

Open Space - 2007

Safety - 2007

Noise - 2007

Economic Development - 2007

Public Safety - 2007

Parks and Recreation - 2007

Each element of the General Plan contains goals, policies and programs concerning that element which the Specific Plan shall incorporate.

### **D. Goals and Key Issues**

The overall goal of this Specific Plan is to enhance the orderly development of the community and meet some of the identified community needs by intelligently planning for a mix of land uses. The objectives are as follows:

The types of land uses proposed and the overall site planning addresses the majority of the key issues of the Specific Plan. Where the land-use plan does not fulfill this objective, then specific programs, development standards and guidelines are proposed.

## **II. LAND USE**

### **A. Introduction and Overview**

The Land Use section of this Specific Plan describes the land use plan for the site. It will include a discussion of the types of land uses, their location and size, the uses permitted, and any standards that are specific to the land use plan. The description of and standards for specific issue areas of the Specific Plan, such as circulation, architecture, utilities etc., are presented in Sections III and IV of this document.

In adopting the City of Buellton General Plan, the City designated this site for General Commercial use, subject to a Specific Plan. The General Plan's goals for commercial development include providing expanded retail shopping options along Highway 246, pedestrian access to these commercial developments, parking that is screened from view, and some office uses may be provided in these areas, and adherence to the adopted Community Design Guidelines (November 2005). The Specific Plan site is generally composed of public commercial land uses including streets and plazas and residential units as shown below. This general makeup was derived following many meetings and workshops with City Council, the City Planning Commission, Planning staff and local citizens.

The land use plan for the Specific Plan is comprised of four primary land use components:

1. Commercial (Retail and Office), 40,000-55,000 s.f. (approximately 4.5 acres)
2. Hotel, 150 – 225 rooms and 100,000 – 200,000 s.f. (approximately 4.2 acres)
3. Residential (Single family, multi-family, assisted living), maximum 244 units, approximately 11.3 acres
4. Parks/Open Space, approximately 1.8 acres

Each of the selected land uses fills an existing need with in the City of Buellton and in some cases the needs of Santa Barbara County as a whole. In addition, these land uses have a complementary relationship with each other, which will create a synergy on the site.

Commercial (retail and office) and Hotel development shall not exceed approximately 255,000 square feet without revision to the Specific Plan. The hotel room maximum of 225 is an approximation as is the 40,000 to 55,000 square feet of retail. The Specific Plan will allow for either use to achieve its maximum only if the other use is reduced accordingly to ensure that the traffic volumes continue to comply with the approved traffic analysis. In addition, no more than fifteen percent (15%) of the total building area shall be used or occupied by a non-retail, non-sales tax generating use. Exceptions to this 15% threshold may be allowed on a case-by-case basis subject to issuance of a Conditional Use Permit.

The selected land uses have been located on the site to create interaction and cohesion among the uses on-site, to minimize the potential for conflicts between uses both on-site and off-site, and to successfully integrate the site into the surrounding community. Other factors that were considered in the lay-out of the land use plan were a) the visual and safety issues related to the presence of major travel corridors adjacent to the site b) harmonious and safe circulation of vehicular and pedestrian traffic throughout the site, and c) assuring

but not limited to, the Zoning Ordinance, Subdivision regulations, Fire Department requirements, Public Works standards, and the adopted Community Design Guidelines. Conditions of approval may be imposed by the City, including those which require design changes, as the City deems necessary and appropriate to make necessary findings set forth in Chapter 19.08 of the Buellton Municipal Code.

7. Each unit in the Residential Housing component shall be provided a minimum of one covered parking space per studio or one bedroom and two covered parking spaces per two or more bedroom apartments. One guest parking space shall be provided per 5 units.
8. The Residential Housing land use component shall have access to the overall site pedestrian network.
9. The layout of the residential units will be clustered and the architectural theme of the units will be consistent with the small town, rural concept that the City of Buellton would like to preserve.
10. The design and layout of development in the Residential Housing component shall provide the maximum opportunity for pedestrian access throughout the site in a manner that minimizes the conflicts with vehicular traffic.
11. All new residential development is subject to conform to the 20% inclusionary requirements of Chapter 19.16 Affordable Housing of the City's Municipal Code. Units shall comply with regulations by the City's Affordable Housing Ordinance (i.e., retention and duration of affordability, compliance with development standards, target income mix, execution of an Affordable Housing Agreement, etc.).
12. An all-weather engineered emergency access road with a surface sufficient to handle fire and emergency vehicles shall be installed from the end of Glennora Way to Valley Vineyard Circle.

#### 4. Parks/Recreation

There is a recognized need for public parks within the City of Buellton. This need for public parks and open space is particularly acute for neighborhoods east of Highway 101. The purpose of the Parks/Recreation component of the Specific Plan is to address these needs with an active and passive use community park and neighborhood park totaling approximately 1.8 acres and a network of pedestrian paths and landscaping buffers and screening. The community park is located at the center of the Specific Plan area making it accessible to all users of the site. The community park serves as a buffer between different land use and an extension of the commercial village components. It is intended to serve not only those who live or work on the Specific Plan site but the citizens of the City of Buellton as a whole. The location at the center of the site removes the Parks/Recreation component from Mc Murray Road and Highway 246 making it a safe place for children to play, families to gather and provides a peaceful place to take a walk. The approximately 0.4 acre neighborhood park near the Thumbelina neighborhood provides space for items such as a basketball court or volleyball court and other amenities. The centrally located approximately ~~1.4~~ 1.8 acre community park provides a gathering space with picnic tables and benches, and an active park area with room for active play fields and/or tot lots.

The following development standards shall apply to the Parks/Recreation component of this Specific Plan.

1. The total size of the two parks in the plan area shall be approximately 1.8 acres.
2. City review and approval of a Development Plan shall be required for all new construction. Each Development Plan shall be reviewed for consistency with this Specific Plan as well as applicable policies and regulations of the City including, but not limited to, the Zoning Ordinance, Subdivision regulations, Fire Department requirements, Public Works standards, and the adopted Community Design Guidelines. Conditions of approval may be imposed by the City, including those which require design changes, as the City deems necessary and appropriate to make necessary findings set forth in Chapter 19.08 of the Buellton Municipal Code.
3. This component of the Specific Plan shall be considered public and after implementation and development by the developer, ownership with the acceptance of the City Council shall be transferred to the City of Buellton.
4. Paths and walkways shall connect the Parks/Recreation components to the other land use components on the site to encourage pedestrian access.
5. ~~Through the neighborhood park adjacent to the existing Thumbelina residential neighborhood, there will be an all-weathered engineered access road with surface sufficient to handle fire and emergency vehicles.~~

## Summary

Figure 5 provides a land use plan for the entire site. It is the cornerstone of this planning document. This map represents the culmination of many hours of land use planning which focused on achieving the goals of the Specific Plan and addressing the key issues identified in this document and the City of Buellton General Plan. Figure 7a provides a general guideline for setbacks within each land use area of the Specific Plan. It is not intended to provide detailed information about the actual design of the individual units. Sections III and IV of the Specific Plan provides standards and programs to support the land use map and ensure that future development is consistent with the City of Buellton General Plan and with the goals of this Specific Plan.

## III. PUBLIC FACILITIES

The purpose of this section is to provide information on the types of services required for development of the Specific Plan, to identify the service provider, and to provide an estimate of service demand. Where necessary, development standards and programs are included.

### **A. Police and Fire Protection**

#### *Police Protection:*

The Specific Plan area will be served by the City of Buellton Police Department, which is provided by the Santa Barbara County Sheriff's Department. The Buellton police

substation is located at 140 West Highway 246. The City contracts with the County to have a deputy on duty at all times. The following is a breakout of the Buellton Police Department staff; (1) Lieutenant, (1) Deputy (per 12 hour shift), (1) **Community Resource Deputy Traffic Officer**, and (1) Detective (approximately 13 hours/week each). The City of Buellton Police Department strives to maintain police protection at a ratio of one officer for approximately every 1,200 residents. The Department maintains a response time goal of five minutes for 90% of all High Priority (i.e., life threatening) calls.

Fiscal conditions may impact the County's ability at the time of this Specific Plan writing, to realize that goal. The population of Buellton is currently small enough that the one deputy with a patrol car on duty at all times is adequate. Additional support is available from other sheriff deputies in the county as well.

The uses proposed in the Specific Plan are intended to serve the existing population and provide housing for the expected population growth of the City. Using the factor of 2.68 persons per occupied residential unit, the residential component of the Specific Plan could result in a population increase of 654 [2.68 x estimated 244 units]. This is a very high estimate since many of these units are much smaller and more appropriate for couples, and singles rather than larger families.

#### *Fire Protection:*

The County Fire Department provides fire protection to the Specific Plan site from Fire Station #31 which is located at 168 West Highway 246 near Industrial Way. According to the City of Buellton General Plan, this station is equipped with (1) fire engine with 1,500 gallons per minute (gpm) capacity, (1) brush truck, and (1) hazardous material tractor/trailer vehicle. The station employs (3) Captains, (3) Engineers, (3) Firefighters, and (3) Firefighter Paramedics for a total of twelve full-time firefighters. There is one member from each of the aforementioned positions on duty at the station at all times. The emergency response time within the City limits is within five minutes. Currently, the desired level of emergency service resources is stated as 1 to 1.3 firefighters per 1,000 population. The current firefighter per 1,000-population ratio for the Buellton station is 3.5, considering a staff of twelve full-time employees.

Additional population within the service area of 654 persons will not exceed the standard. Another standard used by the County Fire Department to determine the adequacy of fire protection service is a measure of response time. Given the location of Fire Station #31, the site is within the five-minute response time standard. As shown in Figure 6, there are at least two routes of ingress and egress for each land use component to provide for emergency access. A useful tool to address fire safety is a Fire Protection Master Plan. A Fire Protection Master Plan provides fire protection measures that can be incorporated into project design to reduce risk of fire.

The following development standard is proposed as part of this Specific Plan:

1. Prior to approval of any development plan for any component of the Specific Plan, a Fire Protection Master Plan shall be prepared and approved by the County of Santa Barbara Fire Department.

## **B. Water and Wastewater**

### *Water:*

There will be a crash gate to allow emergency vehicle access between the two neighborhoods. The discontinued street will transition to approved paving or ground cover per Fire Department recommendations. The Circulation Plan in Figure 6 shows the possible location of this right-of-way which will travel ~~through the neighborhood park (along the eastern edge of the site)~~ and from the proposed residential area and connect to the proposed internal loop road.

### ***E. Resource Recovery***

The disposal of solid waste is a pressing issue for human settlements as landfill space becomes scarce and expensive. The best approach for any community is to reduce the production of waste that must go to a landfill. Solid waste collection is provided by Health Sanitation Services, which is contracted by the City of Buellton. Valley Recycling provides curbside pickup of all recyclable materials to Buellton residents.

The following development standards are proposed to ensure that the Specific Plan is consistent with existing City policies:

1. An on-site recycling or composting program shall be established for all uses.

### ***F. Schools***

In the City of Buellton, local schools are operated by the Buellton Union School District and the Santa Ynez Valley Union High School District. The local school facilities are currently at or near maximum capacity. Jonata Elementary, Oak Valley Elementary, The Santa Ynez High School and a number of private schools serve the residents of Buellton. Currently, both school districts have standard mitigation fees for commercial and residential development. These fees are typically accessed on a per square foot of proposed development basis.

Increased school enrollment will occur as a result of the residential components of the Specific Plan. To estimate potential increases in enrollment, the County of Santa Barbara uses a factor of 0.6 primary school students per unit and 0.4 secondary school students per unit. Using these factors, full build out of the Specific Plan could result in 146 primary school students and 98 secondary school students. Multi-family use, for instance, would attract more singles, elderly citizens and families without children and the actual impact on the local schools may be much less. As development plans come forward for those phases that incorporate residential components, impacts will need to be appropriately calculated in order to facilitate the necessary mitigation

### ***G. Utilities***

With respect to the provision of utility service on the site, Southern California Gas Company (The Gas Company) will provide natural gas service, PG&E will provide electricity, and Verizon will provide phone service. All new utilities serving proposed development on site will be underground. Existing utility poles and power lines will remain in place.

In lieu of undergrounding the existing utility poles along the eastern property boundary, the applicant shall submit \$160,000 to the City of Buellton for use in enhancing The

improvement plans have been prepared and approved by the City Engineer/Public Works Director in accordance with City requirements. Rough grading shall be phased in conjunction with the off-site improvements, and shall include only those area(s) necessary to convey historic stormwater run-off that is interrupted by the phased improvements to an approved point of discharge.

Phase 2 – Development of the hotel or commercial areas and central park:

The Final Development Plan for the hotel or commercial area and the central park shall be submitted within five months after the approval of the associated hotel or commercial area Phase 1 improvement plans. A complete building permit application for either the hotel or commercial area and central park shall be submitted within six months of City approval of the Final Development Plan. Construction of either the hotel or commercial area and central park shall begin within two months of building permit issuance. For either the hotel or commercial areas, the Phase 2 development may be processed concurrently with Phase 1.

Phase 3 – Development of the residential and pocket park areas:

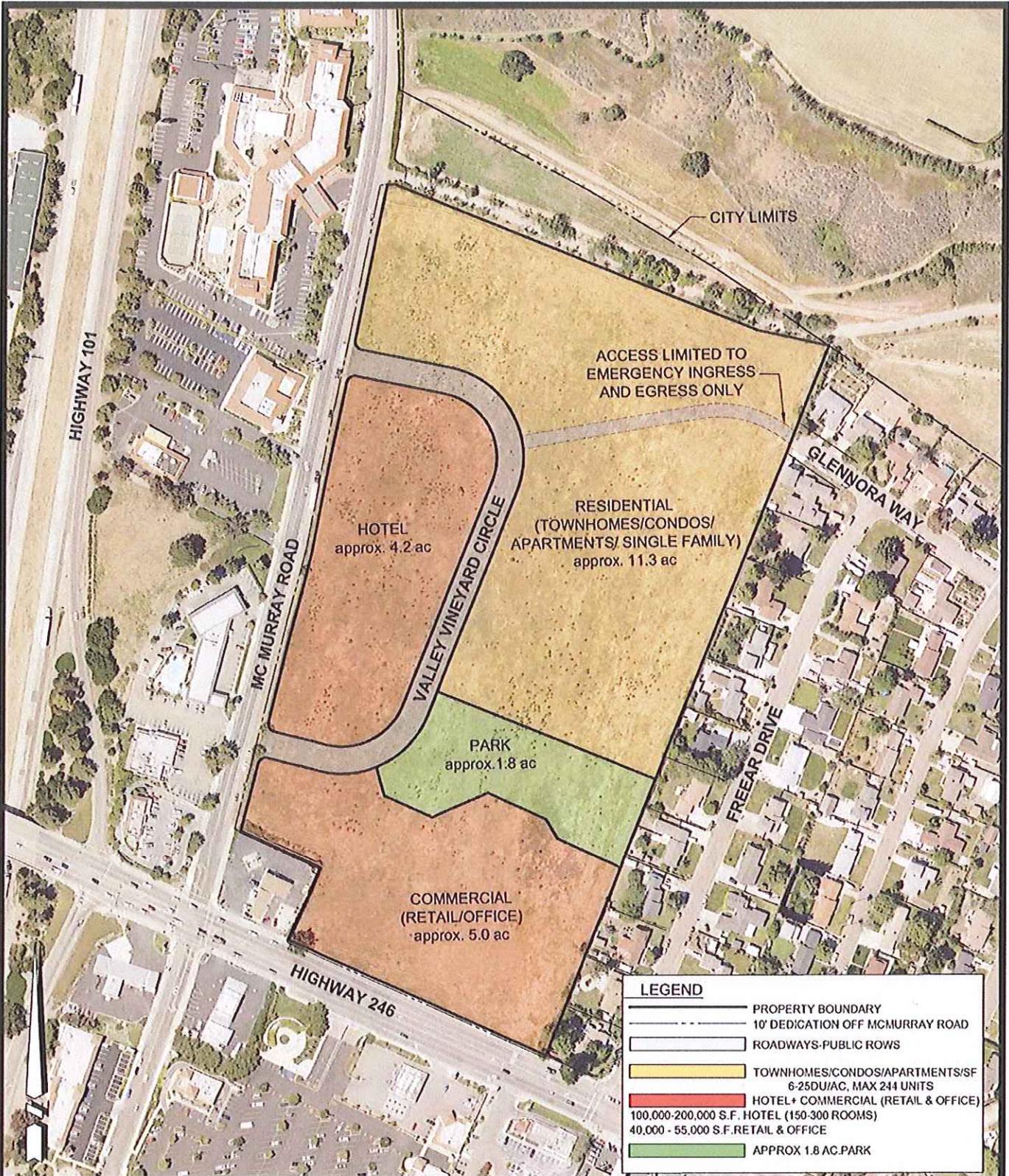
Final Development Plans cannot be approved for a residential project until a Final Development Plan has been approved for either the hotel or commercial area. Building permits for a residential project cannot be issued until building permits obtained and foundations poured for either the hotel or commercial area.

Senior Residential Housing Exception: Development plans for senior residential housing projects may be approved concurrent with or after Phase 1. Building permits for senior residential housing projects may be issued any time after the Phase 1 improvements shown on Exhibit 1 (Lot 1 – Hotel Phase Public Improvements) are completed sufficient for the independent development of the senior residential housing project. If the development of the central park has not begun as part of Phase 2 then it shall be designed and completed as part of the senior residential housing project.

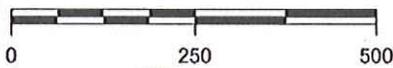
~~Pocket park plans shall be developed and approved concurrently with the first residential project development plans adjacent to the pocket park. Construction of the pocket park shall be complete prior to the first residential certificate of occupancy adjacent to the pocket park.~~

### **C. Fees and Costs**

Prior to issuance of construction permits for any approved development plans within the Specific Plan site area, the City Council, upon recommendation of The Planning Commission, must approve a comprehensive “master grading and utility plan” and a “street-lighting and landscaping master plan.” The purpose of these plans is to articulate specific design details and the financial means for installing and maintaining public improvements. No detention basins are proposed are part of the project and the park will not be used for this purpose, either as an interim measure, or as a permanent feature. All extraordinary maintenance costs shall be borne by the developer through prepayment of long-term reoccurring costs, formation of a homeowners association or other means



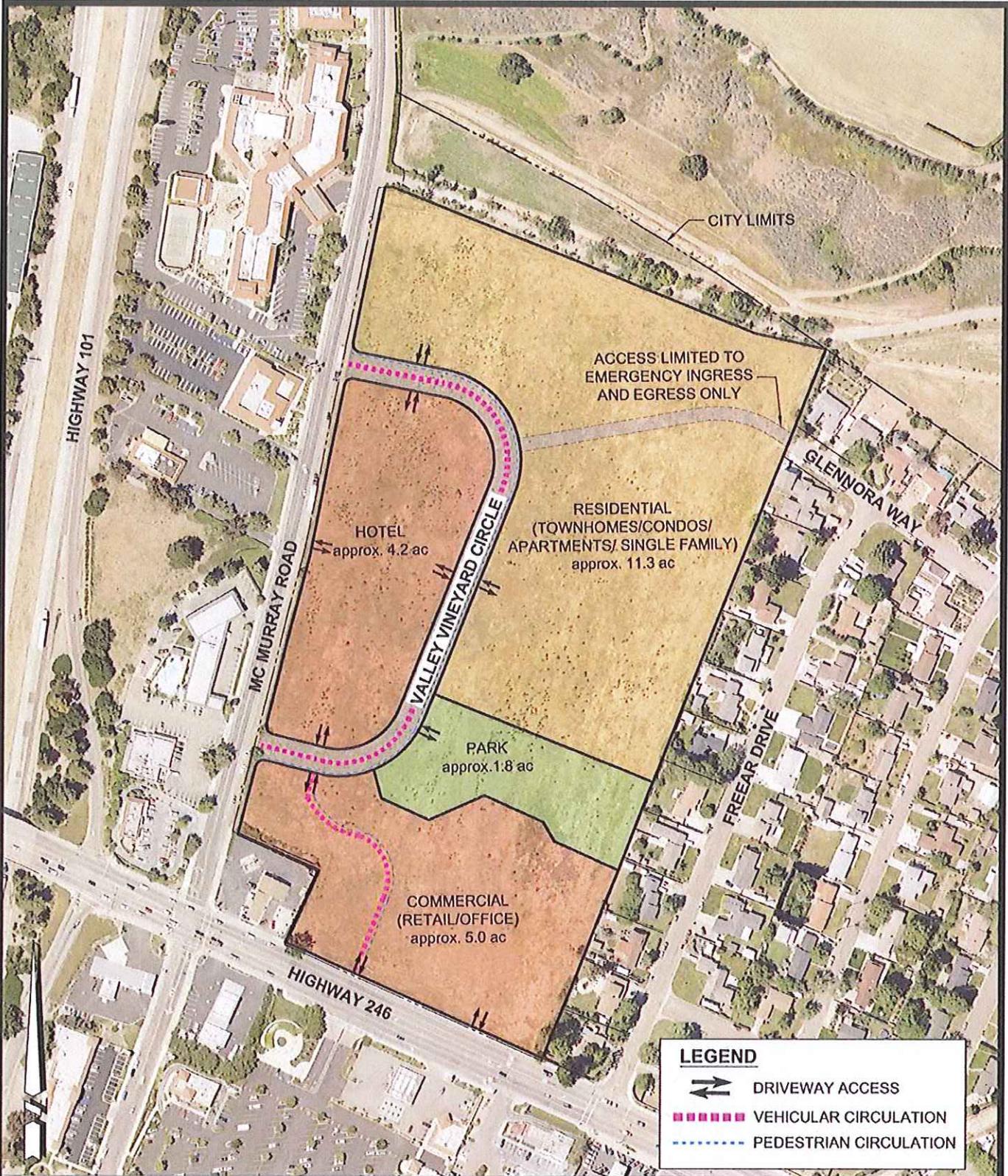
SCALE: 1" = 250'



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**FIGURE 5: LAND USE  
THE VILLAGE SPECIFIC PLAN  
BUELLTON, CA  
JANUARY 2013**

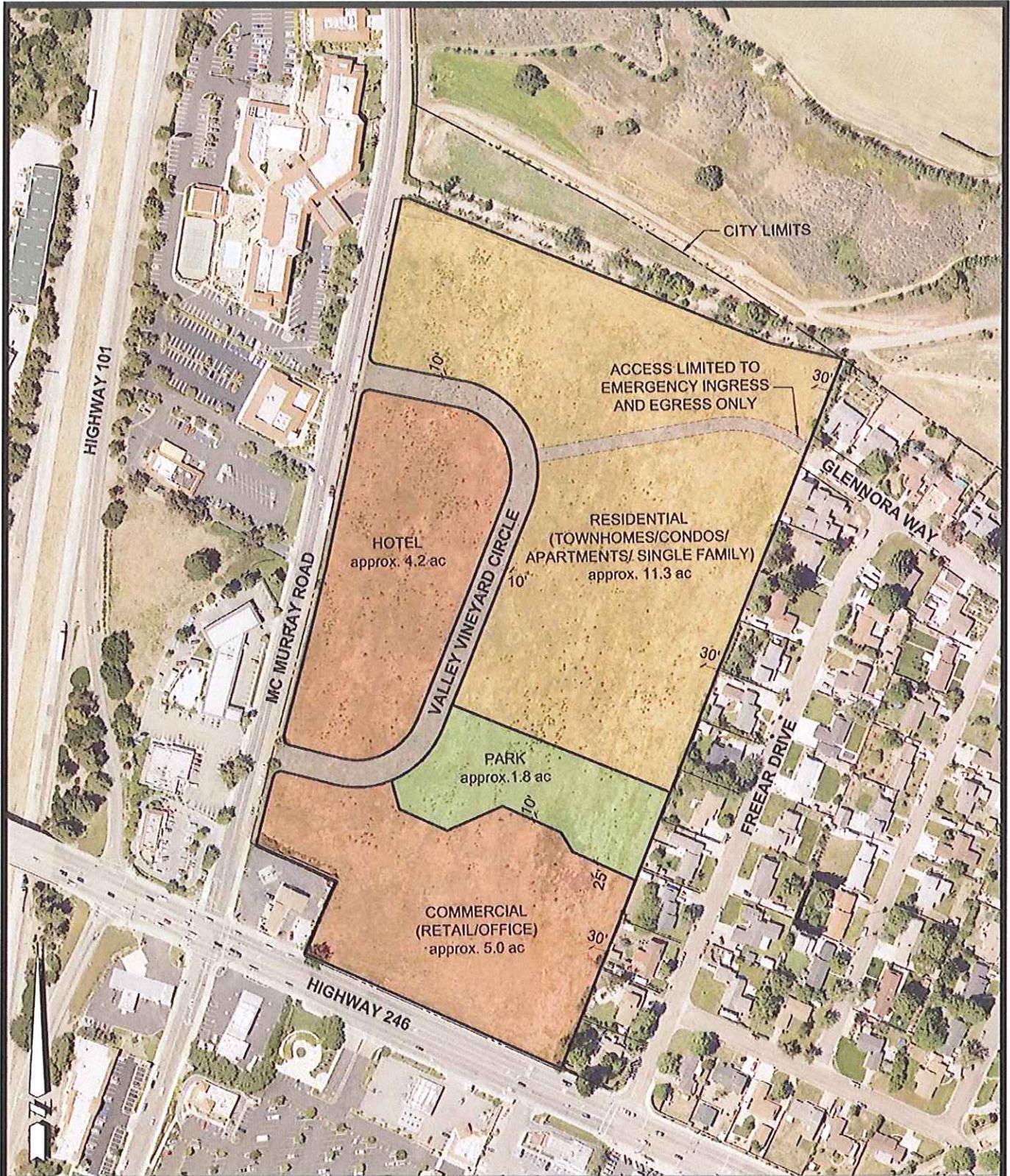
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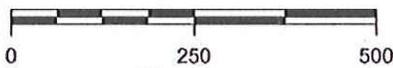
SCALE: 1" = 250'



**FIGURE 6: CIRCULATION ACCESS PLAN**  
**THE VILLAGE SPECIFIC PLAN**  
**BUELLTON, CA**  
**JANUARY 2013**

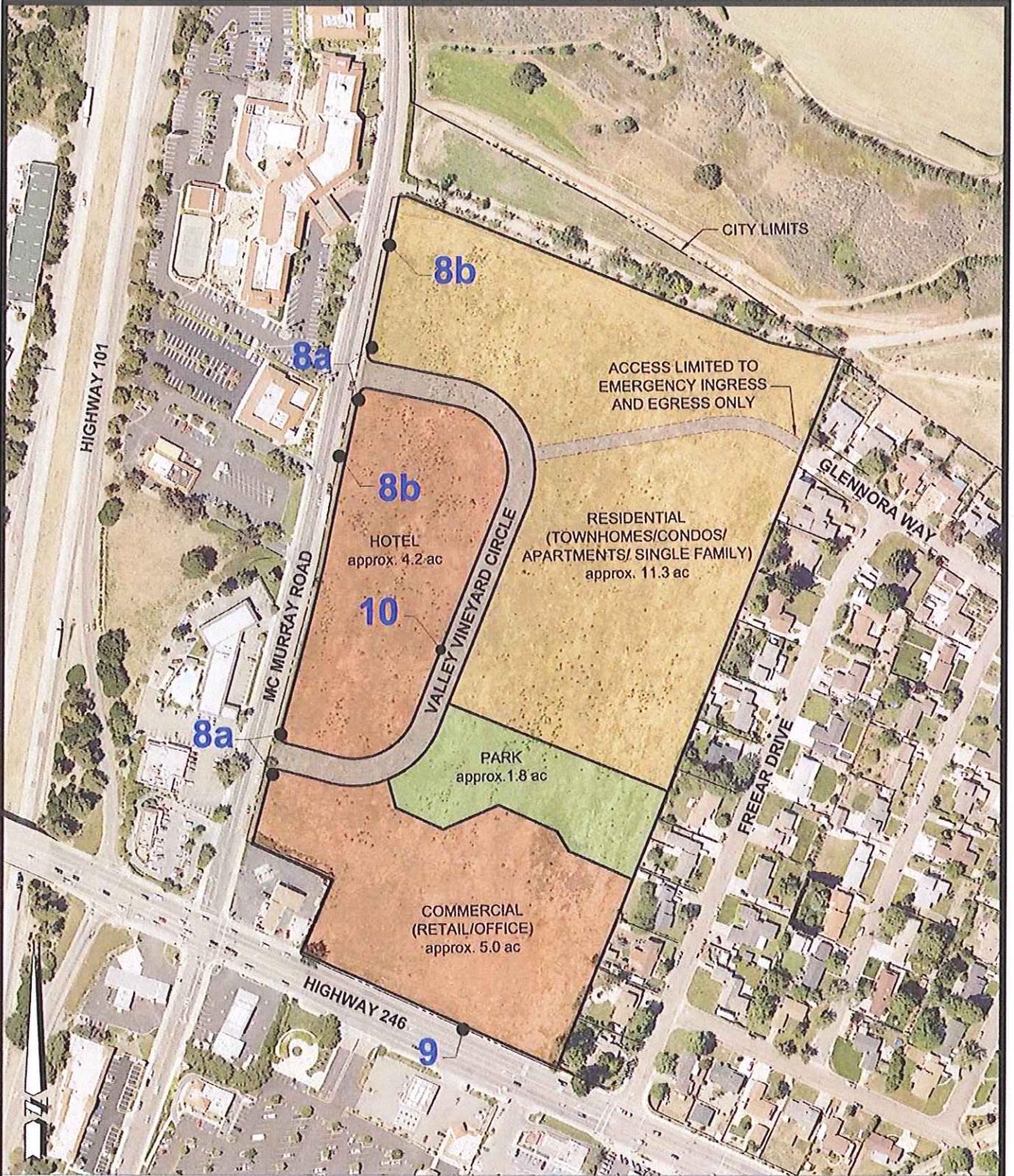


SCALE: 1" = 250'



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**FIGURE 7A: BUILDING SETBACKS  
THE VILLAGE SPECIFIC PLAN  
BUELLTON, CA  
JANUARY 2013**



SCALE: 1" = 250'



**FIGURE 11: STREET SECTION LOCATIONS  
THE VILLAGE SPECIFIC PLAN  
BUELLTON, CA  
JANUARY 2013**

**ORDINANCE NO. 13-03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING A SPECIFIC PLAN AMENDMENT (13-SP-01) FOR THE VILLAGE SPECIFIC PLAN LOCATED ON ASSESSOR'S PARCEL NO. 137-090-045 AND MAKING FINDINGS IN SUPPORT THEREOF**

**THE CITY COUNCIL OF THE CITY OF BUELLTON DOES ORDAIN AS FOLLOWS:**

**SECTION 1:** The Village Specific Plan was approved on September 27, 2007, by City Council Ordinance No. 07-07, and amended on December 13, 2012, by City Council Ordinance No. 12-02.

**SECTION 2:** The City and John Franklin (hereinafter referred to as the "Applicant"), have filed an application requesting approval of an amendment to the adopted Specific Plan requesting changes that would combine the 1.4 acre park and 0.4 acre park into one 1.8 acre park and adjust the residential and commercial areas to accommodate the change to the parks.

**SECTION 3:** All proceedings having been duly taken as required by law, and upon review of the information provided in the staff report, consideration of the testimony given at the public hearing, as well as other pertinent information, the City Council finds the following:

- A. Record.** Prior to rendering a decision on any aspect of the Project, the City Council considered the following:
1. All public testimony, both written and oral, received in conjunction with the public hearing conducted by the Planning Commission on February 7, 2013 ("Planning Commission Public Hearing").
  2. All oral, written and visual materials presented by City staff in conjunction with the Planning Commission Public Hearing.
  3. All public testimony, both written and oral, received in conjunction with the public hearing conducted by the City Council on March 14, 2013 ("City Council Public Hearing").
  4. All oral, written and visual materials presented by City staff in conjunction with the City Council Public Hearing.
  5. The following informational documents which, by this reference, are incorporated herein.

- a. The written report submitted by the Planning Department dated March 14, 2013.
- b. The Village Specific Plan dated December 13, 2012.

**B. Public Review.** On the basis of evidence hereinafter listed, all administrative procedures and public participation requirements prescribed in the Buellton Zoning Ordinance have been lawfully satisfied:

1. A notice concerning this matter was published in a newspaper on January 31, 2013, a minimum of ten (10) days in advance of the Planning Commission Public Hearing.
2. The Planning Commission Public Notice was mailed to the Applicant, affected public agencies, persons owning property within 300 feet of the Project site and others known to be interested in the matter on January 31, 2013, a minimum of ten (10) days in advance of the Planning Commission Public Hearing.
3. The Public Notice and Agenda for the Planning Commission Public Hearing were posted in three conspicuous public places a minimum of 10 days before the Planning Commission Public Hearing.
4. A notice of public hearing was published in a newspaper on February 28, 2013 (the "Public Notice"), a minimum of ten (10) days in advance of the City Council Public Hearing.
5. The Public Notice was mailed to the Applicant, affected public agencies, persons owning property within 300 feet of the Project site and others known to be interested in the matter on February 28, 2013, a minimum of ten (10) days in advance of the City Council Public Hearing.
6. The Public Notice and Agenda for the Public Hearing were posted in three conspicuous public places a minimum of 10 days before the City Council Public Hearing.

**C. Environmental Clearance.** The proposed amendment is adequately addressed in the prior environmental document (Addendum EIR) prepared for the Village Specific Plan. No further environmental review is required.

**D. Consistency Declarations.** Based on (i) the evidence presented in the Staff Report (incorporated herein by reference), (ii) consultations with affected City Departments, and (iii) testimony and comments received in connection with the Planning Commission and City Council Public Hearings, the City Council does hereby declare as follows:

**1. Specific Plan Adoption.**

**a. Findings:**

- i.** The form and substance of the Specific Plan Amendment, as well as the process used in its preparation and adoption, are consistent with the requirements set forth in the Buellton Municipal Code (Section 19.08.140).
- ii.** The Specific Plan Amendment is in conformance with all applicable policies and implementation programs set forth in the 2025 Buellton General Plan.
- iii.** The Specific Plan Amendment will not be detrimental to the health, safety, comfort, convenience, property values and general welfare of the community based on the development standards set forth in the Village Specific Plan and with the incorporation of the mitigation measures from the AEIR (both not being changed by the Specific Plan Amendment).
- iv.** The Specific Plan Amendment will not adversely affect such necessary community services, including traffic circulation, sewage disposal, fire protection, police protection and water supply based on the development standards set forth in the Village Specific Plan and with the incorporation of the mitigation measures from the AEIR (both not being changed by the Specific Plan Amendment).

**SECTION 4:** Based upon the forgoing findings, facts and conclusions, including, but not limited to, the review of the information provided in the Staff Report, consideration of the testimony given at the City Council Public Hearing, as well as other pertinent information, the City Council hereby adopts amendments to the Village Specific Plan as noted in Exhibit A to the Ordinance.

**PASSED, APPROVED AND ADOPTED** this 28<sup>th</sup> day of March, 2013.

\_\_\_\_\_  
Judith Dale  
Mayor

ATTEST:

\_\_\_\_\_  
Linda Reid  
City Clerk

The property is designated *Specific Plan* on the adopted General Plan land use map and zoned CR-SP (General Commercial-Specific Plan) (see Figure 2). The surrounding property land uses and zoning are as follows:

Hilltop driveway to a ranch zoned CR 2.14 acre site to the North

Highway 246 shopping center; zoned CR, 10 acre site to the South

Thumbelina Subdivision 13 single-family dwellings zoned RS-10 to the East

McMurray Road six parcels zoned CR to the West.

The site is currently undeveloped.

The topography is fairly flat with a gentle slope from the southeast up to the northwest corner. Elevations on the project site range from a maximum of 392.1 at the north property line, which drops to 377.4 for a majority of the north portion of the site then down to 363.9 at the south area flanking Highway 246. These numbers indicate a vertical drop 13.5 feet in approximately 1500 horizontal feet. The site drainage is toward the south. See Figure 3 for topographic information.

## **C. Overview of Existing Plans and Policies**

### **The General Plan**

As required by state law the General Plan serves as a “community’s blueprint for the use and development of land within its planning area.” The City of Buellton General Plan identifies and designates types and locations of land uses, and creates an overall set of policies to guide development within the City. The General Plan is comprised of the following elements:

Land Use – 2005

Housing – ~~2004~~ 2009

Circulation – 2005

Conservation - 2007

Open Space - 2007

Safety - 2007

Noise - 2007

Economic Development - 2007

Public Safety - 2007

Parks and Recreation - 2007

Each element of the General Plan contains goals, policies and programs concerning that element which the Specific Plan shall incorporate.

## **D. Goals and Key Issues**

The overall goal of this Specific Plan is to enhance the orderly development of the community and meet some of the identified community needs by intelligently planning for a mix of land uses. The objectives are as follows:

The types of land uses proposed and the overall site planning addresses the majority of the key issues of the Specific Plan. Where the land-use plan does not fulfill this objective, then specific programs, development standards and guidelines are proposed.

## **II. LAND USE**

### **A. Introduction and Overview**

The Land Use section of this Specific Plan describes the land use plan for the site. It will include a discussion of the types of land uses, their location and size, the uses permitted, and any standards that are specific to the land use plan. The description of and standards for specific issue areas of the Specific Plan, such as circulation, architecture, utilities etc., are presented in Sections III and IV of this document.

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The land use plan for the Specific Plan is comprised of four primary land use components:

1. Commercial (Retail and Office), 40,000-55,000 s.f. (approximately 4.5 acres)
2. Hotel, 150 – 225 rooms and 100,000 – 200,000 s.f. (approximately 4.4.2 acres)
3. Residential (Single family, multi-family, assisted living), maximum 244 units, approximately 12.11.3 acres
4. Parks/Open Space, approximately 1.8 acres

Each of the selected land uses fills an existing need with in the City of Buellton and in some cases the needs of Santa Barbara County as a whole. In addition, these land uses have a complementary relationship with each other, which will create a synergy on the site.

Commercial (retail and office) and Hotel development shall not exceed approximately 255,000 square feet without revision to the Specific Plan. The hotel room maximum of 225 is an approximation as is the 40,000 to 55,000 square feet of retail. The Specific Plan will allow for either use to achieve its maximum only if the other use is reduced accordingly to ensure that the traffic volumes continue to comply with the approved traffic analysis. In addition, no more than fifteen percent (15%) of the total building area shall be used or occupied by a non-retail, non-sales tax generating use. Exceptions to this 15% threshold may be allowed on a case-by-case basis subject to issuance of a Conditional Use Permit.

The selected land uses have been located on the site to create interaction and cohesion among the uses on-site, to minimize the potential for conflicts between uses both on-site and off-site, and to successfully integrate the site into the surrounding community. Other factors that were considered in the lay-out of the land use plan were a) the visual and safety issues related to the presence of major travel corridors adjacent to the site b) harmonious and safe circulation of vehicular and pedestrian traffic throughout the site, and c) assuring

but not limited to, the Zoning Ordinance, Subdivision regulations, Fire Department requirements, Public Works standards, and the adopted Community Design Guidelines. Conditions of approval may be imposed by the City, including those which require design changes, as the City deems necessary and appropriate to make necessary findings set forth in Chapter 19.08 of the Buellton Municipal Code.

7. Each unit in the Residential Housing component shall be provided a minimum of one covered parking space per studio or one bedroom and two covered parking spaces per two or more bedroom apartments. One guest parking space shall be provided per 5 units.
8. The Residential Housing land use component shall have access to the overall site pedestrian network.
9. The layout of the residential units will be clustered and the architectural theme of the units will be consistent with the small town, rural concept that the City of Buellton would like to preserve.
10. The design and layout of development in the Residential Housing component shall provide the maximum opportunity for pedestrian access throughout the site in a manner that minimizes the conflicts with vehicular traffic.
11. All new residential development is subject to conform to the 20% inclusionary requirements of Chapter 19.16 Affordable Housing of the City's Municipal Code. Units shall comply with regulations by the City's Affordable Housing Ordinance (i.e., retention and duration of affordability, compliance with development standards, target income mix, execution of an Affordable Housing Agreement, etc.).

12. An all-weather engineered emergency access road with a surface sufficient to handle fire and emergency vehicles shall be installed from the end of Glennora Way to Valley Vineyard Circle.

#### 4. Parks/Recreation

There is a recognized need for public parks within the City of Buellton. This need for public parks and open space is particularly acute for neighborhoods east of Highway 101. The purpose of the Parks/Recreation component of the Specific Plan is to address these needs with an active and passive use community park and neighborhood park totaling approximately 1.8 acres and a network of pedestrian paths and landscaping buffers and screening. The community park is located at the center of the Specific Plan area making it accessible to all users of the site. The community park serves as a buffer between different land use and an extension of the commercial village components. It is intended to serve not only those who live or work on the Specific Plan site but the citizens of the City of Buellton as a whole. The location at the center of the site removes the Parks/Recreation component from Mc Murray Road and Highway 246 making it a safe place for children to play, families to gather and provides a peaceful place to take a walk. The approximately 0.4 acre neighborhood park near the Thumbelina neighborhood provides space for items such as a basketball court or volleyball court and other amenities. The centrally located approximately ~~1.4~~ 1.8 acre community park provides a gathering space with picnic tables and benches, and an active park area with room for active play fields and/or tot lots.

The following development standards shall apply to the Parks/Recreation component of this Specific Plan.

1. The total size of the ~~two parks~~ in the plan area shall be approximately 1.8 acres.
2. City review and approval of a Development Plan shall be required for all new construction. Each Development Plan shall be reviewed for consistency with this Specific Plan as well as applicable policies and regulations of the City including, but not limited to, the Zoning Ordinance, Subdivision regulations, Fire Department requirements, Public Works standards, and the adopted Community Design Guidelines. Conditions of approval may be imposed by the City, including those which require design changes, as the City deems necessary and appropriate to make necessary findings set forth in Chapter 19.08 of the Buellton Municipal Code.
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4. Paths and walkways shall connect the Parks/Recreation components to the other land use components on the site to encourage pedestrian access.
- ~~5. Through the neighborhood park adjacent to the existing Thumbelina residential neighborhood, there will be an all-weathered engineered access road with surface sufficient to handle fire and emergency vehicles.~~

## Summary

Figure 5 provides a land use plan for the entire site. It is the cornerstone of this planning document. This map represents the culmination of many hours of land use planning which focused on achieving the goals of the Specific Plan and addressing the key issues identified in this document and the City of Buellton General Plan. Figure 7a provides a general guideline for setbacks within each land use area of the Specific Plan. It is not intended to provide detailed information about the actual design of the individual units. Sections III and IV of the Specific Plan provides standards and programs to support the land use map and ensure that future development is consistent with the City of Buellton General Plan and with the goals of this Specific Plan.

## **III. PUBLIC FACILITIES**

The purpose of this section is to provide information on the types of services required for development of the Specific Plan, to identify the service provider, and to provide an estimate of service demand. Where necessary, development standards and programs are included.

### **A. Police and Fire Protection**

#### *Police Protection:*

The Specific Plan area will be served by the City of Buellton Police Department, which is provided by the Santa Barbara County Sheriff's Department. The Buellton police

substation is located at 140 West Highway 246. The City contracts with the County to have a deputy on duty at all times. The following is a breakout of the Buellton Police Department staff; (1) Lieutenant, (1) Deputy (per 12 hour shift), (1) **Community Resource Deputy Traffic Officer**, and (1) Detective (approximately 13 hours/week each). The City of Buellton Police Department strives to maintain police protection at a ratio of one officer for approximately every 1,200 residents. The Department maintains a response time goal of five minutes for 90% of all High Priority (i.e., life threatening) calls.

Fiscal conditions may impact the County's ability at the time of this Specific Plan writing, to realize that goal. The population of Buellton is currently small enough that the one deputy with a patrol car on duty at all times is adequate. Additional support is available from other sheriff deputies in the county as well.

The uses proposed in the Specific Plan are intended to serve the existing population and provide housing for the expected population growth of the City. Using the factor of 2.68 persons per occupied residential unit, the residential component of the Specific Plan could result in a population increase of 654 [2.68 x estimated 244 units]. This is a very high estimate since many of these units are much smaller and more appropriate for couples, and singles rather than larger families.

#### *Fire Protection:*

The County Fire Department provides fire protection to the Specific Plan site from Fire Station #31 which is located at 168 West Highway 246 near Industrial Way. According to the City of Buellton General Plan, this station is equipped with (1) fire engine with 1,500 gallons per minute (gpm) capacity, (1) brush truck, and (1) hazardous material tractor/trailer vehicle. The station employs (3) Captains, (3) Engineers, (3) Firefighters, and (3) Firefighter Paramedics for a total of twelve full-time firefighters. There is one member from each of the aforementioned positions on duty at the station at all times. The emergency response time within the City limits is within five minutes. Currently, the desired level of emergency service resources is stated as 1 to 1.3 firefighters per 1,000 population. The current firefighter per 1,000-population ratio for the Buellton station is 3.5, considering a staff of twelve full-time employees.

Additional population within the service area of 654 persons will not exceed the standard. Another standard used by the County Fire Department to determine the adequacy of fire protection service is a measure of response time. Given the location of Fire Station #31, the site is within the five-minute response time standard. As shown in Figure 6, there are at least two routes of ingress and egress for each land use component to provide for emergency access. A useful tool to address fire safety is a Fire Protection Master Plan. A Fire Protection Master Plan provides fire protection measures that can be incorporated into project design to reduce risk of fire.

The following development standard is proposed as part of this Specific Plan:

1. Prior to approval of any development plan for any component of the Specific Plan, a Fire Protection Master Plan shall be prepared and approved by the County of Santa Barbara Fire Department.

## **B. Water and Wastewater**

### *Water:*

There will be a crash gate to allow emergency vehicle access between the two neighborhoods. The discontinued street will transition to approved paving or ground cover per Fire Department recommendations. The Circulation Plan in Figure 6 shows the possible location of this right-of-way which will travel ~~through the neighborhood park~~ (along the eastern edge of the site) and from the proposed residential area and connect to the proposed internal loop road.

### ***E. Resource Recovery***

The disposal of solid waste is a pressing issue for human settlements as landfill space becomes scarce and expensive. The best approach for any community is to reduce the production of waste that must go to a landfill. Solid waste collection is provided by Health Sanitation Services, which is contracted by the City of Buellton. Valley Recycling provides curbside pickup of all recyclable materials to Buellton residents.

The following development standards are proposed to ensure that the Specific Plan is consistent with existing City policies:

1. An on-site recycling or composting program shall be established for all uses.

### ***F. Schools***

In the City of Buellton, local schools are operated by the Buellton Union School District and the Santa Ynez Valley Union High School District. The local school facilities are currently at or near maximum capacity. Jonata Elementary, Oak Valley Elementary, The Santa Ynez High School and a number of private schools serve the residents of Buellton. Currently, both school districts have standard mitigation fees for commercial and residential development. These fees are typically assessed on a per square foot of proposed development basis.

Increased school enrollment will occur as a result of the residential components of the Specific Plan. To estimate potential increases in enrollment, the County of Santa Barbara uses a factor of 0.6 primary school students per unit and 0.4 secondary school students per unit. Using these factors, full build out of the Specific Plan could result in 146 primary school students and 98 secondary school students. Multi-family use, for instance, would attract more singles, elderly citizens and families without children and the actual impact on the local schools may be much less. As development plans come forward for those phases that incorporate residential components, impacts will need to be appropriately calculated in order to facilitate the necessary mitigation

### ***G. Utilities***

With respect to the provision of utility service on the site, Southern California Gas Company (The Gas Company) will provide natural gas service, PG&E will provide electricity, and Verizon will provide phone service. All new utilities serving proposed development on site will be underground. Existing utility poles and power lines will remain in place.

In lieu of undergrounding the existing utility poles along the eastern property boundary, the applicant shall submit \$160,000 to the City of Buellton for use in enhancing The

improvement plans have been prepared and approved by the City Engineer/Public Works Director in accordance with City requirements. Rough grading shall be phased in conjunction with the off-site improvements, and shall include only those area(s) necessary to convey historic stormwater run-off that is interrupted by the phased improvements to an approved point of discharge.

Phase 2 – Development of the hotel or commercial areas and central park:

The Final Development Plan for the hotel or commercial area and the central park shall be submitted within five months after the approval of the associated hotel or commercial area Phase 1 improvement plans. A complete building permit application for either the hotel or commercial area and central park shall be submitted within six months of City approval of the Final Development Plan. Construction of either the hotel or commercial area and central park shall begin within two months of building permit issuance. For either the hotel or commercial areas, the Phase 2 development may be processed concurrently with Phase 1.

Phase 3 – Development of the residential and pocket park areas:

Final Development Plans cannot be approved for a residential project until a Final Development Plan has been approved for either the hotel or commercial area. Building permits for a residential project cannot be issued until building permits obtained and foundations poured for either the hotel or commercial area.

Senior Residential Housing Exception: Development plans for senior residential housing projects may be approved concurrent with or after Phase 1. Building permits for senior residential housing projects may be issued any time after the Phase 1 improvements shown on Exhibit 1 (Lot 1 – Hotel Phase Public Improvements) are completed sufficient for the independent development of the senior residential housing project. If the development of the central park has not begun as part of Phase 2 then it shall be designed and completed as part of the senior residential housing project.

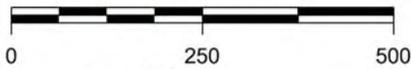
~~Pocket park plans shall be developed and approved concurrently with the first residential project development plans adjacent to the pocket park. Construction of the pocket park shall be complete prior to the first residential certificate of occupancy adjacent to the pocket park.~~

### **C. Fees and Costs**

Prior to issuance of construction permits for any approved development plans within the Specific Plan site area, the City Council, upon recommendation of The Planning Commission, must approve a comprehensive “master grading and utility plan” and a “street-lighting and landscaping master plan.” The purpose of these plans is to articulate specific design details and the financial means for installing and maintaining public improvements. No detention basins are proposed are part of the project and the park will not be used for this purpose, either as an interim measure, or as a permanent feature. All extraordinary maintenance costs shall be borne by the developer through prepayment of long-term reoccurring costs, formation of a homeowners association or other means



SCALE: 1" = 250'



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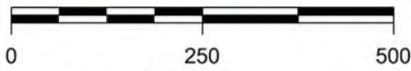
**FIGURE 5: LAND USE  
THE VILLAGE SPECIFIC PLAN  
BUELLTON, CA  
JANUARY 2013**



**LEGEND**

- DRIVEWAY ACCESS
- VEHICULAR CIRCULATION
- PEDESTRIAN CIRCULATION

SCALE: 1" = 250'

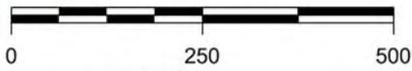


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**FIGURE 6: CIRCULATION ACCESS PLAN  
 THE VILLAGE SPECIFIC PLAN  
 BUELLTON, CA  
 JANUARY 2013**

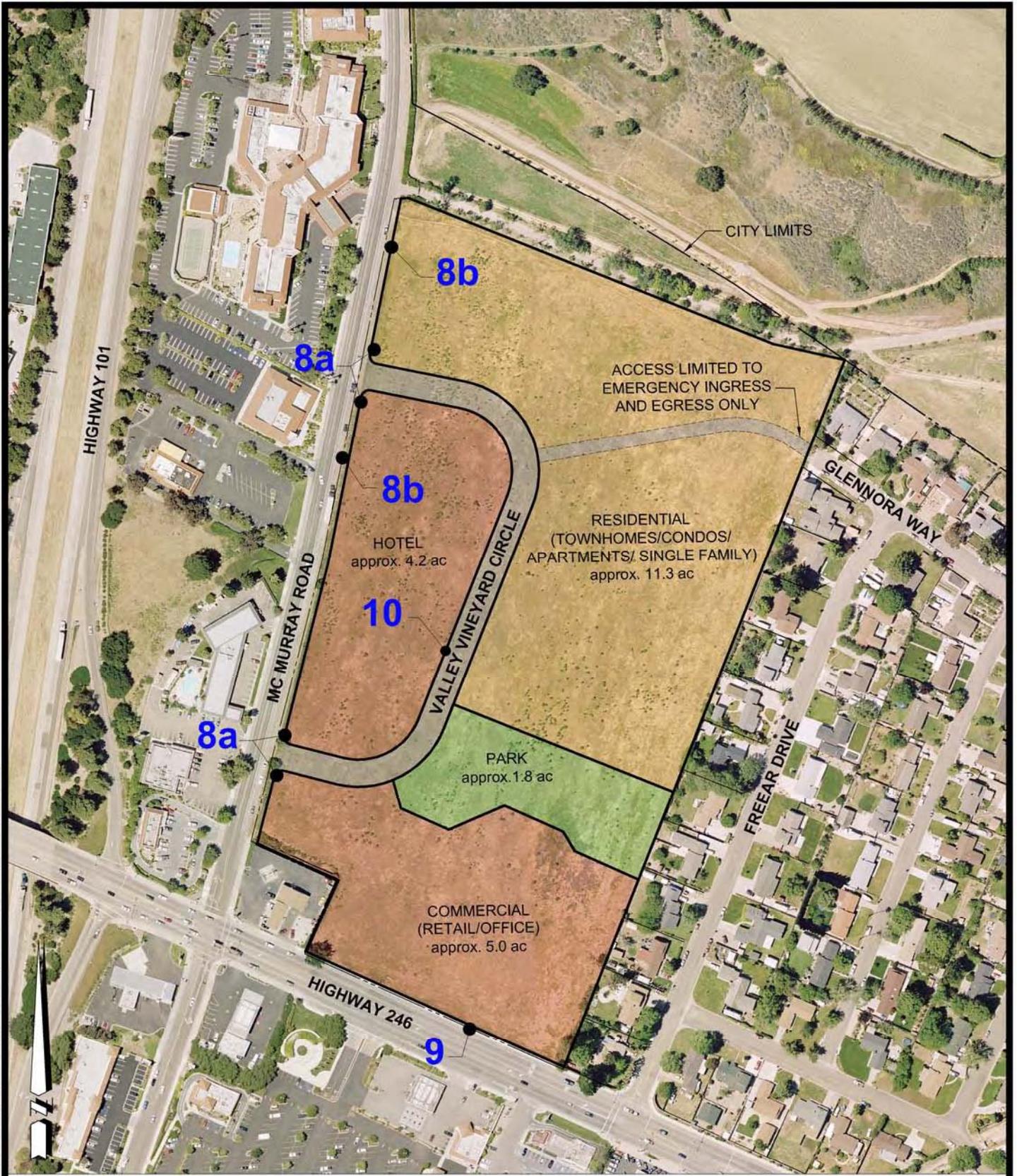


SCALE: 1" = 250'

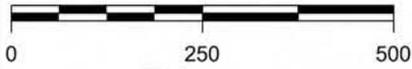


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**FIGURE 7A: BUILDING SETBACKS  
 THE VILLAGE SPECIFIC PLAN  
 BUELLTON, CA  
 JANUARY 2013**



SCALE: 1" = 250'



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**FIGURE 11: STREET SECTION LOCATIONS  
THE VILLAGE SPECIFIC PLAN  
BUELLTON, CA  
JANUARY 2013**

**CITY OF BUELLTON**  
City Council Agenda Staff Report

City Manager Review: JHK  
Council Agenda Item No.: 5

To: The Honorable Mayor and City Council  
From: John Kunkel, City Manager  
Meeting Date: March 14, 2013  
Subject: Discussion/Possible Decision Regarding Allocation of Transient  
Occupancy Tax

---

**BACKGROUND**

In November of 2012 Buellton voters passed Measure D, which allowed the Transient Occupancy Tax, (TOT), to be increased from 10% up to 12%. Recently the City Council decided that the increase would be to 12%.

There has been a request that the Council consider where to allocate the additional 2% increase.

**FISCAL IMPACT**

Unknown at this time.

**RECOMMENDATION**

Council discuss and allocate the increased percentage (2%) as it deems appropriate and direct staff in implement the changes.

**CITY OF BUELLTON**  
City Council Agenda Staff Report

City Manager Review: JHK  
Council Agenda Item No.: 6

To: The Honorable Mayor and City Council

From: Marc Bierdzinski, Planning Director

Meeting Date: March 14, 2013

Subject: Ordinance No. 13-02 – “An Ordinance of the City Council of the City of Buellton, California, Adopting Revisions to Title 19 (Zoning) of the Buellton Municipal Code (13-ZOA-01) Relating to Section 19.04.170.E.6.d, Community Identification Signs and Making Findings in Support Thereof” (Second Reading)

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**BACKGROUND**

At the public hearing of February 28, 2013, the City Council introduced and held the first reading of Ordinance No. 13-02, an ordinance amending Title 19 (Zoning) of the Buellton Municipal Code regarding community identification signs. Ordinance No. 13-02 is now ready for its second reading and adoption and includes the two changes asked for by the City Council:

- That community organizations be allowed on the sign
- That the sentence regarding only using the funds for installation and maintenance of the sign be stricken

**RECOMMENDATION**

Staff recommends that the City Council consider the adoption of Ordinance No. 13-02 – “An Ordinance of the City Council of the City of Buellton, California, Adopting Revisions to Title 19 (Zoning) of the Buellton Municipal Code (13-ZOA-01) Relating to Section 19.04.170.E.6.d, Community Identification Signs and Making Findings in Support Thereof”

**ATTACHMENT**

Ordinance No. 13-02

## ORDINANCE NO. 13-02

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, AMENDING TITLE 19 (ZONING) OF THE BUELLTON MUNICIPAL CODE (13-ZOA-01) RELATING TO SECTION 19.04.170.E.6.d, COMMUNITY IDENTIFICATION SIGNS AND MAKING FINDINGS IN SUPPORT THEREOF

**SECTION 1:** The Buellton Chamber of Commerce is interested in installing a community identification sign at the north end of the City in order to promote economic development. However, the current wording of the community identification sign section of the Municipal Code (Section 19.04.170.E.6.d) does not meet the needs from an economic development standpoint. Therefore, additional details and standards for these types of signs have been drafted. The Planning Commission held public hearings on January 3, 2013, and January 17, 2013, and reviewed the suggested changes to this section and has recommended approval of the changes on a 3-0 vote as noted in Planning Commission Resolution No. 13-01.

**SECTION 2:** All proceedings having been duly taken as required by law, and upon review of the information provided in the staff report, consideration of the testimony given at the public hearing, as well as other pertinent information, the City Council finds the following:

- A. Record.** Prior to rendering a decision on any aspect of the proposed zoning ordinance amendments, the City Council considered the following:
1. All public testimony, both written and oral, received in conjunction with the public hearings conducted by the Planning Commission on January 3, 2013, and January 17, 2013 (“Planning Commission Public Hearings”).
  2. All oral, written and visual materials presented by City staff in conjunction with the Planning Commission Public Hearings.
  3. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the City Council on February 28, 2013 (“City Council Public Hearing”).
  4. All oral, written and visual materials presented by City staff in conjunction with the City Council Public Hearing.
  5. The following informational documents which, by this reference, are incorporated herein.
    - a. That certain written report submitted to the City Council dated February 28, 2013 (the “Staff Report”).

- b. The report and recommendation of the Planning Commission approved on January 17, 2013, and set forth in Resolution No. 13-01.

**B. Public Review.** On the basis of evidence hereinafter listed, all administrative procedures and public participation requirements prescribed in the Buellton Zoning Ordinance have been lawfully satisfied:

1. A notice was published in a legal section of a newspaper on February 14, 2013 (the “Public Notice”), a minimum of ten (10) days in advance of the Public Hearing conducted on February 28, 2013.
2. The Public Notice was posted in three public locations on February 14, 2013, a minimum of 10 days in advance of the Public Hearing.

**C. Environmental Clearance.** This project is exempt from the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**D. Consistency Declarations.** Based on (i) the evidence presented in the Staff Report (incorporated herein by reference), (ii) consultations with affected City Departments, and (iii) testimony and comments received in connection with the public hearing, the City Council does hereby declare as follows:

**1. Zoning Ordinance Amendments.**

**a. Findings:**

- i. The Amendment is in the interests of the general community welfare as it promotes economic development.
- ii. The Amendment is consistent with the General Plan, the requirements of state planning and zoning laws, and Title 19 of the Zoning Ordinance.
- iii. The Amendment is consistent with good zoning and planning practices.

**SECTION 3.**

THE CITY COUNCIL OF THE CITY OF BUELLTON DOES HEREBY ORDAIN AS FOLLOWS:

**19.04.170 Sign Title****E. Prohibited Signs**

6. Off-Premise Signs. Signs that advertise a business, activity or service that is not offered or sold on the premises, including billboards, except that the following are allowed:

d. A community identification sign that identifies Buellton to freeway travellers under the following conditions:

- i. Only one community identification sign shall be permitted (existing vested billboards do not count against this total).
- ii. The sign shall be located within 100 feet of Highway 101 and is only allowed in the CR and M zoning districts.
- iii. The sign shall be a maximum of 35 feet in height and the sign area shall be a maximum of 1,200 square feet.
- iv. All lighting shall be directed downward.
- v. The primary copy of the sign shall be the identification of Buellton to freeway travellers. However, a maximum of two Buellton or Santa Ynez Valley businesses or community organizations may be listed on each face of the sign. Each business shall be limited to a maximum of 1/3 of the area of the sign.
- vi. The sign shall be approved pursuant to the Planning Commission Exemption process identified in Section 19.04.174(A)(2) of this title.
- vii. The sign shall be for non-profit purposes and shall be sponsored by the City of Buellton or the Buellton Chamber of Commerce/Visitor's Bureau.
- viii. Businesses to be located on the sign shall be approved by the Buellton Chamber of Commerce/Visitor's Bureau upon a recommendation from the City's Economic Development Task Force.
- ix. Maintenance of the sign shall be in accordance with Section 19.04.174(C) of this Title.

**SECTION 4:** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance irrespective of the fact that any one or more sections, subsections, subdivision, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

**SECTION 5:** The City Clerk: (i) shall certify as to the passage of this Ordinance and shall cause the same to be published as required by law; (ii) is hereby authorized and directed to make typographical, grammatical and similar corrections in the final text of the Ordinance so long as such corrections do not constitute substantive changes in context; and (iii) cause the Buellton Municipal Code to be reprinted by deleting language contained within Section 3 of this Ordinance that is stricken and adding language that is underlined.

**PASSED, APPROVED AND ADOPTED** this 14<sup>th</sup> day of March 2013.

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Judith Dale  
Mayor

**ATTEST:**

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Linda Reid  
City Clerk