



CITY OF BUELLTON

PLANNING COMMISSION AGENDA

**Regular Meeting of April 16, 2015 – 6:00 p.m.
City Council Chambers
140 West Highway 246, Buellton, California**

Materials related to an item on this agenda, as well as materials submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the office of the Planning Department located at 331 Park Street, during normal business hours.

CALL TO ORDER

Chair Lisa Figueroa

PLEDGE OF ALLEGIANCE

Vice Chair Reif

ROLL CALL

Commissioners Brian Dunstan, Art Mercado, Joe Padilla, Vice Chair Foster Reif and Chair Lisa Figueroa

REORDERING OF AGENDA

PRESENTATIONS

None

APPROVAL OF MINUTES

1. Minutes of the regular Planning Commission meeting of April 2, 2015

PUBLIC COMMENTS

Members of the audience wishing to address the Planning Commission on matters not on the agenda may do so at this time. No action will be taken on these items at this meeting. Please state your name and address for the record. Comments should normally be limited to three minutes.

CONSENT CALENDAR

None

CONTINUED PUBLIC HEARINGS

- 2. **Resolution No. 15-05 – “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (14-FDP-05) for the Terravant Annex Storage Facility, Construction of a New 54,000 Square Foot Building on a 128,857 Square Foot Parcel Located at 30 Industrial Way, Assessor’s Parcel Number 099-690-053, and Making Findings in Support Thereof”**
❖ *Staff Contact: Irma Tucker, Contract Planner*

NEW PUBLIC HEARINGS

None

OTHER BUSINESS

None

WRITTEN COMMUNICATIONS

PLANNING COMMISSIONER COMMENTS

PLANNING DIRECTOR REPORT

ADJOURNMENT

To the next regularly scheduled Planning Commission meeting of Thursday, May 7, 2015 at 6:00 p.m. in the Council Chambers located at 140 West Highway 246.

Please note that the date of any Planning Commission decision starts an appeal period. During the appeal period either the applicant or any aggrieved party may appeal the application of a perceived onerous or unreasonable condition or the decision itself to the City Council as governed by the applicable section of the Buellton Municipal Code.

CITY OF BUELLTON

PLANNING COMMISSION MEETING MINUTES

**Regular Meeting of April 2, 2015 – 6:00 p.m.
City Council Chambers, 140 West Highway 246
Buellton, California**

CALL TO ORDER

Chair Figueroa called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Commissioner Mercado led the Pledge of Allegiance

ROLL CALL

Present: Commissioners Brian Dunstan, Art Mercado, Joe Padilla and Chair
Lisa Figueroa

Absent: Vice Chair Foster Reif

Staff: City Manager Marc Bierdzinski
Contract Planner Irma Tucker
Assistant Planner Angela Perez

REORDERING OF AGENDA

None

PRESENTATIONS

None

APPROVAL OF MINUTES

1. Minutes of the regular Planning Commission meeting of March 19, 2015

MOTION:

Commissioner Padilla moved and Commissioner Dunstan seconded the motion to approve the Minutes of March 19, 2015

VOTE:

Motion passed by 4-0 voice vote.

PUBLIC COMMENTS

None

CONSENT CALENDAR

None

CONTINUED PUBLIC HEARINGS

- 2. **Resolution No. 15-05 – “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (14-FDP-05) for the Terravant Annex Storage Facility, Construction of a New 54,000 Square Foot Building on a 128,857 Square Foot Parcel Located at 80 Industrial Way, Assessor’s Parcel Number 099-690-053, and Making Findings in Support Thereof”**

STAFF REPORT:

Contract Planner Irma Tucker presented the staff report recommending that the item be continued to the April 16, 2015 Planning Commission Meeting.

MOTION:

Commissioner Mercado moved and Commissioner Dunstan seconded the motion to continue the Public Hearing to the April 16, 2015 Planning Commission meeting.

VOTE:

Motion passed with a 3-0-1 voice vote with abstention by Commissioner Padilla due to his employer having a financial interest in the project.

NEW PUBLIC HEARINGS

None

OTHER BUSINESS

- 3. **Preliminary Review of the Chumash Mixed Use Project 15-FDP-01**

STAFF REPORT:

Assistant Planner Angela Perez presented the Staff Report.

DISCUSSION/SPEAKERS:

David Goldstien, Architect, stated he was available for questions.

The Commission provided input to the Applicant on the following:

- Consider stepping the building finish floor elevations to better meet the property contours
- Provide safer pedestrian access from Avenue of Flags
- More street trees shall be added to the frontage of the Avenue of Flags

- Consider the Buellton Apartments and the mixed use project as one project in order to provide shared open space and landscaping

WRITTEN COMMUNICATIONS

None

PLANNING COMMISSIONER COMMENTS

None

PLANNING DIRECTOR REPORT

City Manager Marc Bierdzinski updated the Commission on recent City Council actions and the status of various projects.

ADJOURNMENT

Chair Figueroa adjourned the meeting at 6:40 p.m. to the next regular scheduled meeting of the Planning Commission to be held April 16, 2015 at the City Council Chambers, 140 West Highway 246, Buellton.

Lisa Figueroa, Planning Commission Chair

ATTEST:

Clare Barcelona, Planning Commission Secretary

An audio CD of this Planning Commission Meeting is available upon request.

CITY OF BUELLTON
Planning Commission Agenda Staff Report

Planning Director Review: _____
Planning Commission Agenda Item No: 2

To: The Honorable Chair and Commission Members

From: Marc Bierdzinski, City Manager/Planning Director

Date: April 16, 2015

Subject: Resolution No. 15-05 – “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (14-FDP-05) for the Terravant Annex Storage Facility, Construction of a New 51,570 Square Foot Building on a 128,857 Square Foot Parcel Located at 30 Industrial Way, Assessor’s Parcel Number 099-690-053, and Making Findings in Support Thereof”

BACKGROUND

Owner: Kaygrape, LLC
Applicant: Lew Eisaguirre, Terravant Wine Company
Zoning: M (Industrial & Manufacturing) and OS (Open Space)
APN: 099-690-053

The project consists of a **Final Development Plan (14-FDP-05)** for the construction of a new building with a footprint of 46,170 square feet and 51,570 of total gross floor area. Referred to as the Terravant Annex, the proposed building would accommodate wine tank storage and bottling operations for Terravant Wine Company, which has been located since 2007 on the adjacent parcel to the west (35 Industrial Way). The project is situated on a 128,857 square foot parcel (a little under 3 acres) at 30 Industrial Way [*note: updated address*], Assessor’s Parcel Number 099-690-053 (Vicinity Map – **Attachment 1**). The northern portion of the property is zoned Industrial & Manufacturing (M); the southern portion is Open Space (OS) and is within the floodway of the Santa Ynez River.

On January 15, 2015, the Planning Commission conducted a preliminary review of the project plans and provided direction to Staff and the Applicant regarding the project. Planning Commission and Staff comments have been addressed by the Applicant as described below, and a revised set of plans and related information that address the comments have been submitted by the Applicant.

The Planning Commission was scheduled to have a public hearing on February 19, 2015 regarding the project; however the Commission did not have a quorum required to take action on the project. The matter was rescheduled for Planning Commission public hearing on March 19, 2015; no oral public comments were received and the open public hearing was continued a future meeting in

order to allow the applicant time to address additional issues that have arisen concerning the project. The subject agenda item is a continuation of the previously scheduled public hearing and consideration of project approval.

DISCUSSION

Project Features

The proposed building consists of 30,150 square feet dedicated to wine storage tanks with an approximate capacity of 2.25 million gallons, and 16,200 square feet of space to contain two bottling lines and a small office. In addition, there will be a 5,400 square foot mezzanine over the bottling lines used for storage of packaging supplies. The building is a maximum 38'9" feet in height at the peak of the roof, which has a shallow pitch.

An overhead pedestrian/utility bridge is proposed to connect the new building with the existing Terravant Wine Company building; the bridge is 35 feet high with an underpass clearance of 29 feet, and it spans the drive aisle located along the western property line. The bridge will accommodate wine transfer pipes along with all utilities except for water supply and waste water.

The proposed storage and bottling facility will employ 20 full-time employees, typically on one standard 8-hour day shift, Monday through Friday. Approximately 12 weekends per year, the facility will operate on Saturdays and Sundays; 24-hour bottling shifts are anticipated approximately 21 days per year. There will not be any public events or guests visiting the property.

The project site is currently vacant land and contains both M and OS zoning designations. The boundary between the two zones generally follows the floodway line (**Attachment 2**). The site is generally flat, and is surrounded by primarily industrial uses to the north and west; open space and commercially zoned vacant property to the east, including future roadway and bridge to be constructed across Zaca creek in order to provide access to the commercial property to the east; and open space to the south (Santa Ynez River floodway, with the River being outside of Buellton City Limits) and east/southeast (Zaca Creek). The site has been disturbed in the past with placement of fill, rubble and stockpiled soils. The proposed building is located entirely within the M zoning designation. The two bio-filtration basins, landscaping, parking and loading areas, trash enclosure, and a portion of the drive aisles are located in the OS zone; location of these non-building facilities are allowed in the OS zone. Portions of the parking area, drive aisle, multi-use trail, bio-filtration, and landscape areas are located within the Santa Ynez River 200-foot setback area (**Attachment 8**); location of these facilities in the setback area are provided for in the General Plan Conservation/Open Space Element and do not interfere with good flood control practices.

The following project plans are attached to the staff report:

- Architectural Plans (**Attachment 3**)
- Landscape Plan (**Attachment 4**)
- Civil Plans (**Attachment 5**)
- Color Rendering (**Attachment 6**)

A color and material board will be provided at the Planning Commission meeting.

The story poles were installed January 19, 2015, more than the minimum required 30 days before the public hearing. Photos of the story poles are included as **Attachment 7**.

Consistency with General Plan

1. **Land Use.** The project is consistent with applicable General Plan land use designations. The northern portion of the property is Industrial (I); the southern portion is Open Space, Parks and Recreation (OS) and is within the floodway of the Santa Ynez River. The proposed buildings are located entirely within the Industrial land use designation, which allows for light manufacturing, warehousing and similar uses consistent with the proposed project. Two bio-filtration basins, landscaping, parking and loading areas, trash enclosure, and portions of the drive aisles and public trails are located and allowed in the OS land use designation, which is applied to private open space in the City, and may include areas subject to flooding.

2. **Policies and Programs.** The proposed project is consistent with applicable General Plan policies and programs in the following elements: Land Use, Circulation, Conservation and Open Space, Noise, Public Facilities and Services, Safety. A detailed analysis of General Plan consistency is set forth in the Categorical Exemption, included as **Exhibit A** to Resolution 15-05.

Consistency with City Zoning Standards The proposed project conforms to the City’s M (Industrial & Manufacturing) zone standards as summarized in the following Tables 1 and 2 (reference Buellton Municipal Code sections 19.02.220, 19.04.120, and 19.04.142). The proposed non-building facilities (bio-filtration basins, landscaping, parking and loading areas, trash enclosure, portion of drive aisles) located in the OS zone are consistent with City standards.

Table 1. Project Consistency With M Zoning District Standards

Development Feature	City Requirement	Proposed Project	Project Consistency
Proposed Use(s)	Industrial	Wine Storage & Bottling Facility	Consistent
Minimum Lot Area	No minimum	128,857 s.f.	Consistent
Front Setback	20 feet	54+/- feet	Consistent
Side Setback	10 ft. min. street side; otherwise none	- Eastern side, variable 33 to 49 feet - Western side, 20 feet	Consistent
Rear Setback	No minimum for site	220 feet	Consistent
Landscaping - Overall Site - Side Property Line - Rear Property Line - Front Property Line	- 10% min. of lot area - 5 ft. planted area - 5 ft. planted area - 10 ft. planted area	- 32% - West P/L= 5 feet - East P/L = variable 18 – 44 feet - 30+ feet - 10 ft. from edge of 44 ft. access easement	- Consistent - Consistent - Consistent - Consistent - Consistent
Site Coverage	50% maximum	36%	Consistent
Height Limits	45 feet	38’ feet 9 inches	Consistent

The proposed building footprint is an estimated 46,170± square feet, roughly 36% of the parcel area. The building footprint is in conformance with the Municipal Code, which allows for maximum site coverage of 50% in the M Zone.

Setbacks required in the M zone are 20 feet minimum at front yard; for the side yard, 10 feet minimum is required on street side, otherwise none. Rear yard setback is not required as the property is not adjacent to residential zoning. The proposed Project complies with the City's setback requirements.

Landscaping

The total proposed landscape area of 40,940 s.f. (roughly 31% of site area) meets and exceeds the City's minimum landscape requirement of 10% of lot area.

The Biological Resources Assessment identified a total of 32 distinct trees (30 coast live oaks and 2 cottonwoods) on the project site. Tree removals would result in removal 16 oak trees with a diameter of eight inches or, all of which are located along the western boundary of the site and are considered planted trees not subject to the City's Native Tree Protection Ordinance. Of the 16 oaks to be removed, 12 are proposed to be replaced at a ratio of 1:1 (trees planted: trees removed) and 4 oak trees are to be replaced at a ratio of 2:1. A total of 20 oak trees are expected to be planted for the removal of the 16 trees. All of the replacement trees will be 24 inch box trees, to be planted on-site as indicated in the *Preliminary Landscape Plan*, which provides for tree species that are consistent with the City's approved tree list.

In the M Zone, Municipal code section 19.04.120 requires side and rear property lines to each be landscaped with a minimum 5 foot wide planted area, and the front property line shall have 10 foot wide planted area.

- The project site's front property line is on the northern boundary, which gains access from Industrial Way. There is a 44 foot wide ingress/egress easement along this property line, and the requirement for a planted area is determined from the edge of this easement. The project provides for a 10 foot planted area and is in compliance.
- The rear property line requires a 5 foot planted area. The rear of the property is in the Santa Ynez River floodway; a planted area ranging in width from 30 feet to over 100 feet is proposed, consisting of existing and new landscaping, and is in compliance.
- The western side property line requires a 5 foot wide planted area. The project provides for this planted area and is in compliance. The existing public trail easement located along the western property line is being relocated to the east side of the property (see discussion below); vacation of this easement will be required.
- The eastern side property line is required to have a 5 foot planted area. The existing 12 foot wide public trail easement located along the western property line is proposed to be relocated to a more environmentally and aesthetically beneficial location the east side of the property; a new easement dedication in the location shown on project plans will be required. A variable 28' to 44' wide strip of land along the eastern property line contains the relocated multi-purpose public trail easement and landscape plantings. The project meets and exceeds the minimum 5 foot planted area requirement.

Parking

The parking requirement is determined by breaking down the building into its component uses as set forth in the following parking analysis table:

TABLE 2. PARKING ANALYSIS BY BUILDING USE

Use	Area (or Factor)	Parking Space Ratio	Parking Req'd	Parking Provided
Warehouse/Storage (32,400sf 1 st Flr + 5,400sf Mezz)	37,800 s.f.	1 per 1,000 s.f.,	38	
Other Industrial Use (Bottling Lines & Office)	16,200 s.f. 12 employees	1 per 4 employees	3	
TOTAL	51,570 Gross s.f.		41	32
Handicapped	Total number of spaces on site: 41 - 80	1 space per 40 total spaces on site	2	2
Loading Space	Industrial bldgs w/ floor area of 25,000 to 49,000 s.f. Each add'l 50,000 s.f. or fraction TOTAL LOADING SPACES	2 spaces 1 space	3 spaces 10 x 30 ft.	4 spaces 12 x 60 ft.

Municipal Code Sections 19.04. -140 and -142 require a total of 41 on-site parking spaces, as calculated in the above table; at a minimum, two (2) of the spaces shall be ADA accessible. The proposed parking plans provide a total of 32 standard spaces (no compact spaces) of which 2 are ADA accessible.

The proposed elimination of 9 parking spaces would require a development plan modification in accordance with Municipal Code Section 19.08.120(G) which allows the Planning Commission to modify parking requirements when it finds that such modifications are justified. Staff is in support of this modification inasmuch as: the 9 spaces being eliminated are considered to be a part of the spaces required for the project’s storage/warehouse area, a use which does not generate a significant parking demand inasmuch as 75% of the warehouse floor area is occupied by wine storage tanks; adequate on-site parking is being provided for the intensity of uses that are proposed; and overflow parking demand is not anticipated to be an impact on the surrounding area.

Design

The architectural character applicable to the project is Contemporary Ranch per the City’s Community Design Guidelines. The revised plans reflect design modifications to better conform to the Contemporary Ranch look with awnings, window coverings, split-face masonry veneer, textural coating on exterior wall surfaces, and colors (Colonial Red and grey) that match the existing adjacent Terravant Building. The grey standing-seam metal roof has a shallow pitch. The exterior light fixtures have been changed to match the existing Terravant fixtures and are dark sky compliant. The landscaping along the main entry road matches the opposite side of the road.

The pedestrian/utility bridge is constructed of a dark bronze, steel truss frame, with light grey expanded metal screen and web members stretched between the steel trusses.

Applicant states that MarBorg Industries (trash collection service provider for Buellton) has reviewed and approved the proposed plans for trash and recycling areas, and access thereto.

Signage

One wall sign with the Terravant logo in colonial red letters with neon outline is shown on the overhead pedestrian/utility bridges, and forms an entrance gateway to the Terravant complex. The proposed sign dimensions are 20 inches tall by 30 feet in length, with an area of 50 square feet. Per the Municipal Code, the site is allowed a minimum sign area of 60 square feet. Lighting will be provided by neon light outlining the letters.

Lighting

The applicant has provided a photometric study and schematic lighting plan which shows conceptual location of exterior lighting. A typical decorative light fixture, similar in design to the fixtures on the adjacent Terravant property, is proposed for pole lights and wall mount lights. The fixture is hooded and directs light downward, preventing spill onto adjacent lots. Low voltage bollard lighting (downward directed) is proposed for landscape and pathway areas. The conditions of approval will all exterior light fixtures to be dark sky compliant.

Access and Public Improvements

Project access will be from the southern terminus of Industrial Way, via an existing driveway at the northwest corner of the property, and continuing along drive aisles which run along the western and northern sides of the site. Dedication of a 12-foot wide public trail easement and construction of the trail along the entire northern and eastern sides of the property is required as shown on the project plans.

Drainage and Hydrology

The project is required to complete and implement a Storm Water Control Plan that includes post construction design requirements as required and adopted by the Regional Water Quality Control Board. The project's grading and drainage plans, which have been reviewed by the Public Works Director/City Engineer, shows how runoff from the site will be directed through multiple natural treatment processes, with initial collection to on-site retention basins and subsequent flow into an existing detention basin. These proposed improvements are consistent with the water quality and peak flow requirements discussed in their Storm Water Control Plan. Onsite improvements will be constructed under the direction of the Public Works Department, and will be required to comply with all applicable regulations of the Regional Water Quality Control Board.

Planning Commission Comments

The Planning Commission conceptually reviewed this project on January 15, 2015, and had several suggestions as to project design. The Planning Commission comments are noted below and staff has indicated how they have been addressed by the Applicant.

1. Planning Commissioners agreed with the comments and items set forth in the Incomplete letter dated January 6, 2015.

Response: The revised project plans have addressed the items in the Incomplete Letter.

2. Requested that the project fully comply with parking requirements per the Municipal Code.

Response: The revised project plans have increased the number of parking spaces provided to 32 standard size spaces (no compact spaces), 9 spaces short of the 41 spaces required. The

9 spaces being eliminated are considered to be a part of the parking required for the project's storage/warehouse area, a use which does not generate a significant parking demand. A development plan modification is requested in support of the reduced parking standard.

3. Expressed concern regarding potential conflicts and safety issues resulting from large trucks, passenger vehicles, bicyclists and pedestrians utilizing sections of the same driveway and drive aisle.

Response: The multi-use public trail has been relocated to the northern and eastern side of the building. The new location minimizes potential conflicts between pedestrians/cyclists and vehicle/truck traffic. While the public trail section on the north is within a drive aisle, this area will not be the main vehicular access point for the project, and will have limited vehicular traffic.

4. Emphasized the need to create a pleasing visual aesthetic at the driveway entrance and along the public trail and drive aisle. This area serves as a prominent gateway to both Terravant properties and provides an important view corridor at the end of Industrial Way which will be seen by many people. Requested that the architectural design of the building be modified to:

- i. Incorporate more elements of the Contemporary Ranch style.
- ii. Utilize colors, design treatments, varied exteriors finishes, and landscaping similar to the existing adjacent Terravant building to the west, unifying the two sites.
- iii. Enhance the visual aesthetic and design elements on the east side of the building which faces the public trail and drive aisle.

Response: The revised plans reflect design modifications to better conform to the Contemporary Ranch look with window and door awnings, window coverings, split-face masonry veneer, textural coating on exterior wall surfaces, and colors (Colonial Red and grey) that match the existing adjacent Terravant Building. Landscaping on the east side of the building, along the main entry road, is similar to the opposite side of the road along the existing Terravant Building.

5. Provide better design transition to the existing industrial buildings located north of project site, on the east side of Industrial Way; specifically with regard to landscaping, colors, and building massing.

Response: The revised plans reflect a pitched roof and varied textures on exterior wall surfaces that complement existing industrial buildings in the area, and a color scheme that corresponds with the existing Terravant Wine building to the west.

Public Comments

One written comment has been received as of the writing of this staff report. (**Attachment 9**)

1. Larry Bishop, e-mailed dated March 20, 2015: requests accommodations for public access trails/paths around the proposed building, including the right of way and river trail access to the east of the existing Terravant building as shown in the Buellton Bicycle and Trail Plan.

Response: The existing public trail easement along the west property line is being relocated to the north and east side of the building, which is a more desirable location in

proximity to Zaca Creek. The existing public trail along the southern property line will be developed by the City at a future time.

Environmental

The proposed Project is exempt from environmental review, as it meets the following criteria for a Categorical Exemption under CEQA guidelines (Class 32 – Infill Development):

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

(c) The project site has no value, as habitat for endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) The site can be adequately served by all required utilities and public services.

Detailed findings in support of the Categorical Exemption are set forth as Exhibit A to Resolution No. 15-05.

RECOMMENDATION

That the Planning Commission consider the adoption of Resolution No. 15-05 approving the Terravant Annex Storage Facility project. Specifically, the recommendation is to adopt:

Resolution No. 15-05 – “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (14-FDP-05) for the Terravant Annex Storage Facility, Construction of a New 51,570 Square Foot Building on a 128,857 Square Foot Parcel Located at 30 Industrial Way, Assessor’s Parcel Number 099-690-053, and Making Findings in Support Thereof”

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – FEMA Floodway Limits

Attachment 3 – Architectural Plans (linked from City Website)

Attachment 4 – Landscape Plan (linked from City website)

Attachment 5 – Civil Plans (linked from City website)

Attachment 6 – Color Rendering (linked from City website)

Attachment 7 – Photos of Story Poles

Attachment 8 – Santa Ynez River Setback Boundary

Attachment 9 - Written Public Comments

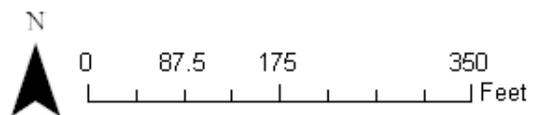
Planning Commission Resolution 15-05 (approving project with conditions of approval); includes Exhibit A, Categorical Exemption, Class 32 – Infill Development

Attachment 1

Terravant Annex - Vicinity Map

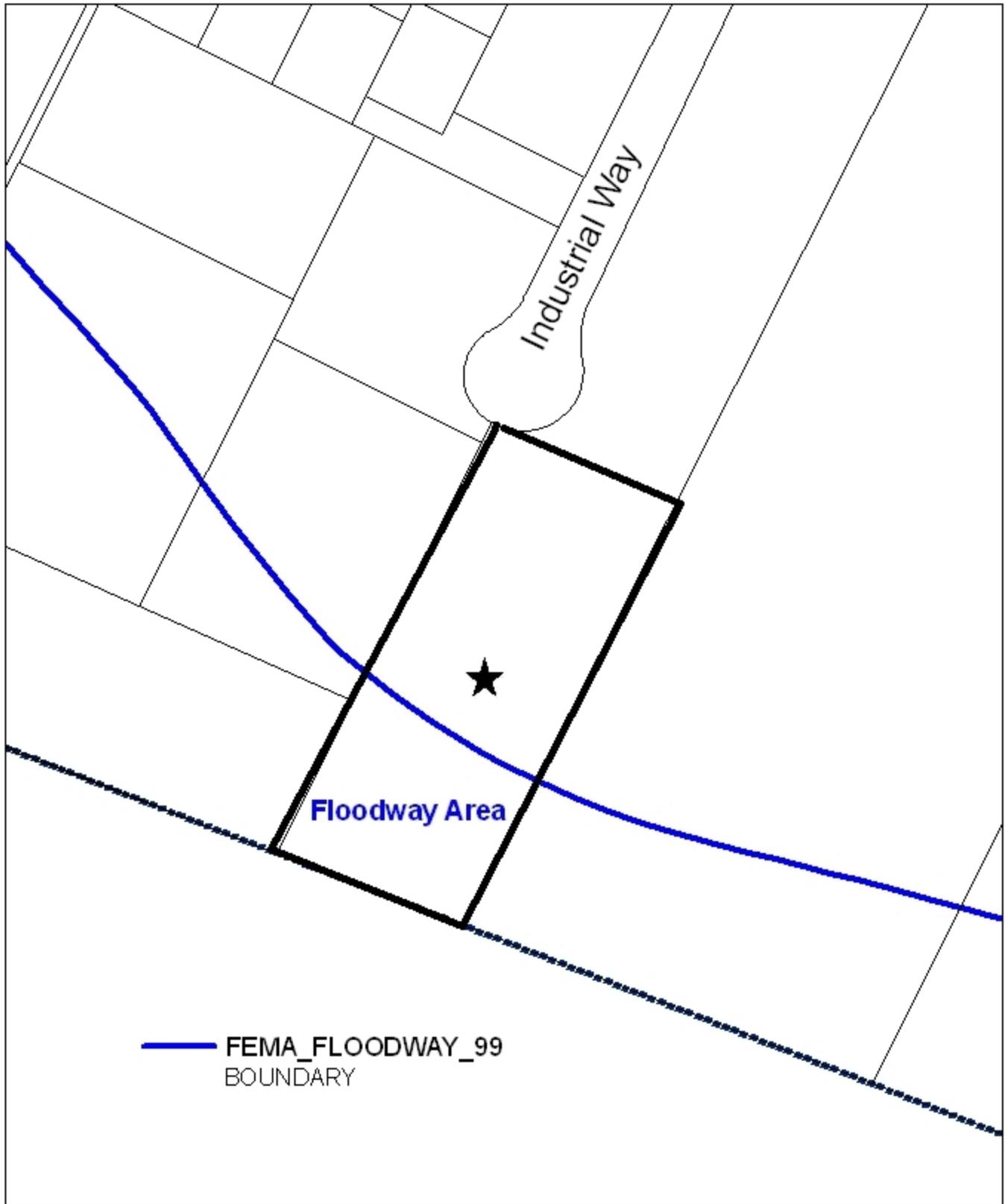


★ Subject Property



ATTACHMENT 2

Terravant Annex - Floodway Map



★ Subject Property



0 87.5 175 350 Feet



TERRAVANT WINE COMPANY

TERRAVANT
WINE COMPANY

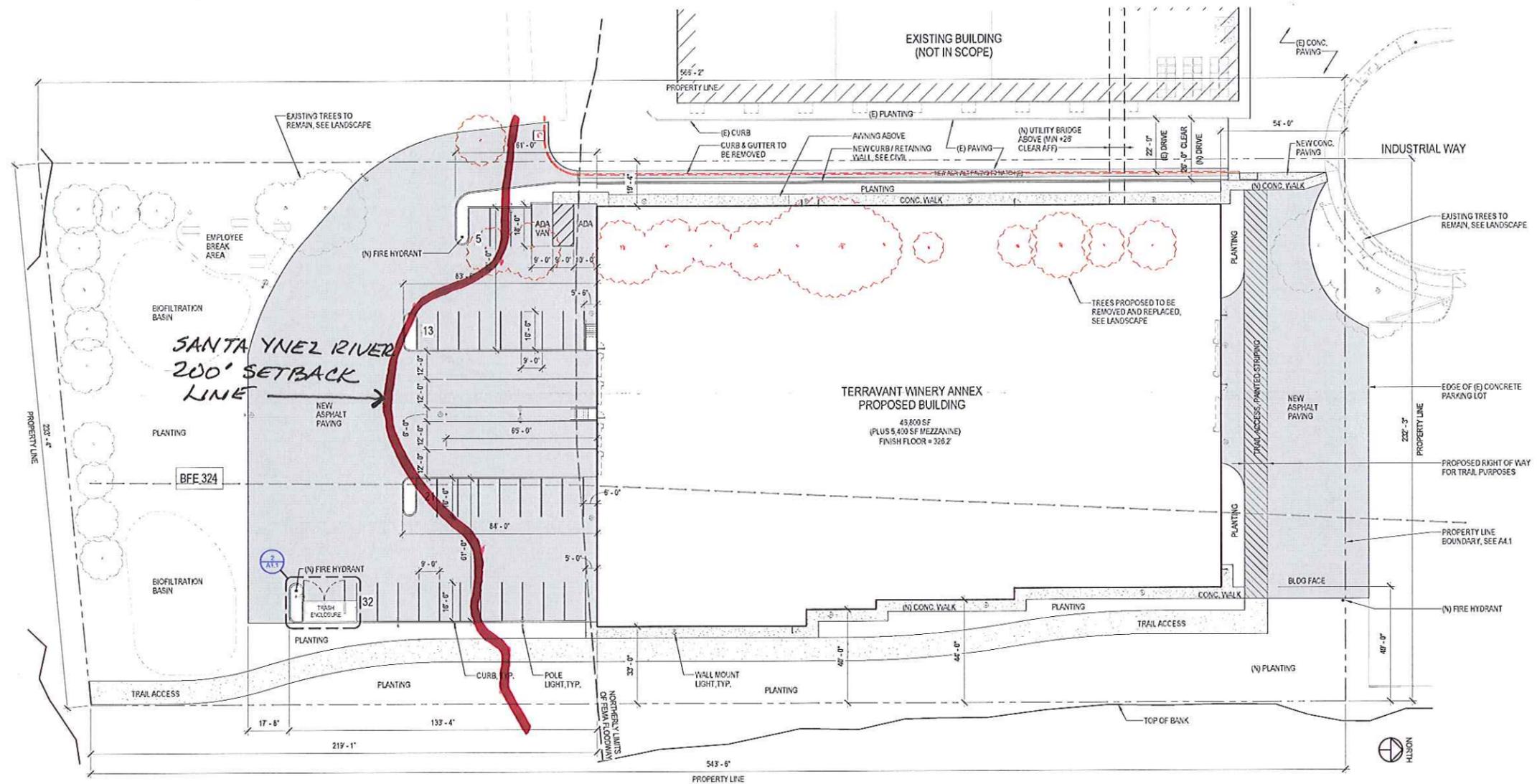
Avant
TAPAS AND WINE

TERRAVANT
SHIPPING & RECEIVING

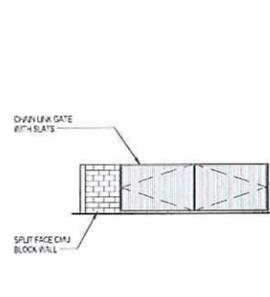


TERRAVANT
WINE COMPANY
Avant
TASTY AND WISE

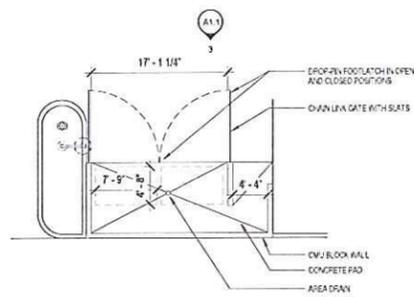




1 ARCHITECTURAL SITE PLAN
1" = 20'-0"



3 TRASH ENCLOSURE ELEVATION
1/8" = 1'-0"



2 TRASH ENCLOSURE PLAN
1/8" = 1'-0"

GENERAL SITE PLAN NOTES

1. SEE EXISTING CONDITIONS SURVEY FOR EASEMENTS, EXISTING GRADES AND ADJACENT CREEK.
2. SEE LANDSCAPE SHEET(S) FOR TREE PRESERVATION AND PROPOSED PLANTING.
3. SEE CIVIL SHEETS FOR PROPOSED GRADING AND UTILITY PLANS.



PROJECT DATA

SITE AREA	128,857 SF
BUILDING SITE COVERAGE	43,800 SF
LANDSCAPE	42,540 SF
LANDSCAPE COVERAGE =	31%

VICINITY MAP



WATER TREATMENT

TERRAVANT PLANS TO MODIFY THE EXISTING 25,000 GAL/DAY PROCESS WASTEWATER TREATMENT PLANT (PWWP) TO ENHANCE EFFLUENT QUALITY AND ADD RELIABILITY. NEW FACILITIES INCLUDE THE FOLLOWING:

- A. CONVERSION OF THE EXISTING CLARIFIER TO MEMBRANE FILTRATION, WHICH WILL IMPROVE THE SOLIDS REMOVAL OF THE PLANT AND THE TURBIDITY OF THE FINAL EFFLUENT.
- B. ADDITION OF FLOW EQUALIZATION AND SLUDGE HANDLING IN THE NEW TANK ROOM, WHICH WILL BE USED IN CONJUNCTION WITH THE NEW PLANT.
- C. UPGRADE OF THE AERATION SYSTEM WITHIN THE EXISTING PWWP TO HANDLE ANTICIPATED PEAK LOADS.
- D. ADDITION OF A NEW LIFT STATION TO CONVEY PROCESS WASTEWATER TO THE EXISTING PWWP.

SHEET INDEX

ARCHITECTURAL	A1.1 ARCHITECTURAL SITE PLAN / PROJECT INFORMATION
FLOOR PLAN	A2.1 FLOOR PLAN
EXTERIOR ELEVATIONS	A3.1 EXTERIOR ELEVATIONS
SURVEY	AA.1 EXISTING CONDITIONS SURVEY
CIVIL	C0.0 OVERALL SITE PLAN
GRADING	C4.0 GRADING PLAN
GRADING	C4.1 GRADING PLAN
UTILITY PLAN	C5.0 UTILITY PLAN
LIGHTING	E1.1 SITE PLAN PHOTOMETRIC STUDY
LANDSCAPE	L1.1 PRELIMINARY LANDSCAPE PLAN



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ARCH TITLE
Terravant Annex
30 Industrial Way
Buellton, Ca 93427

SHEET TITLE
ARCHITECTURAL SITE PLAN
AND PROJECT INFORMATION

PLANNING SUBMITTAL 4/8/15 - NOT FOR CONSTRUCTION

JOB NUMBER
15485
DATE
4/5/15
APPL. NO.
APPL. NO.
SHEET NUMBER
A1.1

ATTACHMENT 9

From: Larry Bishop [<mailto:llbishop1@verizon.net>]
Sent: Friday, March 20, 2015 10:01 PM
To: Lisa Figueroa
Cc: Clare Barcelona; Rose
Subject: Terravant Annex Comment

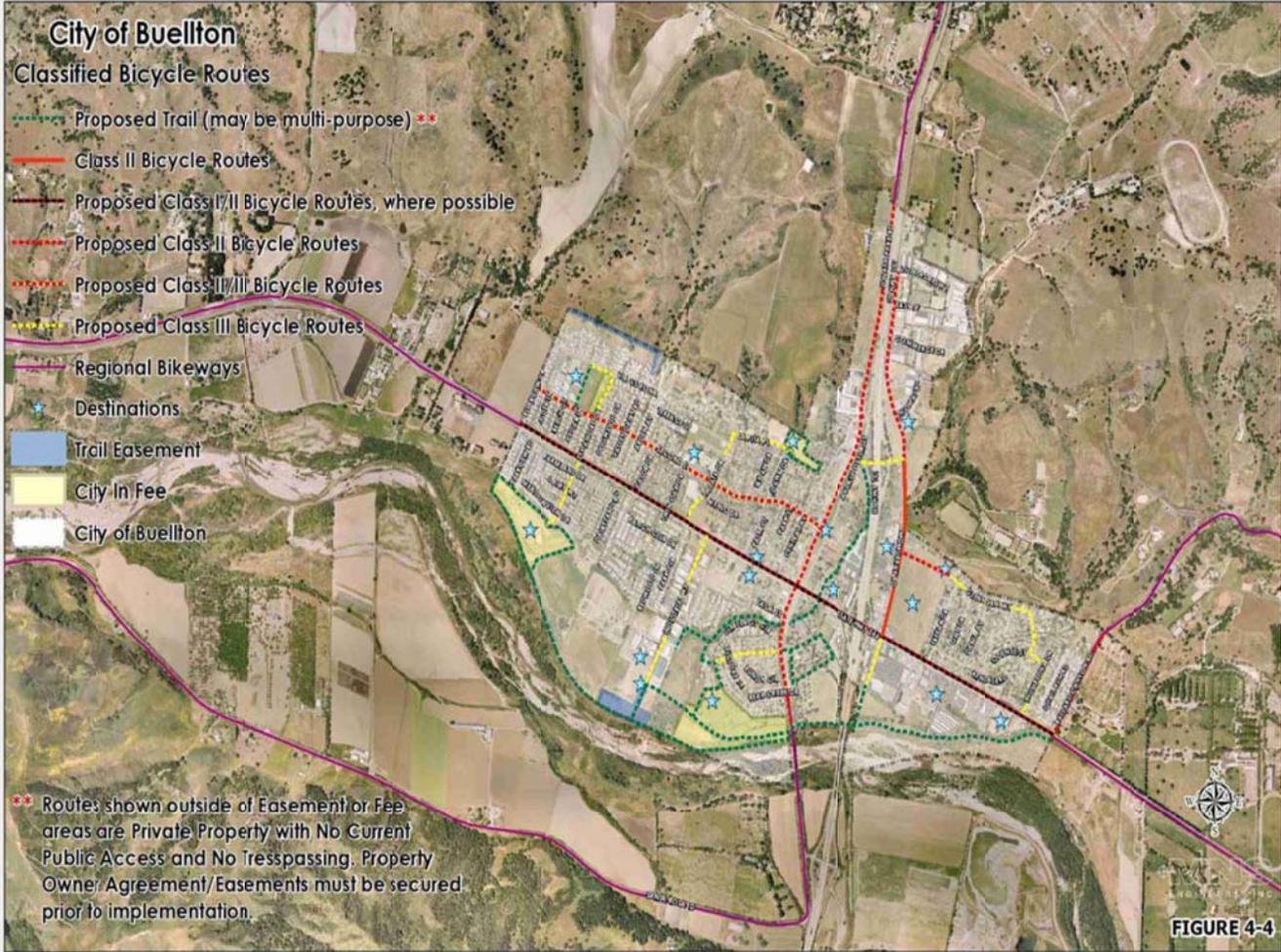
Hi Lisa. I was unable to attend the Planning Commission Thursday but I would like to comment on the proposed building and expansion of the Terravant facilities at 80 Industrial Way, APN099-690-053. The attached photo is taken from the final Buellton Bike and Trail Plan and indicates planned public access trails/paths around the proposed building. This includes the existing public right of way and river trail access to the east of the current Terravant building. I don't think Terravants proposal indicates these trails or make accommodations for them in their drawings.

These trails are very important to the non-automobile (alternative) transportation plans for Buellton and Terravant need to describe how their plans accommodate this need. Buellton need specific and enforceable conditions for this project that protect the public right to access the river trail and Zaca Creek/golf course recreational areas from Industrial way as described in the Final Bicycle and Trails Plan.

Thank you for this opportunity to comment on this project. Larry Bishop, 511 Sycamore Dr., Buellton

ATTACHMENT 9

Proposed Bicycle/trails around Terravant property



PLANNING COMMISSION RESOLUTION NO. 15-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING A FINAL DEVELOPMENT PLAN (14-FDP-05) FOR THE TERRAVANT ANNEX STORAGE FACILITY, CONSTRUCTION OF A NEW 51,570 SQUARE FOOT BUILDING ON A 128,857 SQUARE FOOT PARCEL LOCATED AT 30 INDUSTRIAL WAY, ASSESSOR'S PARCEL NUMBER 099-690-053, AND MAKING FINDINGS IN SUPPORT THEREOF

BE IT RESOLVED by the Planning Commission of the City of Buellton as follows:

SECTION 1: Pursuant to the Zoning Ordinance of the City of Buellton, an application has been filed by Kaygrape, LLC, property owner, and Lew Eisaguirre, Terravant Wine Company, agent, hereinafter referred to as "Applicant", requesting approval to construct a new building with a footprint of 46,170 square feet and 51,570 of total gross floor area on 128,857 square foot parcel at 30 Industrial Way, Assessor's Parcel Number 099-690-053 (the "Site"). The northern portion of the Site is zoned Industrial & Manufacturing (M); the southern portion is Open Space (OS) and is within the floodway of the Santa Ynez River. The Site has a General Plan land use designation of Industrial and Open Space. The architectural character of the building is Contemporary Ranch.

SECTION 2: The proposed Project consists of a **Final Development Plan (14-FDP-05)** application to construct a new building, referred to as the Terravant Annex Storage Facility, to accommodate wine tank storage and bottling operations for Terravant Wine Company. The total building square footage is 51,570 square feet, including a mezzanine. The Project is consistent with City Zoning standards; the following items require a Development Plan Modification in accordance with Municipal Code Section 19.08.120(G) which allows the Planning Commission to modify code requirements when it finds that such modifications are justified.

- A. A Development Plan Modification** to the parking requirement in order to allow the project to provide 32 parking spaces rather than the 41 spaces required by code.

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 the Project, the Planning Commission considered the following:

1. All public testimony, both written and oral, received in conjunction with that certain public hearing opened by the Planning Commission on March 19, 2015 (“PC Public Hearing”) and continued until April 16, 2015.
2. All oral, written and visual materials presented in conjunction with that certain PC Public Hearing.
3. The following informational documents, which by reference, are incorporated herein:
 - a. The project file for 14-FDP-05, and the set of project plans dated April 3, 2015.
 - b. The staff report dated April 16, 2015.

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 Planning Commission Public Hearing (PC Public Hearing) was published in a newspaper of general circulation on February 5, 2015 (the “PC Public Notice”), a minimum of 10 days in advance of the PC Public Hearing opened on March 19, 2015.
2. The PC 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 5 and February 13, 2015, a minimum of 10 days in advance of the PC Public Hearing.
3. The PC Public Notice was posted in three public locations on February 5, 2015, a minimum of 10 days in advance of the PC Public Hearing.

C. Environmental Review. Pursuant to the California Environmental Quality Act (CEQA), The proposed Project is exempt from environmental review, as it meets the following criteria for a Categorical exemption under CEQA guidelines (Class 32 – Infill Development):

1. CEQA Guidelines Section 15332(a). The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
2. CEQA Guidelines Section 15332(b). The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
3. CEQA Guidelines Section 15332(c). The project site has no value, as habitat for endangered, rare or threatened species.

4. CEQA Guidelines Section 15332(d). Approval of the project would not result in any significant effects relating to: (a) traffic, (b) noise, (c) air quality, or (5) water quality.
5. CEQA Guidelines Section 15332(e). The site can be adequately served by all required utilities and public services.

Detailed Findings in support of the Categorical Exemption, Class 32 – Infill Development, are set forth in Exhibit A to this resolution.

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

1. Final Development Plan (14-FDP-05).

a. Findings:

- i. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed because the project site is appropriately designated for such uses under the City's General Plan, zoning is consistent, and the proposed site improvements and conditions of approval allow for adequate circulation around and through the site.
- ii. That adverse impacts are mitigated to the maximum extent feasible; the project is exempt from environmental review and no adverse impacts were identified as set forth in Exhibit A to this resolution.
- iii. That streets and highways are adequate and properly designed pursuant to the requirements of the City Engineer. The Fire Department has approved the circulation system from a Fire Department perspective.
- iv. That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the Project. The Public Works Department is able to provide water and sewerage service to the Project. The Fire Department has provided conditions of approval to address their concerns. The Sheriff's Department has no concerns with the Project.
- v. That the Project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will be compatible with the surrounding area. The Project site is zoned for manufacturing and industrial uses, as well as open space, consistent with the proposed uses. The proposed Project is expected to be compatible with nearby industrial land uses.

vi. That the project is in conformance with the applicable provisions of Title 19 of the Municipal Code and the General Plan. With imposition of the conditions of approval, the project complies with both the General Plan and Title 19 (Zoning). A detailed analysis of General Plan and Zoning consistency is set forth in Exhibit A to this Resolution No. 15-05, as summarized below:

(1) Land Use Element, Policies L-5, L-11, L-12, L-34.

(2) Circulation Element, Policies C-2, C-5, C-7.

(3) Conservation and Open Space Element,
(a) Policies C/OS-2, C/OS-8, C/OS-9; and

(b) Programs C/OS-6, C/OS-7, C/OS-8.

(4) Noise Element, Policies N-4, N-7.

(5) Public Facilities and Services Element, Policies PF-3, PF-6, PF-9

(6) Safety Element, Policies S-1, S-2, S-4, and Program 2.

vii. That the proposed development is in conformance with the Contemporary Ranch architectural style as described in the Community Design Guidelines and as reviewed by the City's contract architect.

viii. That the project will not conflict with any easements required for public access through, or use of, a portion of the property. The project proposes to relocate the existing public trail easement from the western side of the property to the northern and eastern sides of the property. Project design has taken into consideration existing ingress/egress, utilities and river maintenance access easements.

2. Development Plan Modification – Reduction of Parking Requirement

a. Findings:

i. The provision of 32 parking spaces in lieu of the 41 spaces otherwise required by code will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding areas. The building will house bottling lines and warehouse/storage uses. The 9 spaces being eliminated are those that would otherwise be required for the

storage area, a use which does not generate a significant parking demand. All other uses on-site are adequately parked.

- ii. The elimination of 9 parking spaces would not be incompatible with the surrounding area because adequate on-site parking is being provided for the uses that are proposed, and overflow parking demand is not anticipated to be an impact on the surrounding area.
- iii. The proposed parking conforms with other applicable provisions of Municipal Code Title 19 (Zoning), with the General Plan and with the Community Design Guidelines.

SECTION 4: Based on the findings set forth in Sections 2 and 3, and subject to the conditions attached hereto, the Planning Commission hereby approves the Final Development Plan (14-FDP-05) subject to the attached conditions.

PASSED, APPROVED and ADOPTED this 16th day of April, 2015.

Lisa Figueroa
Chair

ATTEST:

Clare Barcelona
Planning Commission Secretary

Exhibit A – Class 32 Categorical Exemption Findings

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) **SS**
CITY OF BUELLTON)

I, Clare Barcelona, Planning Commission Secretary of the City of Buellton, do hereby certify that the foregoing Resolution No. 15-05 was duly approved by the Planning Commission of the City of Buellton at a meeting held on the 16th day of April 2015, by the following vote, to wit.

AYES: ()

NOES: ()

ABSENT: ()

NOT VOTING: ()

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of April 2015.

Clare Barcelona
Planning Commission Secretary

CONDITIONS OF APPROVAL

TERRAVANT ANNEX STORAGE FACILITY PROJECT FINAL DEVELOPMENT PLAN 14-FDP-05

A. GENERAL PROVISIONS

1. **Project Description.** The approval granted herein is based upon and limited to compliance with the Project Description and conditions of approval set forth below. **The Project Description is as follows:** This Project is a request by Kaygrape, LLC, property owner, and Lew Eisaguirre, Terravant Wine Company, agent, hereinafter referred to as “Applicant”, requesting approval to construct a new building with a footprint of 46,170 square feet and 51,570 of total gross floor area on 128,857 square foot parcel at 30 Industrial Way, Assessor’s Parcel Number 099-690-053 (the “Site”). The northern portion of the Site is zoned Industrial & Manufacturing (M); the southern portion is Open Space (OS) and is within the floodway of the Santa Ynez River. The Site has a General Plan land use designation of Industrial and Open Space. The architectural character of the building is Contemporary Ranch. The Project plans that are included in this approval are dated April 3, 2015. The approved color palette is shown on the color and materials boards. Any deviations from the Project Description, exhibits or conditions must be reviewed and approved by the City for conformity with this approval. Deviations may require formal modification of the approval and/or further environmental review. Deviations without the above-described authorization will constitute a violation of this approval.
2. **Additional Permits Required.** Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the Applicant shall: (i) obtain a Zoning Clearance (hereinafter defined below); and (ii) obtain all other permits and approvals that may be required by operation of the Buellton Municipal Code (e.g., grading permit, building permit, encroachment permit, etc.). Before any Zoning Clearance will be issued by the City, the Applicant must obtain written clearance from all departments having jurisdiction; such clearance shall indicate that the Applicant has satisfied all pre-construction conditions of approval. To the extent any condition or provision of the approval set forth herein is incompatible with or at variance with any other permit for the Project, the most restrictive condition and provision shall prevail.
3. **Print & Illustrate Conditions on Plans.** All conditions of approval shall be printed in their entirety on applicable pages of final development, grading and construction plans submitted to the City.

4. **Terminology.** Except where otherwise noted, the terms appearing throughout the conditions of approval set forth herein shall have the meanings as defined below. Capitalization is used to identify defined terms and shall have the meanings as set forth below unless the context in which they are used clearly requires otherwise.
- a. **“Applicant”** means Kaygrape, LLC, property owner, and Lew Eisaguirre, Terravant Wine Company, agent, and includes all agents, subdividers, developers, contractors, workers and personnel employed on the Project, as well as all successors and assigns of interest.
 - b. **“Building Department”** means the Building and Safety Division of the County (and all successors and assigns thereof), on behalf and under contract to the City to perform building plan check and inspection services.
 - c. **“City”** means the City of Buellton and includes the City Manager, City Engineer, Planning Director and all other duly appointed officials having responsibility for land use matters, as well as their respective assignees (e.g., Department staff members). Unless otherwise indicated, the Planning Department shall be the primary point of contact for the City.
 - d. **“County”** means the County of Santa Barbara.
 - e. **“Entitlement”** means the type of land use permit required by the Buellton Municipal Code in connection with the Project for which approval is granted herein.
 - f. **“Environmental Monitor”** means person or personnel of the City assigned to monitor field mitigation in order to ensure compliance with the Mitigation Measures. The City has discretion to determine the qualifications of the Environmental Monitor, the number of monitors needed and the disciplines of the monitors, their duties and the arrangements for compensation
 - g. **“Final Building Inspection Clearance”** means acknowledgement by the Building Department that construction of the Project has been completed in full compliance with plans and specifications approved by the City and the Building Department. Such acknowledgement is typically evidenced by signature of appropriate staff on the building permit inspection form.
 - h. **“Fire Department”** means the Fire Department of the County (and all successors and assigns thereof), furnishing fire prevention and protection services to the City by operation of special district.
 - i. **“Mitigation Measures”** means conditions and measures required to mitigate environmental effects of the Project as identified in the Buellton

General Plan Environmental Impact Report and/or site-specific environmental analysis performed in connection with the Project under the provisions of the California Environmental Quality Act of 1970, as applicable.

- j. **“Project”** means and includes all of the actions described in the Project description above.
 - k. **“Project Inspection”** means a field inspection and documentation review performed by the Planning Director at the time of Final Building Inspection Clearance to verify that the Project has been completed in full compliance with the terms and conditions of approval. The Project Inspection shall be performed upon completion of construction and the Project must be fully compliant with all terms and conditions of approval prior to and as a condition precedent to obtaining Final Building Inspection Clearance.
 - l. **“Project Manager”** means person or personnel of the City assigned to oversee and administer the Permit including, but not limited to, compliance with the Mitigation Measures set forth herein.
 - m. **“Property”** means the land and improvements identified in the Project Description.
 - n. **“Property Owner”** means Kaygrape, LLC, and includes all persons and entities possessing fee title (in full or in part) to the site of the Project, and all successors and assigns of such persons and entities.
 - o. **“Retained Monitor”** means person or personnel of the Applicant assigned to monitor field mitigation in order to ensure compliance with the Mitigation Measures. The Retained Monitor must be qualified in his or her respective field and their appointment/retention is subject to approval by the City. For instance, the Retained Monitor assigned to verify compliance with cultural resources Mitigation Measures should be an archaeologist or a person trained to identify cultural resources and who is acceptable to the City.
 - p. **“Zoning Clearance”** means approval granted pursuant to 19.08.100 of the Buellton Municipal Code requisite to issuance of a building permit for authorized construction or land development activities.
5. **Interpretations and Exceptions.** The Planning Director is authorized to render decisions as to the applicability or interpretation of the conditions set forth herein, including minor changes, when the strict application of the conditions conflicts with the underlying purpose of the conditions or creates undue hardship or administrative

burden. Any administrative change granted shall be subject to such conditions as will: (i) assure that the adjustment thereby authorized shall appropriately implement purposes and objectives of the original conditions; and (ii) not change or compromise the effectiveness of the original conditions. As an example, and for illustrative purposes only, the Planning Director may modify the implementation timing of specific conditions at the mutual convenience of the City and Applicant. Minor changes authorized pursuant to this condition shall not require separate processing of a formal amendment.

6. **Indemnity.** Applicant agrees, at its sole cost and expense, to defend, indemnify, and hold harmless the City, its officers, employees, agents, and consultants, from any claim, action, or proceeding brought by a third-party against the City, its officers, agents, and employees, which seeks to attack, set aside, challenge, void, or annul all, or any part, of the approval, decision or action of the City Council, Planning Commission, or other decision-making body, or staff action concerning the Project, or any entitlement issued to the Applicant.
7. **Legal Challenge.** In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the Applicant in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action.
8. **Approval Limitations.** This approval is issued pursuant to the provisions of Title 19 of the Buellton Municipal Code and is subject to the foregoing conditions and limitations. Failure to comply with said conditions of approval may subject the Applicant to remedies and penalties specified in the Buellton Municipal Code.
9. **Compliance Costs.** All projects are subject to Project Inspection that is funded under existing permit fees. This condition shall serve as implementation of the Mitigation Monitoring and Reporting Program for the Mitigation Measures as well as the general conditions of approval set forth herein. The Applicant agrees to participate in this permit compliance program and to fund all reasonable expenses incurred by the City and/or City contractors for permit condition implementation, reasonable studies, and emergency response directly and necessarily related to monitoring and enforcement of these permit conditions and applicable City ordinances. Any staff time spent in excess of the Applicant's current deposit will be billed to the Applicant and the Applicant shall reimburse City within 30 days of invoicing by City.
10. **Enforcement Costs.** In the event the City determines that it is necessary to take legal action to enforce any of the conditions of approval herein, and such legal action is taken, the Applicant shall be required to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not

prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the Applicant to waive said fees or any part thereof.

11. **Failure to Comply.** In the event that the Applicant fails to comply with any order of the City issued hereunder or any injunction of the Superior Court, it shall be liable in accordance with the provision of Section 1.32 of the Buellton Municipal Code.
12. **Access to Records and Facilities.** As to any condition that requires for its effective enforcement the inspection of records or facilities by City or its agents, the Applicant shall make such records available or provide access to such facilities upon reasonable notice from City.
13. **Payment of Fees.** All applicable fees associated with development of the Project shall be paid by the Applicant at the time such fees become payable as provided by Buellton Municipal Code or otherwise stipulated in this approval (whichever date is sooner), and the amount payable shall be based on the those fee schedules adopted by the City and then in effect at the time such fees become payable.
14. **Acceptance of Conditions.** The Applicant shall acknowledge and agree to all conditions of this approval within 30 days of the notice of final action, evidenced by the Applicant's signature on the space provided at the end of this document. The Applicant, and all successors or assignees of the Applicant, are responsible for complying with all conditions of approval. Any zoning violations concerning the installation, operation, and/or abandonment of the Project are the responsibility of the Applicant, and all successors or assignees.

B ENGINEERING CONDITIONS

PRIOR TO GRADING PERMIT ISSUANCE:

15. **Improvement Plans.** Applicant shall cause to be prepared by a Civil Engineer, registered in the State of California, grading and utilities improvement plans, including, but not limited to, street, water, sewer, and storm drain improvements. An engineering cost estimate shall be submitted with the grading and improvement plans along with any calculations, signed/stamped certifications and plan check processing fees.
16. **Improvement Plan Requirements.** Plans for the frontage improvements shall be drawn by a California Registered Civil Engineer. Drawings shall be prepared on 24-inch by 36-inch mylar (4 mil) showing all proposed improvements including, but not limited to, curbs, gutters, sidewalks, paving, driveway cuts, storm drains, street lights, utilities, and street trees.
17. **Soils Report.** At the time that Improvement Plans and/or Grading and Drainage Plans are submitted for review and approval by the City Engineer, two copies of a Soils Report, prepared by a California Registered Geologist or Soils Engineer,

shall be submitted. The Report shall address soils engineering and compaction requirements, R-values, and other soils and geology related issues (including liquefaction) and shall contain recommendations as to foundation design, and paving sections, where applicable for the project.

18. **Geotechnical Guidance.** A geotechnical engineer or geologist licensed in the State of California shall provide guidance during grading operations and shall certify constructed pads and ensure all mitigation measures are properly implemented. Certifications and final reports shall be submitted to the City Engineer for approval
19. **Erosion Control Plan.** Erosion Control Plans shall be completed and submitted to the City Engineer for review and approval. Appropriate BMP measures shall be undertaken at *all* times. This shall be in compliance with the Regional Water Quality Control Board requirements. NOI shall be filed. A SWPPP shall be developed for the project site by a certified QSD, draft copy shall be submitted for review prior to issuance of the grading permit. SWPPP shall be on-site at all times. Implementation shall be performed by a QSP.
20. **Hydrology.** At the time that Improvement and/or Grading and Drainage Plans are submitted for review and approval by the City Engineer, a complete hydrology/hydraulic report shall be submitted by the applicant's engineer determining the adequacy of the proposed drainage system and the adequacy of the existing downstream system. A rain fall frequency of twenty-five (25) years shall be used for sizing piping and inlet structures. If no overland escape is available, 100-year flows shall be used as the basis of design. Santa Barbara County Engineering Design Standards shall be used. The report shall include a flood study the reviews pre-development and post development flood conditions, recommendations to be implemented to minimize or resolve flood issues that may impact the proposed development and recommendations to be implemented that minimize or resolve flood issues outside of the development property that results from the proposed development. These recommendations shall be incorporated in the project improvement plans.
21. **Floodway and Floodplain.** Plans shall clearly delineate floodway and floodplain limits. It is recommended that the Applicant shall file the appropriate documentation with FEMA removing the building from the floodplain. At a minimum, applicant shall file appropriate Elevation Certificates and record Owner's Notice Document for Development within a Floodplain. Design shall be subject to flood proofing requirements.
22. **Stormwater.** Development shall be undertaken in accordance with conditions and requirements of the State of California Regional Water Quality Control Board. Project Grading and Storm Drain Improvement Plans shall identify and incorporate Best Management Practices (BMPs) appropriate to the uses conducted on-site and during construction to effectively mitigate storm water pollution during construction as well as post-construction.

- i. Stormwater management shall be incorporated in the improvement plans (low impact development). This project is subject to Post Construction Requirements as outlined in the City's Stormwater Technical Guide for a Tier 4 project.
 - ii. A Storm Water Control Plan that analyzes the potential flows, run-off and drainage management area's and proposed lid improvements to address run-off and water quality, including a maintenance/water quality control plan, shall be submitted. This document shall include an owner's statement that maintenance of facilities will occur regularly (at least annually) and will be ongoing. The plan shall include an annual maintenance report which must be signed/certified by the QSD/QSP, property owner and contractor and submitted to the Public Works Department.
23. **Fire Department Review.** Applicant shall submit improvement plans for concurrent review with the Santa Barbara County Fire Department and shall provide documentation of submittal along with grading and utility improvement plans to the City Engineer. A copy of the Fire Department approval shall be submitted prior to issuance of grading permit.
24. **Right-of-Way Improvements.** Driveway, sidewalk and any other improvements made within the public right-of-way shall be shown on a separate sheet. These improvements shall utilize City of Buellton standard details and provide for ADA access.
25. **Final Plans.** Upon approval of the final plans, the applicant shall furnish original stamped mylars to the City Engineer for signature and reproduction for permitting purposes. A final Engineer's estimate shall be prepared (updated from the original submittal and shall utilize prevailing wage rates) and permit/inspection fees paid.
26. **Sureties.** A faithful performance and labor/material bond for the grading and utilities and also for any public improvements (each to be equal to 100% of the final City Engineer's estimate of costs, which shall include a 20% contingency), or equivalent form of guarantee, shall be posted by the applicant. The bonds shall remain in effect until the completion of the project and a certificate of occupancy has been issued, at which time, 10% of the bond shall be retained for a warranty period of 1 year after acceptance of improvements by the and until receipt of As-built Record Drawings.

PRIOR TO BUILDING PERMIT ISSUANCE:

27. **Grading Permit.** The applicant shall obtain a grading permit from the City Engineer prior to obtaining a building permit.

28. **Rough Grading.** Rough grading certification by the geotechnical engineer shall be approved by the City Engineer prior to obtaining a building permit.
29. **Industrial Waste Discharge Permit.** The applicant shall obtain an industrial waste discharge permit, as applicable, from the City Public Works Department prior to obtaining a building permit.
30. **Water and Sewer Fees.** The applicant shall pay water and sewer utilities fees from the Public Works Department prior to occupancy. In addition, all pre-treatment and FOG compliance requirements must be in place prior to payment of water/sewer fees and occupancy.
31. **Traffic Fees.** The applicant shall pay Traffic Mitigation Fees and other applicable fees prior to building permit issuance.

PRIOR TO OCCUPANCY CLEARANCE:

32. **Completion of Improvements.** The applicant shall complete all required improvements to the satisfaction of the City Engineer. The applicant shall furnish the mylar or a reproducible copy of the improvement plans to the City Engineer, modified to reflect field changes made during construction and stamped "As-Built Record Drawings."
33. **Cross Drainage Easement.** Cross drainage easement, cross access easement, etc. shall be recorded between 35 Industrial Way and 30 Industrial Way.
34. **Public Easements.** Any public easements requiring dedication shall be approved and accepted by the City prior to occupancy.
35. **Payment of Fees.** All fees and any unpaid balances from plan check or inspection and permits, shall be paid in full.

GENERAL CONDITIONS:

36. **Public Improvement Standards.** Unless superseded by Caltrans all public improvements shall be designed and constructed in conformance with the City of Buellton Standards, and when applicable, the Santa Barbara County Standards.
37. **Utility Easements.** Existing and proposed easements for all utilities shall be located and described on the engineering plans.
38. **Utility Locations.** All utilities shall be shown on the plans.
39. **Multi-Purpose Trail.** Pursuant to the City's Bicycle and Pedestrian Master Plan, a multi-purpose trail shall be incorporated on-site for a "creekside trail". The trail head, paths, fencing, and educational signs shall be developed and constructed by the applicant to City standards from the end of Industrial Way to the Santa Ynez River; the trail will ultimately connect to a Santa Ynez River trail (to be

developed by others). The existing 12 foot wide public trail easement located along the western property line shall be vacated. A new 12 foot wide public trail easement dedication along the northern and eastern sides of the property in the location shown on project plans will be required. The developed trail system shall be maintained by the property owner as part of the regular site maintenance requirements.

40. **River Trail Development.** Property owner shall support the River Trail development process and be an active advocating partner.

C. PLANNING CONDITIONS

41. **Zoning Clearance.** As a condition precedent to obtaining building permits, and prior to improving any portion of the Property or commencing any work pertaining to the Project approved herein, the Applicant shall obtain Zoning Clearance from the Planning Director. Zoning Clearance shall only be granted upon satisfying all conditions precedent to construction as stated in these conditions of approval.
42. **Performance Standards.** The design, operation, and use of the Project and Property shall comply with all outdoor storage, trash collection design, performance standards, landscaping requirements, and lighting provisions of the Buellton Municipal Code. All exterior lighting shall be located and designed so as to avoid creating substantial off-site glare, light spillover onto adjacent properties, or upward illumination into the sky. In addition, the Property shall be maintained in strict compliance with the following additional standards.
- a. Use Limitations. No building or other improvement upon the Property shall be constructed, maintained, or used for any purpose other than that which is allowed by the Buellton Municipal Code or otherwise stipulated in the conditions of approval herein. Furthermore, the Property shall be maintained in strict compliance with the following additional standards:
- (1) Unobstructed Access. All driveways and areas designated for off-street parking shall remain accessible at all times. Except as allowed by revocable license approved by the City, parking shall not be allowed on driveways at anytime.
 - (2) Vehicle Repair. No disassembly, repair or any other work shall be performed on any vehicle, machine, motor, appliance or other similar device shall be allowed on any portion of the Property except or unless such work and device is wholly removed from public view.
 - (3) Exterior Storage. No storage of any goods, materials or equipment shall be permitted on the Property except within the confines of fully enclosed buildings.

- b. Prohibited Activities. No person owning, leasing, occupying or having charge or possession of the Property, or any portion thereof, shall maintain or use the premises in such a manner that any of the following conditions are found to exist:
- (1) Fire and Explosion Hazards. Storage and transportation of flammable or explosive materials, as defined by the County of Santa Barbara Fire Department, which are provided without adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire-suppression equipment and devices, standard in the industry.
 - (2) Fissionable, Radioactivity or Electrical Disturbance. Storage or use of fissionable or radioactive material, if their use or storage results at any time in the release or emission of any fissionable or radioactive material into the atmosphere, the ground, or sewage systems, or any activities which emit electrical disturbances, affecting the operation at any point of any equipment other than that of the creator of such disturbance.
 - (3) Glare, Humidity, Heat and Cold. Direct or sky-reflected glare, whether from floodlights or from high temperature processes, or humidity, heat or cold that is produced and is perceptible without instruments by the average person at the Property line.
 - (4) Liquid and Solid Wastes. Discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any material 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, except in accordance with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction over such activities.
 - (5) Odors. Emissions of odorous gases or other odorous matter that are produced in nuisance quantities at the Property line.
 - (6) Particulate Matter and Air Contaminants. Emissions, including but not limited to, fly ash, dust, fumes, vapors, gases, and other forms of air contaminants which are produced from any facility or activity which are readily detectable without instrument by the average person at the Property line which can cause any damage to health, animals, vegetation or other forms of property, or which can cause excessive soiling at any point.

- (7) Vibration. Ground vibration that is produced and is discernible without instruments to the average person at the Property line. Ground vibration caused by motor vehicles, trains, aircraft, and temporary construction or demolition work is exempted from this standard.
 - (8) Prohibition of Dangerous Elements. Land or buildings which are used or occupied in any manner so as to create any dangerous, noxious, injurious or otherwise objectionable fire, explosive or other hazard; noise or vibration; glare; liquid or solid refuse or waste; or other dangerous or objectionable substance, condition, or element in such a manner or such an amount as to adversely affect other uses.
 - (9) Noise. Unless otherwise conditionally allowed, no person shall operate or cause to be operated any source of sound at or on the Property, or allow the creation of any noise on the Property owned, leased, occupied or otherwise controlled by such person which causes the noise level when measured on any receiving property to exceed the noise level limits set forth by the Buellton Municipal Code as adopted and amended.
43. **Fire Department.** The Project is located within the jurisdiction of the County Fire Department and shall comply with all applicable standards of that agency.
 44. **Building Standards.** All building construction shall be designed and performed in accordance with the currently adopted California Building Code, and all other appropriate sections of the Buellton Municipal Code, State of California energy conservation standards and Title 24 handicap accessibility standards. All necessary plans and documentation shall be submitted at time of plan check including, but not limited to, complete architectural plans and appropriate engineering calculations prepared by a California Licensed Architect or Engineer.
 45. **Grading and Drainage.** All building construction, grading and drainage shall be designed and performed in accordance with the currently adopted Excavation and Grading Code and all other appropriate sections of the Buellton Municipal Code and Santa Barbara Flood Control Design Standards dealing with grading, drainage and public improvements. Prior to construction, necessary plans and documentation shall be submitted for review and approval by the City Engineer including, but not limited to, complete civil engineering drawings, public improvement plans, utility specifications and appropriate engineering calculations prepared by a California Registered Civil Engineer.
 46. **Construction Hours.** Construction shall be limited to the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday. Equipment maintenance and servicing shall be confined to the same hours. Weekend construction and other exceptions shall require special approval from the Planning Director, in consultation with the City

Engineer, and be limited to the hours of 9:00 a.m. to 4:00 p.m. Prior to issuance of building permit, the Developer shall provide proof that all construction equipment utilizing internal combustion engines have mufflers that are in good condition.

47. **APCD Permits.** Prior to occupancy, APCD permits must be obtained for all equipment that requires an APCD permit. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boiler/large water heaters whose combined input rating exceeds 2.0 million BTUs per hour.
48. **Rule 360 Emissions Compliance.** Small boilers and water heating units (rated between 75,000 and 2.0 million BTU/hr) must comply with the emission limits and certification requirements of APCD Rule 360. Please see www.sbapcd.org/eng/boiler/rule360/rule_360.htm for more information and a list of certified boilers (note: any units fired on fuels other than natural gas must be certified by the SBAPCD on a case-by-case basis, even if the unit is certified when fired on natural gas).
49. **Construction-Related Air Quality Requirements.** All construction activity is required to incorporate APCD requirements pertaining to minimizing construction-related impacts. Dust reduction measures shall include:
 - a. **Dust Generation.** If the construction site is graded and left undeveloped for over four weeks, the applicant shall employ the following methods immediately to inhibit dust generation:
 - (1) Seeding and watering to revegetate graded areas; and/or
 - (2) Spreading of soil binders; and/or
 - (3) Other soil stabilization methods deemed appropriate by the Planning Department.
 - b. **Watering.** Water trucks shall be used during construction to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would require two daily water applications (once in late morning and once at the end of the workday). Increased watering shall be performed whenever wind speeds exceed 15 mph.
 - c. **Disturbed Area.** The amount of disturbed area shall be minimized and on-site vehicle speeds shall be reduced to 15 mph or less.
 - d. **Gravel Pads.** Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
 - e. **Volatile Organic Compounds (VOC).** Low VOC asphalt and low VOC architectural coating will be used whenever feasible.

- f. **Soil Stockpiling.** If importation, exportation, or stockpiling of fill material is undertaken, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Vehicles transporting soil material shall be covered with tarps from the point of origin to the point of disposition.
 - g. **Land Clearing.** After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading soil binders until the area is paved or otherwise developed.
 - h. **Recording of Dust Control Requirements.** Prior to land use clearance, the applicant shall include, as a note on a separate informational sheet to be recorded with any map, the aforementioned dust control requirements. All requirements shall be shown on grading and building plans.
 - i. **Monitoring of Dust Control Program.** The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress.
50. **Final Occupancy Clearance.** No Final Building Inspection Clearance or release of occupancy will be granted for any building on the Property until all construction is completed and all improvements and landscaping associated with the Project are installed in accordance with the plans approved and the conditions specified herein. Exceptions to this requirement may be granted subject to: (i) approval of the City Engineer and Planning Director; (ii) assurance that unfinished items will be completed within a reasonable period of time (including, but not limited to, the posting of appropriate performance security to assure such completion); (iii) essential infrastructure necessary to serve the entire Project is fully installed; and (iv) public safety and convenience is appropriately protected.
51. **Property Maintenance.** The Project and Property, including the landscaping, shall be maintained in a continuous state of good condition and repair, in full compliance with all approved plans, specifications and conditions of approval. Corrective improvements shall be undertaken as necessary to continuously conform with and implement conditions of Project approval including, as applicable, repair, repainting and/or replacement of Project components as needed. Where a Project is found to be non-compliant, the Applicant shall adhere to City recommendations to bring the Project into compliance.
52. **Community Design Guidelines.** The Project shall be in conformance with the Community Design Guidelines.
53. **Project Inspections.** Upon completion of construction and prior to occupancy or use, the Planning Director shall conduct a Project Inspection prior to and as a condition precedent to obtaining Final Building Inspection Clearance.

Compliance with all conditions of approval is a pre-requisite to obtaining the Final Building Inspection Clearance.

54. **Landscape and Irrigation Plans.** The final landscape and irrigation plans shall be in compliance with the City's Water Efficient Landscaping Ordinance and utilize species from the City's Approved Tree Planting List or to the satisfaction of the City Planning Director.
55. **Landscape Surety.** Prior to issuance of a building permit, a surety for installation of the landscaping and irrigation, and for maintenance for one year, shall be posted in a form acceptable to the City. The surety estimate shall be submitted as part of the building permit submittal.
56. **Landscape Installation.** Prior to obtaining Final Building Inspection Clearance, all landscaping and irrigation shall be completed and fully installed in accordance with the approved landscape plan. All trees shall be at a minimum size of 24 inch box. A letter from the landscape architect shall be submitted verifying compliance with the plans. The landscape and irrigation surety, less the one year maintenance portion, can be released at this time.
57. **Landscape Maintenance.** Following installation, all landscaping shall be continuously maintained thereafter for a period of not less than one year or until such time that all plant material has been completely established. The Planning Director shall inspect or cause to be inspected all landscaped areas after the one year maintenance period. If the landscaping is healthy and established, the one year maintenance portion of the surety may be released.
58. **Landscape Maintenance Agreement.** The Applicant shall acknowledge and sign the City's Landscape and Maintenance Agreement prior to issuance of the building permit. The Applicant, and all successors or assignees, are responsible for complying with all conditions of the Agreement. Any violations of the Landscape and Maintenance Agreement may result in Code Enforcement action.
59. **Approval.** Approval of 14-FDP-05 (the "Permit") is granted to the Applicant for the Property as identified in the Project Description. Except or unless indicated otherwise herein, all buildings, driveways, parking areas, and other facilities or features shall be located and maintained substantially as shown on the exhibits accompanying the application for the Project.
60. **Development Time Frame.** Building construction must be started not later than five years after approval of the Final Development Plan, or if a Permit is issued within the five year period, construction must be diligently pursued thereafter, or this approval will be revoked pursuant to the Buellton Municipal Code. However, if the approved plans and adjacent areas are unchanged, the Planning Director may grant one additional 12-month extension of time for construction of the Project. Start of construction is defined as:
 - a. All zoning and related approvals are effective; and

- b. All required building and grading permits have been issued; and
 - c. The “foundation inspection” and “concrete slab or under floor inspection” as defined in the California Building Code or its successor have been made and received approval from the Building Department, i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or under floor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable legal standards for determining when vested property rights have arisen.
61. **Parking.** A total of 32 parking spaces and 4 loading spaces are indicated on the Final Development Plan, and must be provided for the Project as shown on the Plan. All parking spaces shall be striped in accordance with City of Buellton standards prior to issuance of the occupancy permit.
62. **Signage.** Signage must be in substantial conformance with what is indicated in the project plans dated April 3, 2015. Any deviation from this program will require a separate Zoning Clearance from the Buellton Planning Department.
63. **Architectural Design.** The architectural design of the buildings shall conform to that shown on the architectural elevations and color boards for the project plans and color board submitted on April 3, 2015; and rendering submitted February 11, 2015. The project is designed as Contemporary Ranch.
64. **Lighting.** All new exterior lighting fixtures shall comply with the design requirements of the Community Design Guidelines and shall protect dark skies. All lighting shall be LED or inductive technology or other energy efficient type of lighting, consistent with what is indicated in the lighting specifications included with the project plans as submitted on April 3, 2015. Light fixture details shall be submitted with building plans, and shall be to the satisfaction of the Planning Department.
65. **Green Building Standards.** Green building features above the mandatory green building code requirements of the County of Santa Barbara shall be incorporated into the project where feasible.
66. **Nesting Birds.** In order to avoid potential impacts to nesting birds, the following project design and construction features are required:
- a) **Construction Timing.** If possible, construction activities, including tree removals, should be initiated outside of the typically nesting season (generally February 1 to September 15).
 - b) **Preconstruction Surveys for Nesting Birds.** If construction is initiated

during the nesting season (generally February 1 to September 15), surveys for nesting birds should be conducted by a qualified biologist no more than 14 days prior to vegetation removal. The surveys shall only include the trees being removed. If active nests are located, all construction work should be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer should be a minimum of 50 feet for non-raptor bird species and at least 300 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) should be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist should confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer.

67. Tree Protection During Construction

- a. Construction plans shall clearly delineate all trees on the project site and within 50 feet of site disturbance. All trees that are within 50 feet of construction or grading activities that are not proposed for removal shall be marked for protection (e.g., with flagging) and their root zone fenced. The outer edge of the tree root zone is 1.5 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. The project applicant shall replace all removed mature trees in accordance with the approved landscape plan. Replanting shall be completed as soon as it is feasible (i.e., irrigation water is available, grading is complete in the replant area(s)).

- 68. Non-Invasive Plant Species.** In order to ensure that project landscaping does not introduce invasive non-native plant species into the vicinity of the site, the final landscaping plan shall include varieties of plants that are non-invasive and drought tolerant; there shall be no tree removals within the creek corridors

69. Creek /River Corridor Setback Area Restoration.

- a. Restoration of any applicable on-site creek/river corridor setback areas as noted on plans through weed abatement and revegetation with plants native to the riparian and scrub habitats along Zaca Creek and Santa Ynez River shall be required to further enhance the aquatic and riparian habitat in the area.
- b. Prior to issuance of grading permits, the applicant shall submit a detailed landscape plan including a creek/river corridor setback area restoration plan which provides for riparian vegetation in accordance with U.S. Fish and Wildlife Service and California Department of Fish and Game standards, as applicable. Restoration areas shown on project plans shall be maintained in perpetuity.

- 70. Biological Resources Assessment.** Project shall comply with all applicable requirements as set forth in the Biological Resources Assessment (March 2015) prepared by Rincon Consultants Inc.

D. FIRE DEPARTMENT CONDITIONS

The following Fire Department conditions are imposed with the understanding that the Fire Protection Certificate application(s) may involve modifications, which may determine additional conditions.

71. **Fire Protection Certificate.** Fire Protection Certificate(s) will be required.
72. **CFC Section D105.** Any structure that exceeds **30** feet in height shall meet the CFC Section D105 requirements:
 - a. **D105.1** Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet, approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of the pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.
 - b. **D105.2** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
 - c. **D105.3** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. This side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
 - d. **D105.4** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.
73. **Additional Conditions.** The project shall comply with additional conditions to be forthcoming from the Fire Department pertaining to project plans dated April 3, 2015.

If you have any questions or require further information, please call Mike Young, Fire Prevention Division, at 805-686-8178.

E. COUNTY OF SANTA BARBARA BUILDING DIVISION CONDITIONS

The following information will be required at submittal of building permit application and plans.

75. **Geology Report.** A geology report prepared and signed by a California licensed geologist will be required.

76. **Soils Report.** A soils report to include an assessment and conclusion of the potential for liquefaction will be required. At a minimum, one boring to a depth of 50' will be required.
77. **Egress Plan.** A separate, detailed egress plan will be required for clarity of plan review and field inspection. Clearly show egress requirements for the building. Show occupant load, number of exits required, and number of exits provided at each space and floor level. Provide a calculation for required exit width. Label all components of the exit access, exit, and exit discharge, and show compliance with applicable provisions addressing those components. It appears access to 2 exits from the building may be required, exits cannot pass through more hazardous areas or areas used for storage.
78. **Fire Area Plan.** Provide a complete, independent plan (if applicable) which graphically delineates all fire areas, fire walls, fire barriers, horizontal fire-resistive assemblies, and/or fire partitions on the plans. Label all fire-resistive corridors, shafts, incidental use areas, etc. Cite code sections indicating reasons assemblies are rated. If fire-rated assemblies have been provided where not required by code or which exceed code minimum requirements, please indicate this on the plans. Delineate egress paths and indicate occupant/egress path loading to required egress routes. Cross-reference tag all fire-resistive assemblies to their respective construction details on the plans. Verify consistency between fire-resistive characteristics shown on this plan and the relative required fire-resistive characteristics shown on mechanical, electrical, and structural plans.
79. **Hazardous Materials Inventory.** Provide an inventory of hazardous materials and quantities allowed for the appropriate occupancy classification per the California Code Building. Show the locations of any hazardous materials and the quantities allowed as determined by the applicable California Building Code on the plans.
80. **Site Accessibility Plan.** Provide a separate "Site Accessibility Plan", showing accessible routes of travel between buildings and accessible site facilities. The accessible route of travel shall be the most practical direct route between accessible building entrances, accessible site facilities, and the accessible entrance to the site. Accessible parking in both lots will be required along with an accessible path of travel to entrances accessed from those parking areas.
81. **City Conditions.** Incorporate all City of Buellton discretionary conditions of approval and department condition letters into the plans.
82. **CA Green Code.** Incorporate compliance with the applicable CA Green Code in the plans, to include commissioning. Incorporate compliance with the requirements of the Energy code in effect at the time of submittal to include commissioning and day lit areas.

- 83. **Plumbing Fixtures.** Provide a plumbing fixture analysis.
- 84. **Flood Plain Conditions.** Incorporate any conditions of approval by the Flood Plain Administrator in the plans.
- 85. **Signed Plans.** Plans will need to be signed and sealed by a California licensed architect or engineer and designed in compliance with the codes in effect at the time of building permit application submittal.
- 86. **Utilities.** Plans need to clearly identify all utilities to be located on the pedestrian bridge and provide utility approval for point of delivery locations for all utilities

If you have any questions or require further information, please call Beth Brooke, Plans Examiner, County of Santa Barbara, at 805-934-6232 (phone), or 805-935-6258 (fax).

F. FINANCE DEPARTMENT CONDITIONS

- 87. **Outstanding Fees.** The applicant shall pay all fees including, but not limited to, outstanding balances for processing by the City Engineer, Planning Department, Building Department, traffic mitigation fees, water connection fees, sewer fees, school fees, Fire Department mitigation fees and any additional processing deposits as required prior to zoning clearance.
- 88. **Impact Fees.** The project applicant shall pay the water, sewer, and traffic impact fees in accordance with City requirements.

Project Applicant/Property Owner Acknowledgement of Required Conditions of Approval

Property Owner Signature

Date

Project Applicant/Agent/Representative Signature

Date

**Categorical Exemption
Class 32 - Infill Development
for
Terravant Annex Storage Facility
14-FDP-05**



Prepared by:
Planning Department

City of Buellton
107 West Highway 246
Buellton, California 93427

April 16, 2015

CATEGORICAL EXEMPTION – CLASS 32

I. PROJECT TITLE AND FILE NUMBERS

Terravant Annex Storage Facility, 14-FDP-05

II. PUBLIC AGENCY and CONTACT PERSON

City of Buellton Planning Department

P.O. Box 1819

Buellton, CA 93427

Contact: Marc P. Bierdzinski, Planning Director, (805) 688-7474

III. PROJECT APPLICANT

Lew Eisaguirre

Terravant Wine Company

35 Industrial Way

Buellton, CA 93427

IV. PROJECT LOCATION

30 Industrial Way, City of Buellton, County of Santa Barbara

APN 099-690-053

V. PROJECT DESCRIPTION

The project consists of a **Final Development Plan (14-FDP-05)** for the construction of a new building with a footprint of 46,170 square feet and 51,570 of total gross floor area. Referred to as the Terravant Annex, the proposed building would accommodate wine tank storage and bottling operations for Terravant Wine Company, which has been located since 2007 on the adjacent parcel to the west (35 Industrial Way). The project is situated on a 128,857 square foot parcel (a little under 3 acres) at 30 Industrial Way, Assessor's Parcel Number 099-690-053. The northern portion of the property is zoned Industrial & Manufacturing (M); the southern portion is Open Space (OS) and is within the floodway of the Santa Ynez River.

VI. EXEMPT STATUS

Categorical Exemption, Class 32, CEQA Guidelines Section 15332. In-Fill Development Projects.

VII. FINDINGS RELATED TO, CEQA Section 15300.2 - EXCEPTIONS

None of the exceptions in CEQA Guidelines 15300.2 are present that would prohibit the City from utilizing the categorical exemption. Text of the guidelines are set forth below in *italicized type*, with corresponding findings in regular typeface, as noted.

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

Finding: The proposed project is considered Class 32 – Infill Development and therefore this exception does not apply.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

Finding: The proposed use is consistent with the land use designations and buildout projections set forth in the City of Buellton General Plan 2025 and analyzed in the Environmental Impact Report (EIR) prepared for the General Plan Land Use Element Update in 2005. The proposed project is subject to the City’s Standard Conditions of Approval, which set forth specific requirements for the project to satisfy in order to comply with General Plan policies and programs, thereby mitigating to a level of insignificant any potential impacts resulting from the project as well as the project’s share of cumulative impacts.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

Finding: There are no known unusual circumstances related to the project which would result in a reasonable possibility of producing a significant effect on the environment.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

Finding: The project is not expected to result in damage to scenic resources within a highway officially designated as a state scenic highway, as this designation does not apply to the subject property.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

Finding: The project is not located on a site that is included on a list compiled pursuant to Government Code Section 65962.5.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Finding: There are no known historical resources located on the project site.

VIII. CATEGORICAL EXEMPTION FINDINGS

Pursuant to the California Environmental Quality Act (CEQA), The proposed Project is exempt from environmental review, as it meets the following conditions (set forth in *italicized type* below) for a Categorical exemption under CEQA Guidelines Section 15332, Class 32 – Infill Development Projects.

A. CEQA Guidelines Section 15332(a)

The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

1. General Plan land use designation: the northern portion of the property is Industrial (I); the southern portion is Open Space, Parks and Recreation (OS) and is within the floodway of the Santa Ynez River. The boundary between the two designations generally follows the floodway line. The uses proposed by the project are consistent with the land use policies, designations and regulations.
 - a. The proposed buildings are located entirely within the Industrial land use designation, which allows for light manufacturing, warehousing and similar uses consistent with the proposed project.
 - b. Two bio-filtration basins, landscaping, parking and loading areas, trash enclosure, and portions of the drive aisles and public trails are located and allowed in the OS land use designation, which is applied to private open space in the City, and may include areas subject to flooding.
2. General Plan policies. The proposed project is consistent with the applicable policies of the Buellton General Plan and meets the development standards of the Buellton Municipal Code.

a. Land Use Element

Policy L-5: New development shall not be allowed unless adequate public services are available to serve such new development.

Consistent: Adequate public services and infrastructure exists in the area to serve the proposed project. The proposed use is consistent with the land use designations and buildout projections set forth in the City of Buellton General Plan 2025 and analyzed in the Environmental Impact Report (EIR) prepared for the General Plan Land Use Element Update in 2005.

Specifically, the EIR analyzed public services (fire protection, police protection, school facilities, library services, solid waste disposal, water supply, wastewater conveyance and treatment services) which were found to be adequate for planned new development given compliance with existing policies and programs set forth in the General Plan. The proposed project is subject to the City's Standard Conditions of Approval, which set forth

specific requirements for the project to satisfy in order to comply with General Plan policies and programs, thereby mitigating potential impacts resulting from the project and ensuring continued adequacy of public services.

Policy L-11: New development shall incorporate a balanced circulation network that provides safe, multi-route access for vehicles, bicycles and pedestrians to neighborhood centers, greenbelts, other parts of the neighborhood and adjacent circulation routes.

Consistent: The project will provide for a multi-purpose trail along the entire northern and eastern side of the property, and will maintain access to an existing easement along the Santa Ynez River, which is planned to accommodate a future multi-purpose trail under the City's 2012 Bicycle and Pedestrian Master Plan.

Policy L-12: All exterior lighting in new development shall be located and designed so as to avoid creating substantial off-site glare, light spillover onto adjacent properties, or upward into the sky. The style, location, and height of the lighting fixtures shall be submitted with building plans and shall be subject to approval by the City prior to issuance of building or grading permits, as appropriate.

Consistent: Lighting fixtures consistent with this policy and the Community Design Guidelines are shown on the project plans.

Policy L-34: Industrial development shall be encouraged in the area east of McMurray Road on Easy Street and Commerce Drive, and on Industrial Way.

Consistent: The warehouse/storage facility is appropriately located in this generally industrial portion of the city on Industrial Way.

b. Circulation Element

Policy C-2: Facilities that promote the use of alternate modes of transportation, including bicycle lanes and connections, pedestrian and hiking trails, park-and-ride lots and facilities for public transit shall be incorporated where feasible into new development, and shall be encouraged in existing development.

Consistent: The project will provide for a multi-purpose trail along the entire northern and eastern side of the property, and will maintain access to an existing easement along the Santa Ynez River, which is planned to accommodate a future multi-purpose trail under the City's 2012 Bicycle and Pedestrian Master Plan.

Policy C-5: Level of Service "C" or better traffic conditions shall be generally maintained on all streets and intersections, lower levels of service may be accepted during peak times or as a temporary condition, if improvements to address the problem are programmed to be developed.

Consistent: Overall traffic impacts of the project are considered less than significant, and potential cumulative impacts to the City-wide roadways are mitigated by payment of Traffic Impact Fees as required by the City's standard conditions of approval.

- i. The proposed project represents a scaled-down version of a building and similar warehouse use initially planned for the subject property which was considered in the 2005 General Plan Update and in the Buellton Traffic Impact Fee program. The project also does not exceed 500 average daily trips or 50 p.m. peak hour trips, therefore, no impacts to the Congestion Management Plan (CMP) network would occur.
- ii. For additional information, see discussion on Traffic impacts, Section D, Item 1.

Policy C-7: The City should discourage new commercial or industrial development that allows customers, employees, or deliveries to use residential streets. The circulation system should be designed so that non-residential traffic (especially truck traffic) is confined to non-residential areas.

Consistent: No residential streets are needed to access the property.

c. Conservation and Open Space Element

Policy C/OS-2: Encourage implementation of Best Management Practices to eliminate/minimize the impacts of urban runoff and improve water quality.

Consistent: Development must follow all applicable regulations set forth by the Regional Water Quality Control Board and the City's Stormwater Ordinance and Post Construction Requirements.

Policy C/OS-8: Support state and federal laws and policies to preserve populations of rare, threatened, and endangered species and sensitive habitats or by mitigating adverse effects in accordance with state and federal regulations.

Consistent:

The General Plan establishes creek preservation and management standards that require new development to protect, maintain, and/or restore creeks and riparian habitat where feasible and where protection or restoration does not interfere with good flood control practices. Private development is required to be located outside the 50-foot creek corridor setback area and 200-foot Santa Ynez River setback area except in the cases where no practicable alternative is available; or the location is necessary for the construction of new roads, bridges, trails, or similar infrastructure where the Planning Director

determines the project has minimized environmental impacts through project design and infrastructure placement.

- i. The eastern building footprint has been stepped back and articulated to follow the curving bank of Zaca Creek, located on adjacent property to the east. The proposed buildings are thereby located a variable, average 50 feet from top-of-bank of Zaca Creek and outside of the 50-foot creek corridor setback area.
- ii. The proposed building is located a variable 240 to 290 feet from the top of bank of the Santa Ynez River, and therefore outside of the 200-foot Santa Ynez River setback area, as well as the FEMA floodway, to the south. The location of the River setback boundary and FEMA floodway limits are depicted in Attachment 7 to the April 16, 2015, staff report.
- iii. Most of the parking and all 4 truck loading spaces on the south side of the building are located outside of the 200-foot River setback area.
- iv. A paved access drive aisle and trash enclosure (an estimated one-third of the setback area) and a portion of the multi-use trail are located within the 200-foot river setback area. General Plan Conservation/Open Space Element Program #6 allows for the location of roads, trails or similar infrastructure within the setback area where the Planning Director determines the project has minimized environmental impacts through project design and infrastructure placement. The proposed project is subject to the City's Standard Conditions of Approval, which impose specific requirements for the project and related infrastructure design to satisfy in order to minimize environmental impacts as set forth herein.
- v. The landscaped parking area and drive aisle provide private open space, maintain view corridors along the river, observe existing access easements, and allow for an orderly transition and access to the bio-filtration basins, landscape planting areas, and utilities/river channel maintenance easements located in the southern portion of the property.
- vi. In observance of General Plan Conservation/Open Space Element Program #8, placement of native screening, indigenous landscaping varieties, bio-filtration bases, and the multi-use trail within this setback area are considered an enhancement to the river corridor and its habitat value, and also provide recreation and public access near creeks consistent with the Element.

Policy C/OS-9: Encourage new development to incorporate oak woodlands, native grasslands, wetlands, and riparian habitats into project design.

Consistent:

- i. Within the Zaca Creek Creek corridor setback area, a variable 28' to 44' wide strip of land along the eastern property line contains a multi-purpose public

trail and landscape plantings, including native screening as well as Coast Live Oak and California Sycamore trees

- a) This section of Zaca Creek is in a highly disturbed state, having been impacted by previous grading and deposits of imported fill materials, concrete rubble and man-made channelization which relocated the creek's natural flow.
 - b) In observance of General Plan Conservation/Open Space Element Program #8, placement of native screening, indigenous landscaping varieties and the multi-use trail within this setback area are considered an enhancement to the creek corridor and its habitat value, and also provide recreation and public access near creeks consistent with the Element.
- ii. The proposed building is located a variable 240 to 290 feet from the top of bank of the Santa Ynez River, and therefore outside of the 200-foot Santa Ynez River setback area, as well as the FEMA floodway, to the south.
- a) Within the Santa Ynez River setback area, a variable 70 to 100 foot wide strip along the southern property line is proposed, and would accommodate both a proposed and future multi-purpose public trail, existing and proposed landscape plantings (including native screening and indigenous trees), bio-filtration basins, and infrastructure.
- iii. No habitat or conservation plans exist within the City of Buellton. A Biological Resources Assessment (Rincon Consultants, March 2015) was prepared for the project site and states that no special status plant or animal species were determined to have potential to occur within the project site, and no mitigation is required. The project site has no value as habitat for endangered, rare or threatened species. No significant impacts to nesting birds would occur through implementation of design features that include pre-construction surveys and, if any such species are determined to be present, establishment of avoidance buffers. Proposed development will be conditioned to follow all applicable requirements as set forth in the Biological Resources Assessment .

Program C/OS-6: Require new development to protect, maintain, and/or restore creeks and riparian habitat to protect the community's water quality, wildlife diversity, aesthetic values, and recreation opportunities, where feasible and where protection or restoration does not interfere with good flood control practices.

Consistent:

- i) As stated above, this section of Zaca Creek is in a highly disturbed state, having been impacted by previous grading and deposits of imported fill materials, concrete rubble and man-made channelization which relocated the creek's natural flow.

- ii) Within the Zaca Creek setback area, a variable 28 foot to 44 foot wide strip of land along the eastern property line is proposed, and would provide a multi-purpose public trail and landscape plantings, including native screening as well as Coast Live Oak and California Sycamore trees.
- iii) Within the Santa Ynez River setback area, a variable 70 to 100 foot wide strip along the southern property line is proposed, and would accommodate a future multi-purpose public trail, existing and proposed landscape plantings (including native screening and indigenous trees), bio-filtration basins.
- iv) As allowed by the Element and in compliance with the corresponding Open Space zoning designation, the River setback area includes portions of a public trail, drive aisle and related infrastructure, which would: ensure safe and orderly access around the perimeter of the building, provide access for existing utilities and creek maintenance easements, preserve private open space, promote good flood management practices, and allow for passive recreational opportunities consistent with the General Plan.
- v) In observance of General Plan Conservation/Open Space Element Program #6, placement of native screening, indigenous landscaping varieties and the multi-use trail within these setback areas are considered enhancements to the creek and river corridors and their habitat value, and also provide recreation and public access near creeks/rivers consistent with the Element.

Program C/OS-7: If a project proposed to encroach into a creek corridor or creek setback, the City shall require public and private development to: (1) replace riparian vegetation in accordance with U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG) standards, as applicable, (2) restore another section of creek, and/or (3) pay a mitigation fee for restoration elsewhere.

Consistent: The proposed building footprint does not encroach into setback area of either Zaca Creek or the Santa Ynez River. Public trails and landscaping will be located in the Zaca Creek setback area and are considered enhancements to existing conditions. Public trails, existing and new landscaping and bio-filtration ponds will be located in the Santa Ynez River setback area and are considered environmental enhancements to existing conditions. A limited amount of hardscape infrastructure (drive aisle) will be located within the Santa Ynez River setback area, and are uses provided for in the Conservation/Open Space Element, Programs #6 and #8. The project will be conditioned to coordinate with USFWS and CDFG as applicable.

Program C/OS-8: Require public and private development on sites that contain or are located adjacent to creeks and/or riparian habitat to:

a. and b. Preserve creek corridors and creek setback areas through easements or dedication. Designate such easement or dedication areas as open space.

Consistent: The project is required to comply with the existing Open Space Zoning designation on this portion of the property; in addition, the project will be required through conditions of approval to maintain the creek corridor setbacks as private open space, in accordance with locations shown on the project plans. No additional easements or dedications are necessary.

b. Enhance creek corridors and their habitat value by: (1) providing an adequate creek setback, (2) maintaining creek corridors in an essentially natural state, (3) employing creek restoration techniques where restoration is needed to achieve a natural creek corridor, (4) restoring riparian vegetation with creek corridors, and where possible, within creek setback areas, (5) prohibiting the planting of invasive, non-native plants (such as vinca major and eucalyptus), and (6) avoiding tree removals within creek corridors.

Consistent: (1) The project provides adequate creek setbacks. (2) The adjacent creek corridor is in a disturbed state, and would be enhanced by proposed landscaping. (3) & (4) The project will be conditioned to require required restoration of the creek corridor and related riparian vegetation as may be applicable. (5) & (6) The project will be conditioned to prohibit planting of invasive, non-native plants and there will be no tree removals within the creek corridors.

Program C/OS-9: Require developers of properties located within 500 feet of watercourses, including Zaca Creek and the Santa Ynez River, to conduct surveys for State and/or federally listed sensitive species (e.g. southwestern will flycatcher, least Bell's vireo in areas near the Santa Ynez River) and require the provision of appropriate buffers or other mitigation necessary to protect the habitat for listed species.

Consistent: As previously stated, a Biological Resources Assessment (Rincon Consultants, March 2015) was prepared for the project site and states that no special status plant or animal species were determined to have potential to occur within the project site, and no mitigation is required. The project site has no value as habitat for endangered, rare or threatened species. No significant impacts to nesting birds would occur through implementation of design features that include pre-construction surveys and, if any such species are determined to be present, establishment of avoidance buffers. Proposed development will be conditioned to follow all applicable requirements as set forth in the Biological Resources Assessment.

d. Noise Element

Policy N-4: New commercial and industrial development should incorporate design elements to minimize the noise impact on surrounding residential neighborhoods.

Consistent: The project is in an industrial area with no nearby residents.

Policy N-7: Noise generated by construction activities should be limited to daytime hours to reduce nuisances at nearby noise receptors in accordance with the hours and days set in the adopted Standard Conditions of Approval.

Consistent: The project is subject to the construction restrictions outlined in the Standard Conditions of Approval.

e. Public Facilities and Services Element

Policy PF-3: New development shall pay its fair share to provide additional facilities and services needed to serve such development.

Consistent: The project is required to pay all development impact fees.

Policy PF-6: All new development shall connect to City water and sewer systems.

Consistent: The project proposes to connect to the City's water and sewer systems.

Policy PF-9: Engineered drainage plans may be required for development projects which: (a) involve greater than one acre, (b) incorporate construction or industrial activities or have paved surfaces which may affect the quality of stormwater runoff, (c) affect the existing drainage pattern, and/or (d) has an existing drainage problem which requires correction. Engineered drainage plans shall incorporate a collection and treatment system for stormwater runoff consistent with applicable federal and State laws.

Consistent: The project is required to complete and implement a Storm Water Control Plan, which includes post construction design requirements as required and adopted by the Regional Water Quality Control Board. The project's grading and drainage plan shows how runoff from the site will be directed through multiple natural treatment processes, with initial collection to on-site retention basins and subsequent flow into an existing detention basin. These proposed improvements are consistent with the water quality and peak flow requirements discussed in the project's Storm Water Control Plan. Onsite improvements will be constructed under the direction of the Public Works Department, and will be required to comply with all applicable regulations of the Regional Water Quality Control Board.

f. Safety Element

Policy S-1: New development (habitable structures including commercial and industrial buildings) shall be set back at least 200 feet from the bank of the Santa Ynez River. A lesser setback may be allowed if a hydro-geologic study by a qualified professional can certify that a lesser setback will provide an adequate margin of safety from erosion and flooding due to the composition of the underlying geologic unit, to the satisfaction of the County Flood Control District, and a lesser setback will not adversely impact sensitive riparian corridors or associated plant and animal habitats, as determined by a qualified

biologist, or planned trail corridors. Passive use trails may be allowed within setback areas.

Consistent: The new industrial building is setback a minimum of 240 feet from the top of river bank. There are no habitable structures located within the setback area.

Policy S-2: All direct disturbance from new development, including grading and structures shall be set back at least 50 feet from top of bank of creeks, including Zaca Creek and Thumbelina Creek, except where culverted. Passive use trails may be allowed within setback areas.

Consistent:

- i. The proposed project is set back 50 feet from top of bank of Zaca Creek. The Public Works Director as well as an independent civil engineer have reviewed the proposed plans and have found that the project meets the requirements for building flood safety setback requirements as identified by Safety Element Policy #2, with the setback being an average of 50 feet from the top of bank of Zaca Creek.
- ii. This section of Zaca Creek is already in a highly disturbed state, having been impacted by previous grading and deposits of imported fill materials, concrete rubble and man-made channelization which relocated the creek's natural flow.
- iii. The proposed project would enhance the current conditions in the creek setback area on the subject property by the installation of a public multi-use trail; passive use trails are allowed in the setback area. In addition, proposed new landscaping (indigenous trees and native screening) within the setback area would further serve to restore habitat and would be an improvement to water shed. Removal of the existing rubble and questionable fill material and replacement with suitable materials is necessary to achieve improvements to habitat and the environmental quality of the setback area.

Policy S-4: As a condition of approval, continue to require any new development to minimize flooding problems identified by the National Flood Insurance Rate Program.

Consistent: Onsite grading and fill will ensure that buildings will be located at least 2 feet above the elevation of the 100-year flood zone.

Program S-2: Require new development (habitable structures including commercial and industrial buildings) to maintain a minimum 200 foot setback from the banks of the Santa Ynez River and a minimum 50 foot setback from Zaca Creek.

Consistent: The project complies with the setback requirements and habitable structures do not encroach into the minimum 200 foot top-of-bank setback from the Santa Ynez River and the minimum 50 foot top-of-bank setback from Zaca Creek.

3. Zoning designation and development regulations. The proposed project is consistent with applicable zoning designation(s) and related development regulations as set forth in Title 19 (Zoning) of the Municipal Code.
 - a. The northern portion of the property is zoned Industrial & Manufacturing (M); the southern portion is Open Space (OS) and is within the floodway of the Santa Ynez River. The boundary between the two zones generally follows the floodway line. The proposed buildings are located entirely within the M zoning designation. The two bio-filtration basins, landscaping, parking and loading areas, trash enclosure, and portions of the drive aisles and public trails are located in the OS zone; location of these non-building facilities are allowed in the OS zone.
 - b. The project conforms with the City's M (Industrial & Manufacturing) zone standards, assuming the approval of the proposed Development Plan Modification as provided for by Code Section 19.08.120(G), which would allow for 9 fewer parking spaces and is consistent with the relatively low intensity of uses (warehouse/storage) proposed by the project.
 - c. The proposed non-building facilities (bio-filtration basins, landscaping, parking and loading areas, trash enclosure, portion of drive aisles and public trails) located in the OS zone are consistent with City standards.

B. CEQA Guidelines Section 15332(b)

The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

1. Site Acreage is 128,857 square feet, approximately 2.9 acres.
2. The project site is situated in one of two distinct industrial areas within the incorporated city limits of Buellton. Uses surrounding the site consist of:
 - a. Industrial buildings to the north and west;
 - b. Commercially zoned vacant property to the east, with an approved (no permits issued) multi-use residential/racquet club project and future construction of a new roadway and access bridge across Zaca Creek, located between the commercial zone and the subject property;
 - c. Open space to the south and southeast, consisting of the Santa Ynez River floodway (the River is outside of Buellton City Limits) and Zaca Creek.

C. CEQA Guidelines Section 15332(c)

The project site has no value, as habitat for endangered, rare or threatened species.

1. Endangered, Rare or Threatened Species/Special Status Species. Based on the heavy amounts of disturbance on-site as well as the importation and compaction of fill material throughout the majority of the site, no special status plant species are expected to occur because of the lack of suitable habitat; no special status plant species were detected during the Biological Resources Assessment field survey. The site does not provide suitable nesting or foraging habitat for endangered, rare, or threatened wildlife species and thus does not have any value as habitat.
2. Sensitive Natural Communities: Ground cover on the property is composed of: ruderal/disturbed vegetation, approximately 81% of site area; and developed areas, roughly 19% of the site. The developed areas consist of a gravel surfaced staging area in the northern portion and a gravel driveway which traverses north-south almost completely through the site. No vegetation types designated as high priority or potentially rare are present in the project area.
3. Wetland Habitat: No wetland habitats or jurisdictional waters of the U.S. are located on the project site.
4. Wildlife Movement: The project site is located on the southern edge of the City in an area that transitions from semi urban and urban uses to the north, west, and east, and open space to the south (Santa Ynez River corridor). The site is highly disturbed from its natural state. Due to its lack of suitable vegetative structure and composition, the site does not provide suitable wildlife dispersal and migration habitat.

D. CEQA Guidelines Section 15332(d)

Approval of the project would not result in any significant effects relating to: 1) traffic, 2) noise, 3) air quality, or 4) water quality.

1. Traffic Impacts.

- a. Project Specific and Cumulative Impacts. The proposed storage and bottling facility will employ 20 full-time employees, typically on one standard 8-hour day shift, Monday through Friday. Approximately 12 weekends per year, the facility will operate on Saturdays and Sundays; 24-hour bottling shifts are anticipated approximately 21 days per year. There will not be any public events or guests visiting the property.

Based upon trip generation factors for “warehousing” use set forth in the Institute of Transportation Engineers (ITE), Trip Generation Manual, 9th Edition (2012), the proposed project is expected to generate 23 A.M. weekday peak hour trips, and 24 P.M. weekday peak hour trips, and an average 192 weekday daily trips. The traffic generated by this project was considered in the 2005 General Plan Update and in the

Buellton Traffic Fee program. Standard conditions of approval require the project to pay Traffic Impact Mitigations fees, which would reduce this project's proportionate share of any cumulative impact upon City-wide roadway networks.

The proposed project would access the site via the State Route 246/Industrial Way intersection, which was recently signalized to accommodate the 2005 General Plan Update and to ensure that intersections and roadway segments operate at a Level of Service "C" or better throughout buildout of the General Plan.

This project represents a scaled-down version of a building and similar warehouse use initially planned for the subject property which was considered in the 2005 General Plan Update and in the Buellton Traffic Impact Fee program. The project also does not exceed 500 average daily trips or 50 p.m. peak hour trips, therefore, no impacts to the Congestion Management Plan (CMP) network would occur. Based on the above, the traffic impacts generated by this project are considered less than significant, and potential cumulative impacts to the City-wide roadways are mitigated by payment of Traffic Impact Fees as required by the City's standard conditions of approval.

- b. Parking. Adequate parking is provided for the type and intensity of uses proposed. A development plan modification in accordance with Municipal Code Section 19.08.120(G) allows the Planning Commission to modify parking requirements when it finds that such modifications are justified. The modification would allow the project to provide 9 fewer parking spaces than otherwise required. The modified parking standard is justified inasmuch as: the 9 spaces being eliminated are considered to be a part of the spaces required for the project's storage/warehouse area, a use which does not generate a significant parking demand particularly since 75% of the warehouse floor area is occupied by wine storage tanks; adequate on-site parking is being provided for the intensity of uses that are proposed; and overflow parking demand is not anticipated to be an impact on the surrounding area.

2. **Noise Impacts.**

The project site is vacant and generates no noise. No sensitive noise receptors are located in the immediate vicinity of the project site. The closest residential uses are located approximately 800 feet to the north and northeast.

While the construction activities associated with the project would temporarily increase noise levels in the area, the long-term use of the site as a wine storage and bottling facility (located within an enclosed building) would not significantly change the existing noise levels in this industrially zoned area. Normal construction activities would not create an increase in ground-borne noise and vibration. Project grading and construction activities would result in temporary noise impacts to surrounding properties. However,

due to the distance between the project site and the nearest noise sensitive uses, this short-term impact would be considered less than significant.

3. Air Quality Impacts.

- a. Potential for Conflict with Clean Air Plan (CAP): The proposed project would involve the development of a wine tank storage and bottling facility on a site that permits this type of use. With respect to trip generation and associated air contaminant emissions, the proposed project would be considered consistent with the General Plan EIR air quality evaluation, which assumed a similar light industrial buildout of the site.
- b. Air Quality Standards: The City of Buellton is located in the South Central Coast Air Basin (SCCAB), which includes all of San Luis Obispo, Santa Barbara, and Ventura counties. The site is under the jurisdiction of the Santa Barbara County Air Pollution Control District (APCD). At present, the South Central Coast Basin of Santa Barbara County is in attainment for all state and federal air quality standards except for state standards for ozone and particulate matter (PM₁₀).

Ozone is a secondary pollutant that is not produced directly by a source, but rather it is formed by a reaction between NO_x and reactive organic gases (ROG) in the presence of sunlight. Reductions in ozone concentrations are dependent on reducing the amount of these precursors.

As stated above, the County is in nonattainment regarding the state standard for particulate matter (PM₁₀). PM₁₀ levels in the project area are primarily due to grading and motor vehicle emissions, and related vehicular traffic impacts from the proposed project are considered less than significant.

With regard to winery operations, the APCD has established stationary source permit thresholds for fermentation/aging, diesel-fueled firewater pump, and boiler emissions. The proposed project will not contain any of the referenced items.

Construction Impacts: Project construction would result in temporary air quality impacts due to the use of heavy construction equipment and generation of fugitive dust. The rough grading phase of the project would involve heavy-duty construction equipment, which is the primary source of emissions during construction. Grading work on-site would be required and could potentially generate fugitive dust (fine particulate matter - PM₁₀), but the concentrations of these emissions would be temporary.

All construction activity would be required to incorporate the APCD requirements pertaining to minimizing construction-related emissions. APCD does not have quantitative thresholds of significance for construction emissions since they are considered to be short term and temporary. However, since Santa Barbara County

violates the state standard for PM₁₀, dust reduction measures are required for all discretionary construction activities. Relevant requirements are considered standard construction conditions of approval by the City of Buellton.

Operational Impacts:

Traffic generation is considered less than significant. Project-related vehicle emissions are not expected to significantly impact air quality, and will not generate traffic emissions that would exceed the APCD's long-term threshold of significance of 25 lbs/day for ROG and NO_x.

The facility will not contain boilers or diesel fired engines; thus there will be no impacts to air quality from these sources.

There will be no wine fermentation or aging occurring as part of the proposed project; no impacts to air quality would occur.

The implementation of the above referenced construction conditions of approval would reduce to some degree the amount of greenhouse gases that would otherwise be produced. The proposed project would nonetheless incrementally contribute greenhouse gas emissions. However, since the State and City do not currently maintain a CEQA threshold for such emissions beyond the APCD thresholds noted throughout this discussion, no CEQA impacts would result.

4. Water Quality Impacts.

- a. *Grading.* All grading of the site must conform to the erosion control requirements of the National Pollutant Discharge Elimination System (NPDES) and provide/implement a SWPPP. As such, erosion and siltation would be minimized and would result in less than significant impacts.
- b. *Runoff/Erosion and Siltation:* The project is subject to the City's Storm Water Ordinance and the regulations of the Regional Water Quality Control Board. The project is required to comply with post construction design requirements to address water quality impacts from run-off, as well as provide and implement a SWPPP to address water quality and erosion control issues during the construction period. The project proposes to direct runoff to an on-site bio-filtration and storm drainage system (retention basins) that then directs the water to an existing off-site detention basin which has an overflow that discharges into the Santa Ynez River. In addition, all grading of the site must conform to the erosion control requirements of the National Pollutant Discharge Elimination System (NPDES) regulations. As such, erosion and siltation would be minimized and would result in less than significant impacts.
- c. *Runoff/Flooding:* Based on National Flood Insurance Rate Maps (FIRM) and General Plan floodplain maps, the southern portion of the site is located within a 100-year flood plain associated with the Santa Ynez River. The proposed building structure is

located outside of the floodway. Only landscaping, parking areas and drive aisles are located within the floodway. The project is required to comply with building codes and requires minimum base floor elevation of 2 feet above the floodplain elevation as well as other flood-proofing code requirements. With these design requirements and no structures proposed within the floodway, people would not be exposed to substantial flood hazards, and the impact is therefore considered less than significant.

- d. Stormwater Drainage System Capacity: Storm water runoff from the project will ultimately be conveyed to an adequately sized existing detention basin on the adjacent Terravant Wine property. The existing detention basin collects flows from Industrial Way and the Project drainage review includes calculations that support capacity for the project flows.

Therefore, with implementation of these facilities that are part of the project description, potential impacts are considered to be in less than significant. The project will also be required to comply with the City's 2013 Stormwater Ordinance.

- e. Substantially Degrade Water Quality: Increases in erosion and sedimentation to drainages are expected with grading activities. However, as noted above, compliance with the NPDES erosion regulations and implementation of the SWPPP would result in less than significant impacts. Intensification of use on this site could also increase the quantities of pollutants entering the stream courses via runoff across the site and/or direct discharges if not properly treated. However, the project is also subject to the City's Stormwater Ordinance and the regulations of the Regional Water Quality Control Board. The project includes bio-retention basins to collect the site's drainage, with subsequent flow to an existing detention basin. These various stages of basins provide for natural filtration of the run-off that would allow any contaminants from runoff to settle and separate from the water. Therefore, with implementation of these facilities that are part of the project description, potential impacts are considered to be in less than significant.

E. CEQA Guidelines Section 15332(e)

The site can be adequately served by all required utilities and public services.

Adequate public services and infrastructure exists in the area to serve the proposed project. The proposed use is consistent with the land use designations and buildout projections set forth in the City of Buellton General Plan 2025 and analyzed in the Environmental Impact Report (EIR) prepared for the General Plan Land Use Element Update in 2005.

The EIR analyzed public services (fire protection, police protection, school facilities, library services, solid waste disposal, water supply, wastewater conveyance and treatment services) which were found to be adequate for planned new development given compliance with existing policies and programs set forth in the General Plan. The proposed project is subject to the City's Standard Conditions of Approval, which set forth specific requirements for the project to satisfy

in order to comply with General Plan policies and programs, thereby mitigating potential impacts resulting from the project and ensuring continued adequacy of public services.

The following are specifically applicable to the proposed project:

1. Water. The City has adequate supply to provide water for the proposed project
2. Waste Water. The project proposes to modify the existing process wastewater treatment plant (PWTP) to enhance effluent quality, reduce odor and add reliability. Upgrades include: addition of a new lift station to convey process wastewater to the existing PWTP; conversion of existing clarifier to membrane filtration in order to improve solids removal, upgrade of aeration system in existing PWTP; and addition of flow equalization and sludge handling in new tank room.
3. Storm Drainage & Runoff. The storm drainage system is adequate to handle flows associated with this project based on the review of the preliminary grading plan and hydrology report associated with the project. On-site bio-filtration and drainage basins are adequately sized to accommodate average runoff resulting from the project, with peak flows subsequently draining to an existing detention pond located on the adjacent Terravant Wine property, which is adequately sized to handle flows from the subject project, as determined by the Public Works Director/City Engineer
4. Police, Fire, Schools, Parks. The project area is adequately served by Police and Fire protection services. The proposed use (wine storage and bottling) does not generate an impact on school services and parks. Project-specific design requirements imposed by the Fire Department to ensure adequate access for fire protection apparatus are incorporated into the project conditions of approval.
5. Other. The project site and proposed use are adequately served by other to public services and utilities.