



CITY OF BUELLTON

PLANNING COMMISSION AGENDA

**Regular Meeting of July 18, 2013 – 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 Mercado

PLEDGE OF ALLEGIANCE

Commissioner Fussel

ROLL CALL

Commissioners Lisa Figueroa, Jason Fussel, Foster Reif, Vice Chair Craig Adams and Chair Art Mercado

REORDERING OF AGENDA

APPROVAL OF MINUTES

- 1. Minutes of the regular Planning Commission meeting of June 6, 2013**

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

None

NEW PUBLIC HEARINGS

- 2. Resolution No. 13-07 - "A Resolution of the Planning Commission of the City of Buellton, California, Recommending that the City Council Adopt an Addendum to the Final Environmental Impact Report for the Land Use Element and Circulation Element Update for the Buellton Apartments Project (12-FDP-02) Located at 90**

Second Street, Assessor's Parcel Number's 137-170-053 and 137-170-011, and Making Findings in Support Thereof"

Resolution No. 13-08 - "A Resolution of the Planning Commission of the City of Buellton, California, Recommending that the City Council Approve a Final Development Plan (12-FDP-02) for the Development of 62 Apartments Located at 90 Second Street, Assessor's Parcel Number's 137-170-053 and 137-170-011, and Making Findings in Support Thereof"

OTHER BUSINESS

None

WRITTEN COMMUNICATIONS

PLANNING COMMISSIONER COMMENTS

PLANNING DIRECTOR REPORT

ADJOURNMENT

To the next regularly scheduled Planning Commission meeting of Thursday, August 15, 2013, 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 June 6, 2013 – 6:00 p.m.
City Council Chambers, 140 West Highway 246
Buellton, California

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Commissioner Figueroa led the Pledge of Allegiance

ROLL CALL

Present: Commissioners Lisa Figueroa, Jason Fussel, Foster Reif, Vice
Chair Craig Adams and Chair Art Mercado

Staff: Planning Director/Interim City Manager Marc Bierdzinski
Public Works Director Rose Hess
Staff Assistant/Planning Technician Clare Barcelona

REORDERING OF AGENDA

The Agenda was re-ordered to allow the Planning Director Report at this time.

PLANNING DIRECTOR REPORT

Mr. Bierdzinski updated the Commission on upcoming events and recent City Council actions including the Council's hiring of an economic development consultant, the status of the City's budget and the cancellation of the July 4th Planning Commission meeting.

APPROVAL OF MINUTES

1. Minutes of the regular Planning Commission meeting of May 16, 2013

MOTION:

Commissioner Reif moved and Vice Chair Adams seconded the motion to approve the Minutes of May 16, 2013.

VOTE:

Motion passed by 5-0 voice vote.

PUBLIC COMMENTS

None

CONSENT CALENDAR

None

CONTINUED PUBLIC HEARINGS

None

NEW PUBLIC HEARINGS

2. **Resolution no. 13-06 – “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (11-FDP-02), Conditional Use Permit (11-CUP-02), and Tentative Parcel Map (TPM 31055) for a Shopping Center Including 40,455 Square Feet of Retail and Restaurants and 15,000 Square Feet of Outdoor Sales Area (the Crossroads Village Center) Located at the Northeast Corner of Highway 246 and McMurray Road, Assessor’s Parcel Number 137-090-045 (portion), and Making Findings in Support Thereof”**

Commissioner Figueroa and Chair Mercado recused themselves from the Dais due to the proximity of their residences to the Project.

STAFF REPORT:

Planning Director Bierdzinski presented the staff report and updated architectural renderings and stated that condition #60 of the Resolution regarding the outdoor storage would be modified and asked the Commission to consider adoption of the Resolution approving the Project.

DISCUSSION/SPEAKERS:

Commissioner Reif asked if a traffic signal would be required due to the increased traffic and was told by Rose Hess that Caltrans is not conditioning the project to include a traffic signal but that it could be revisited in the future.

Vice Chair Adams asked if pad A would allow retail space only and was told that office space would be available as well.

Vice Chair Adams opened the Public Hearing at 6:17 p.m.

Steve Rigor, Arris Studio Architects, Project Architect, introduced his design team and thanked the Commission for considering the Project. He went on to describe the proposed architectural improvements per the Commissions comments including awnings,

trellises, additional landscaping and modifications to the design elements of the proposed buildings.

The Commission discussed the following:

- Revise Pad A street and front elevations to provide additional articulation
- Minimize the outdoor display at the entry of the main building (Tractor Supply)
- Add trellises and additional landscaping to pads B & C
- Add an outdoor dining area to the McDonald's building
- Minor changes to the proposed architecture adding visual elements to the back side of the buildings
- Relocation of the trash enclosures away from the existing residential area

Ted Moore, E.F. Moore & Co, added to the discussion regarding the changes suggested by the Commission.

Peggy Brierton, 225 Teri Sue Lane, Buellton, stated that most of her questions were answered in the discussion and that Pad E was the more attractive building and would like Pad A to look more like Pad E. She suggested adding a trellis to the backside of the building on Pad A and adding either window or awning variations to the buildings on Pad B. Ms. Brierton also stated that Pad F does not seem to be pedestrian friendly lacking outdoor green space and gathering areas. She inquired if a median on Highway 246 was proposed and Ms. Hess answered not that at this time.

Judy Reyes, McDonald's USA, addressed the Commission stating that she would suggest McDonald's look at the possibility of outdoor seating.

John Belsher, 412 Marsh Street, San Luis Obispo, CA, requested wording of the final conditions be clarified.

Vice Chair Adams closed the Public Hearing at 7:18 p.m.

The Commission went on to discuss the option of a median, traffic signal or timing of the existing traffic signals on Highway 246 to minimize traffic concerns.

The following conditions to Resolution No. 13-06 were read into the record by Mr. Bierdzinski:

- The new elevations that were submitted tonight will be added to the record as part of the approval along with revisions to the outdoor storage area
- Pad A will have improvements added to the south end of the building
- Pad E will have more articulation added to the building
- Shop C will receive a trellis on the north elevation
- Shops B hardscape will be replaced with additional landscaping
- The trash enclosure associated with Pad E will be moved next to the building
- Suggest that an outdoor eating area be incorporated into Pad F
- Public trash and recycle receptacles to be provided next to all of the buildings

Staff suggested that the Commission be able to review the final elevations as part of the Zoning Clearance process and was agreed to by the Commission.

MOTION:

Commissioner Reif and Commissioner Fussel seconded the motion to adopt Resolution No. 13-06 by title only and waive further reading with the additional conditions read into the record by Staff.

VOTE:

Motion passed with a 3-0 roll call vote.

OTHER BUSINESS

None

WRITTEN COMMUNICATIONS

None

PLANNING COMMISSIONER COMMENTS

Commissioner Fussel stated that he will be absent from the June 20th meeting. Staff stated that the next Planning Commission meeting will be on July 18th. Vice Chair Adams stated that he will be absent the third week of July.

ADJOURNMENT

Chair Mercado adjourned the meeting at 7:30 p.m. to the next regular scheduled meeting of the Planning Commission to be held July 18, 2013 at the City Council Chambers, 140 West Highway 246, Buellton.

Craig Adams, Planning Commission Vice 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: MPB
Planning Commission Agenda Item No: 2

To: The Honorable Chair and Commission Members

From: Marc P. Bierdzinski, Planning Director

Date: July 18, 2013

Subject: Resolution No. 13-07 - "A Resolution of the Planning Commission of the City of Buellton, California, Recommending that the City Council Adopt an Addendum to the Final Environmental Impact Report for the Land Use Element and Circulation Element Update for the Buellton Apartments Project (12-FDP-02) Located at 90 Second Street, Assessor's Parcel Number's 137-170-053 and 137-170-011, and Making Findings in Support Thereof"

Resolution No. 13-08 - "A Resolution of the Planning Commission of the City of Buellton, California, Recommending that the City Council Approve a Final Development Plan (12-FDP-02) for the Development of 62 Apartments Located at 90 Second Street, Assessor's Parcel Number's 137-170-053 and 137-170-011, and Making Findings in Support Thereof"

BACKGROUND/DISCUSSION

NOTE – The Planning Commission is typically the approving body on Final Development Plans. However, the Municipal Code allows the Planning Director to move the approval authority to the City Council with a recommendation from the Planning Commission. Due to the public controversy and possible policy implications for the City, I have decided to change approval of the project to the City Council. Therefore, the Planning Commission will be making recommendations to the City Council.

The Santa Ynez Band of Chumash Indians, property owner, and Sid Goldstien, agent ("Applicant") have submitted a Final Development Plan (12-FDP-02) for a 62 unit apartment complex. The project site is located on a 4.19 acre site at the northeast end of Second Street on Assessor's Parcel Number's 137-170-011 and 137-170-053 (see Attachment 1 - Vicinity Map). The property is zoned CR (General Commercial) and is an Affordable Housing Overlay Zone (AHOZ) site. The project consists of the following applications:

- **Final Development Plan (12-FDP-02):** Proposal for a 62 unit apartment complex consisting of six buildings with one-bedroom, two-bedroom, and three-bedroom units.

The complete set of project plans is provided as Attachment 2. Attachment 3 are color renderings. Full size plans have been provided to the Planning Commission.

The Final Development Plan is for the approval of building envelopes, site and floor plans and architectural renderings for the 62 unit apartment complex. This includes 32 one-bedroom units, 26 two-bedroom units, 4 three-bedroom units and 116 parking spaces. There are six buildings. Four of the buildings will be two stories and two of the buildings will be three stories. All of the buildings meet the height requirement in the Zoning Ordinance.

The property has access on Second Street and on Avenue of Flags. The access on Avenue of Flags is on a proposed driveway through a vacant parcel.

The proposal conforms with the City's general commercial zoning standards as summarized in the following table (reference Buellton Municipal Code sections 19.02.220 and 19.04.142).

Development Standard	General Commercial (CR) Zone Requirements	Proposed Project
Minimum Lot Size	None required	4.19 acres
Front Setback	None Required	Varies, 10 feet to 45 feet for different buildings
Side Setback	None Required	Varies, 9 feet to 37 feet for different buildings
Rear Setback	10% of lot depth, to 10 ft. maximum	Varies, 24 feet to 214 feet for different buildings
Floor Area	No maximum	N/A
Site Coverage	No Maximum	14.8%
Height Limit	35 feet	Tallest buildings are 34 feet
Landscaping	5% of the net lot area	24%
Parking	One Bedroom Units: 1 space per unit Two Bedroom Units: 2 spaces per unit Three Bedroom Units: 2.5 spaces per unit Visitor Parking: 1 space per 5 units Total Required: 107 spaces	116 spaces (Including 5 handicapped spaces)

Architecture

The architecture of the project is considered Agrarian per the Community Design Guidelines. The buildings include divided light windows, wood window trim, smooth stucco, corrugated metal roofing, dormers, awnings and some shutters. Color elevations have been included in the packet. The architecture has been modified and is "360"

architecture with details on all sides of the buildings. A color and materials board will be provided at the Planning Commission meeting.

Noise Analysis

A noise analysis was prepared to reduce potential noise impacts because of the location of the project near Highway 101 (part of Exhibit A to Resolution No. 13-07). An apartment complex is considered a sensitive land use and future residents could be exposed to excessive traffic noise if mitigation measures are not incorporated into the Project. The noise study concluded that with the wording contained in Condition 15 regarding construction of the buildings that noise levels would not exceed City standards.

Traffic Analysis

A traffic study was prepared for the project to further refine the traffic impacts to the surrounding circulation system. The traffic study is included with Exhibit A to Resolution No. 13-07. The traffic study concluded that there will not be any significant traffic impacts to the surrounding circulation system.

Regulatory Documents

At the Planning Commission conceptual review in January, comments were received that the project is not consistent with the City's recently accepted Vision Plan. The Vision Plan is not intended as a regulatory document but a guideline to develop policies for the future. The General Plan, Zoning Ordinance, and Community Design Guidelines are the regulatory documents that are the appropriate documents to use when reviewing the project. These documents allow the following types of uses on the property:

- Any General Commercial use allowed per the CR Zoning District.
- An Affordable Housing Overlay Zone (AHOZ) project at a density of 25 units per acre (the proposed project).
- As an alternative to an AHOZ project, a mixed use project could be developed on the site, including residential units at a density of 10 units per acre.

The applicant considered a mixed use project but it was not economically viable in their opinion. They have chosen to move forward on the AHOZ project you have before you.

AHOZ/Density

In order to process an AHOZ project, the minimum density must be 25 units per buildable acre per the AHOZ ordinance. The site has 2.48 net buildable acres. Therefore, the minimum number of units is 62 which the applicant is proposing. The number of units cannot be reduced and still be in conformance with the AHOZ regulations. Of the 62 units, the AHOZ regulations require that 5 units be provided to very low income persons, 4 of the units for low income persons, and 3 units for moderate income persons.

APN 137-170-011 (the parcel fronting the Avenue) is not part of the AHOZ overlay and is not, and cannot, be used in the density calculations for the project nor can AHOZ units be placed on this property.

A copy of the AHOZ ordinance is included as Attachment 4.

Parking

Pursuant to the City's parking standards, the project is required to provide 107 parking spaces. 116 spaces are provided.

Tree Replacements

Twenty-seven oak trees and one sycamore tree are proposed to be removed as part of the project. The Municipal Code requires the replacement of the oak trees at a 3:1 ratio and the sycamores at a 2:1 ratio. Therefore, 81 replacement oak trees and two replacement sycamore trees are required. Fifteen replacement oak trees and two replacement sycamore trees are proposed on the project site. The remaining 66 replacement oak trees may be planted in off-site locations as determined by the Planning Director, or an in-lieu fee of \$300 per tree may be paid.

Pedestrian Path

Staff is recommending that the pedestrian path along the Zaca Creek frontage of project to Second Street be installed by the developer since this is the start of the trail system in this area of the City. The path material will be determined by the Public Works Director.

Storage Areas

In order to provide adequate storage for the units, staff is recommending that 200 cubic feet of storage space be provided for each unit.

Patios

In order to provide additional private outdoor living space, staff is recommending that 50% of the upstairs units provide a usable balcony area.

General Plan Policy Consistency

The Project is consistent with the following General Plan Land Use Element policies.

- L-3 Encourage locally serving businesses such as grocery stores, pharmacies, hardware stores, banks, day care, dry cleaning, and post offices, as well as schools, parks and social centers to locate within easy walking distance (generally ½ mile) of residences. Similarly, new residential neighborhoods should remain within easy walking and bicycling distance from the City center.

The project is within easy walking distance of the Avenue of Flags.

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

Adequate public services are available.

- L-7 New residential development that has the potential of adding significant new school-aged children to the City's population should be coordinated with affected school districts. The proponents of such development shall be encouraged to meet and confer with school officials in advance of the application submittal to coordinate project development with fee payment and facility capacity.

This site was identified as residential in the 2005 General Plan Update and school officials were involved at that time. The project is required to pay all mandated school fees.

- L-8 New development and changes in existing use should adhere to the pattern of land use recommended in the Avenue of Flags/Highway 246 Urban Design Plan for the Avenue of Flags Revitalization Area (refer to Figure LU-6 and the discussion of the Urban Design Plan in the introduction). Non-conforming uses should be encouraged to relocate elsewhere at locations appropriate to the use. Vertical and horizontal mixed-use development should be encouraged in relation to lot depth, and a commercial orientation shall be maintained along the street frontage of the Avenue.

The site is identified as residential in the Urban Design Plan.

- 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.

The project site provides sidewalk and trail connections to the existing circulation network.

- 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.

The lighting is required to be night sky friendly and the design conforms to the street lights in the area.

- L-19 The form, scale and character of new residential development should be compatible with the existing development context (e.g., density, design features, etc.) of adjacent development areas.

The project meets the zoning requirements as to setbacks, height, etc., and the architectural design is consistent with the surrounding area.

- C-4 New development shall be required to dedicate easements and incorporate circulation features promoted in the Avenue of Flags/Highway 246 Urban Design Plan or otherwise contribute toward the cost of completing such features at a later date. These circulation features include: (i) creation of secondary access along the Avenue of Flags between Highway 246 and Damassa Road, interconnecting parking lots at rear of parcels along the easterly side of the Avenue; (ii) improvement of the existing alleyway for parcels along the westerly side of the Avenue; and (iii) development of a pedestrian walkway along Zaca Creek.

The project provides access to Avenue of Flags and a pedestrian walkway along Zaca Creek.

- 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 nonresidential areas.

Commercial traffic would not be going through the proposed development. The access way on the lot fronting the Avenue of Flags is secondary access that would also provide access to the commercially zoned lot but would not constitute inconsistency with this policy.

- C-9 The number of new driveways on Highway 246 should be minimized.

One driveway along the Avenue of Flags would not be inconsistent with this policy.

- C/OS-12 Promote preservation of native trees to maintain the character of the City, preserve the City's beauty and identity, and protect native habitat.

- C/OS-13 Development should be designed to avoid native trees with a trunk diameter at breast height of 8 inches or more. A native tree is defined as a perennial woody plant, such as an oak or sycamore, that is a historical element of a natural California habitat. When considering the approval of activities that result in the removal of mature trees, the following factors shall be considered:
- a. The size, age, health and species of tree(s) to be removed.
 - b. Whether or not the removal of the tree(s) is necessary for the reasonable development and use of the site.
 - c. Whether the tree(s) to be removed is (are) a native or introduced species.

These policies are guidelines to be followed and trees may be removed if needed to support the project as long as replacement trees are provided in accordance

with the requirements of the Municipal Code. The project is consistent with these policies.

PR-1 Strive to achieve a ratio of five acres of parkland per 1000 residents.

PR-7 Require creation of parks, and/or greenbelts by new project developers in all residential projects. Where it is infeasible to include these elements in a project, the developer shall be required to pay parkland in lieu fees ("Quimby" fees) for the acquisition, design, and construction of new parks and pedestrian/bicycle trails throughout the City, and toward a new community center.

As with many projects, the payment of the "Quimby" fee is an appropriate method to comply with parkland requirements, especially in areas where the City has not designated an area for a public park. The project is conditioned to pay the "Quimby" fees.

Planning Commission Concerns

In January, the Planning Commission had several concerns with the project that were included in the January 10, 2013, incomplete letter on the project.

- Noise from Highway 101: The noise study included with Exhibit A to Resolution No. 13-07 analyzes the noise impacts and has provided a mitigation measure to reduce noise impacts to below City noise standards (Condition 15 in Resolution No. 13-08).
- Long stairways have been replaced with stairways with landings.
- Some Commission members preferred more space between buildings and a more open layout. The applicant decided to go with the original design as shown to the Commission in January.
- A sidewalk and textured paving are provided as walkways from Building 6 to the rest of the project.
- Tree protection and tree trimming measures for trees that overhang the driveway added as a condition to the project.
- The outdoor area now has benches and other amenities.
- The architecture has been changed to reflect "360" degree architecture.
- The Public Works Director has developed conditions for the pervious paving, Low Impact Development, and the 100-year flood plain.
- DG has been removed from the pathways.

Comment Letter

A comment letter from Kerry Moriarty is included as Attachment 5. These are the opinions of Mr. Moriarty and staff does not agree with his conclusions on this project as noted in this staff report and in the findings associated with Resolutions Nos. 13-07 and 13-08. The findings from Mr. Moriarty are conclusionary and not supported by data or back-up information and most are conjecture.

Specifically, staff offers the following summary of our conclusions:

- The City has identified various AHOZ sites within the City with a density of 25 units per acre. Therefore, this density and type of project has been envisioned by the City as an appropriate type of development and not inconsistent with City policies and regulations.
- Staff has reviewed the project as to parking and circulation and determined that no overflow impacts would occur. The access way to the Avenue is not intended as a public street but as a secondary access point. Therefore, the Public Works Director does not want the access way to align with the road between the breaks in the median as suggested in this letter.
- The recreational area and public trail, along with private patio spaces, have been determined by staff to be appropriate for this type of development.
- In staff's opinion, providing a source of people within the Avenue corridor will benefit the commercial area by providing patrons for future commercial businesses.
- The 1-story versus 2-story conclusions in the letter are misleading. As the story poles show, the buildings are not out of character with the height of the surrounding buildings and are all under 35 feet in height.

ENVIRONMENTAL REVIEW

An Addendum to the City of Buellton General Plan Land Use Element and Circulation Element Environmental Impact Report has been prepared in accordance with the California Environmental Quality Act. The Addendum is attached as Exhibit A to Resolution No. 13-07. Mitigation measures from the Final EIR and Addendum have been made conditions of approval.

RECOMMENDATION

That the Planning Commission consider the following two actions:

1. Adoption of Resolution No. 13-07 - "A Resolution of the Planning Commission of the City of Buellton, California, Recommending that the City Council Adopt an Addendum to the Final Environmental Impact Report for the Land Use Element and Circulation Element Update for the Buellton Apartments Project (12-FDP-02) Located at 90 Second Street, Assessor's Parcel Number's 137-170-053 and 137-170-011, and Making Findings in Support Thereof"
2. Adoption of Resolution No. 13-08 - "A Resolution of the Planning Commission of the City of Buellton, California, Recommending that the City Council Approve a Final Development Plan (12-FDP-02) for the Development of 62 Apartments Located at 90 Second Street, Assessor's Parcel Number's 137-170-053 and 137-170-011, and Making Findings in Support Thereof"

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – Project Plans

Attachment 3 – Color Renderings

Attachment 4 – AHOZ Ordinance

Attachment 5 – Letter from Kerry Moriarty

Resolution No. 13-07 with Exhibit A Addendum

Resolution No. 13-08

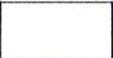
Full set of Plans and the 2005 General Plan Final EIR to Planning Commission members

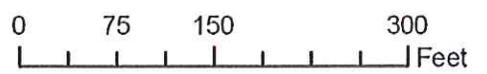


Attachment 1



Legend

-  Parcels
-  Project Site



BUELLTON APARTMENTS

SECOND STREET

BUELLTON, CA

DAVID GOLDSTEN ARCHITECT
 4500 Apple Road
 Newport, CA 95057
 (415) 461-2781



PROJECT NO. 1000000000
 SHEET NO. 1000000000

Attachment 2

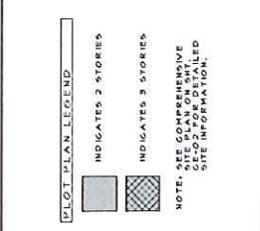
BUELLTON APARTMENTS

SECOND STREET
 BUELLTON, CA



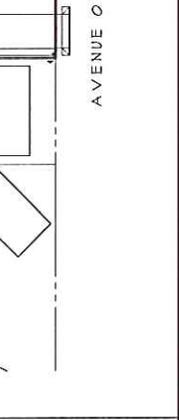
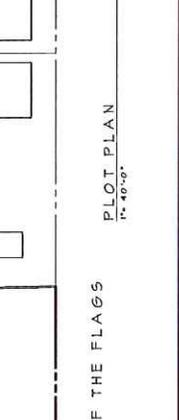
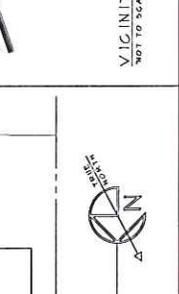
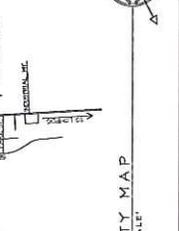
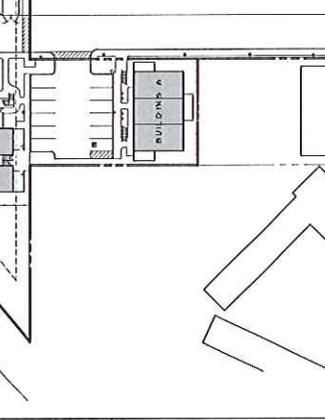
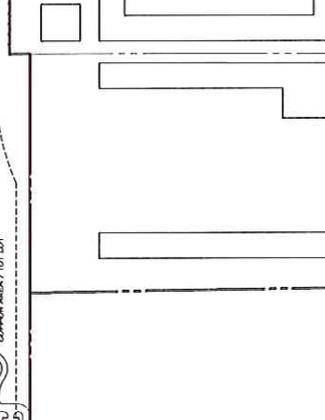
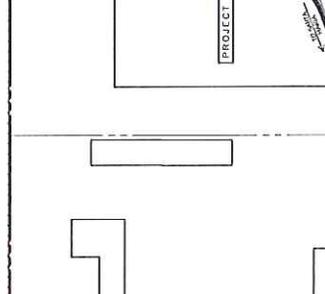
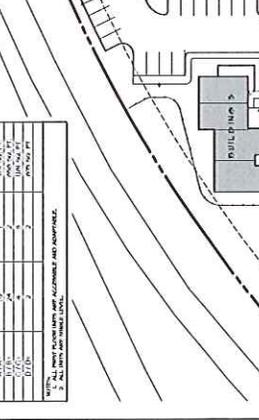
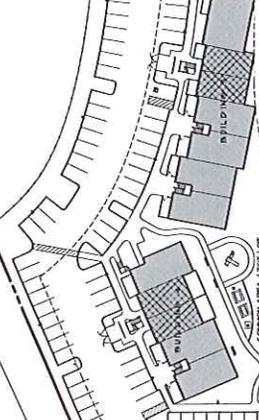
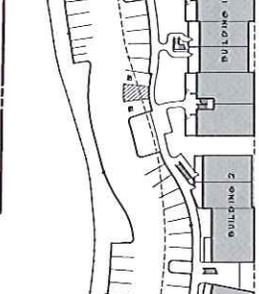
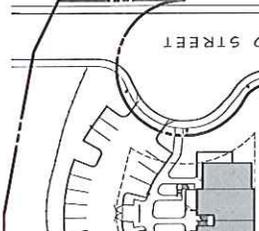
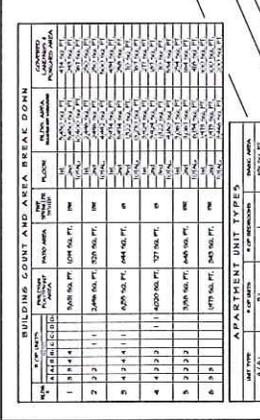
DATE: 4-4-13
 DRAWN: R.A.
 CHECKED: J.S.
 SCALE: 1/2" = 1'-0"

PROJECT NO. 1000000000
 SHEET NO. 1000000000



APARTMENT UNIT TYPES	NO. OF UNITS	TOTAL AREA (SQ. FT.)	COMMON AREA (SQ. FT.)
1-BED	10	1,000	100
2-BED	20	2,000	200
3-BED	10	3,000	300
4-BED	5	4,000	400
5-BED	5	5,000	500
6-BED	5	6,000	600
7-BED	5	7,000	700
8-BED	5	8,000	800
9-BED	5	9,000	900
10-BED	5	10,000	1,000

BUILDING	FLOOR	AREA (SQ. FT.)	TYPE
BUILDING 1	1	1,000	RESIDENTIAL
	2	1,000	RESIDENTIAL
BUILDING 2	1	2,000	RESIDENTIAL
	2	2,000	RESIDENTIAL
BUILDING 3	1	3,000	RESIDENTIAL
	2	3,000	RESIDENTIAL
BUILDING 4	1	4,000	RESIDENTIAL
	2	4,000	RESIDENTIAL
BUILDING 5	1	5,000	RESIDENTIAL
	2	5,000	RESIDENTIAL
BUILDING 6	1	6,000	RESIDENTIAL
	2	6,000	RESIDENTIAL
BUILDING 7	1	7,000	RESIDENTIAL
	2	7,000	RESIDENTIAL
BUILDING 8	1	8,000	RESIDENTIAL
	2	8,000	RESIDENTIAL
BUILDING 9	1	9,000	RESIDENTIAL
	2	9,000	RESIDENTIAL
BUILDING 10	1	10,000	RESIDENTIAL
	2	10,000	RESIDENTIAL



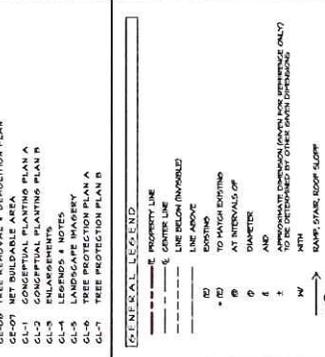
CONSENT TECHNICAL REQUIREMENTS
 The following information is required for the preparation of the final plans for this project. The applicant is responsible for obtaining all necessary permits and approvals from the appropriate agencies and for providing the information required for the preparation of the final plans. The applicant is also responsible for providing the information required for the preparation of the final plans. The applicant is also responsible for providing the information required for the preparation of the final plans.

GENERAL PROJECT INFORMATION

A. Name of Project and Owner
 B. Project Address
 C. Project Location
 D. Project Description
 E. Project Status
 F. Project Date

INDEX OF DRAWINGS - NOTES

A-1.0 GENERAL NOTES
 A-1.1 TYPICAL UNIT TYPE FLOOR PLANS
 A-1.2 BUILDING ELEVATIONS
 A-1.3 BUILDING 1 FLOOR PLANS & ELEVATIONS
 A-1.4 BUILDING 2 FLOOR PLANS & ELEVATIONS
 A-1.5 BUILDING 3 FLOOR PLANS & ELEVATIONS
 A-1.6 BUILDING 4 FLOOR PLANS & ELEVATIONS
 A-1.7 BUILDING 5 FLOOR PLANS & ELEVATIONS
 A-1.8 BUILDING 6 FLOOR PLANS & ELEVATIONS
 A-1.9 BUILDING 7 FLOOR PLANS & ELEVATIONS
 A-1.10 BUILDING 8 FLOOR PLANS & ELEVATIONS
 A-1.11 BUILDING 9 FLOOR PLANS & ELEVATIONS
 A-1.12 BUILDING 10 FLOOR PLANS & ELEVATIONS
 A-1.13 PHOTOGRAPHIC SITE PLAN
 A-1.14 CIVIL TITLE SHEET
 A-1.15 CONCEPTUAL SITE PLAN
 A-1.16 CONCEPTUAL PLANTING PLAN A
 A-1.17 CONCEPTUAL PLANTING PLAN B
 A-1.18 CONCEPTUAL PLANTING PLAN C
 A-1.19 CONCEPTUAL PLANTING PLAN D
 A-1.20 CONCEPTUAL PLANTING PLAN E
 A-1.21 CONCEPTUAL PLANTING PLAN F
 A-1.22 CONCEPTUAL PLANTING PLAN G
 A-1.23 CONCEPTUAL PLANTING PLAN H
 A-1.24 CONCEPTUAL PLANTING PLAN I
 A-1.25 CONCEPTUAL PLANTING PLAN J
 A-1.26 CONCEPTUAL PLANTING PLAN K
 A-1.27 CONCEPTUAL PLANTING PLAN L
 A-1.28 CONCEPTUAL PLANTING PLAN M
 A-1.29 CONCEPTUAL PLANTING PLAN N
 A-1.30 CONCEPTUAL PLANTING PLAN O
 A-1.31 CONCEPTUAL PLANTING PLAN P
 A-1.32 CONCEPTUAL PLANTING PLAN Q
 A-1.33 CONCEPTUAL PLANTING PLAN R
 A-1.34 CONCEPTUAL PLANTING PLAN S
 A-1.35 CONCEPTUAL PLANTING PLAN T
 A-1.36 CONCEPTUAL PLANTING PLAN U
 A-1.37 CONCEPTUAL PLANTING PLAN V
 A-1.38 CONCEPTUAL PLANTING PLAN W
 A-1.39 CONCEPTUAL PLANTING PLAN X
 A-1.40 CONCEPTUAL PLANTING PLAN Y
 A-1.41 CONCEPTUAL PLANTING PLAN Z



DAVID GOLDSTEN ARCHITECT ARCHITECTS
 650 Alameda Plaza
 San Francisco, CA 94101
 Tel: 415.774.1100
 Fax: 415.774.1101



Professional Seal
 David Goldsten
 Architect
 No. 10000
 State of California
 Expires 12/31/2015

BUELTON APARTMENTS

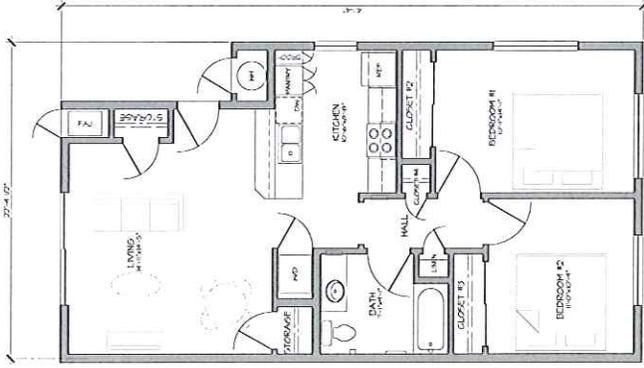
SECOND STREET
 BUELTON, CA



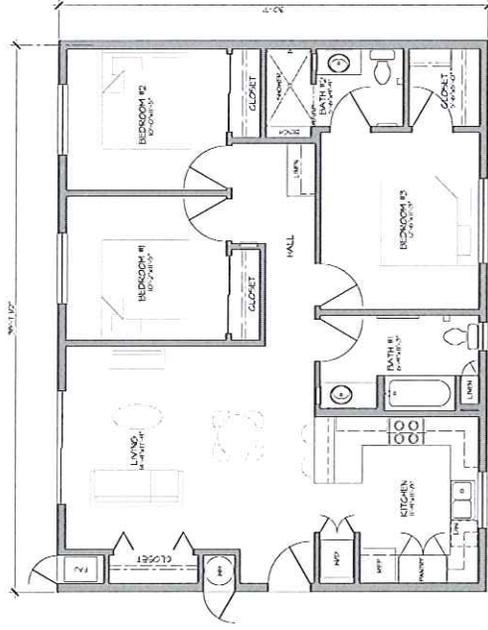
DATE: 01/15/15
 DRAWN: K.A.
 CHECKED: J.C.
 SCALE: 1/2" = 1'-0"

PROJECT: BUELTON APARTMENTS
 SHEET: A2.0

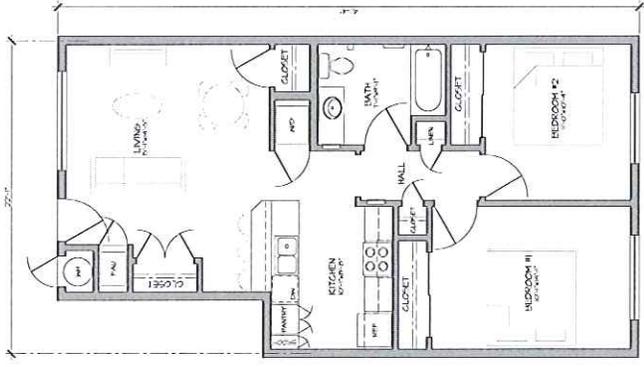
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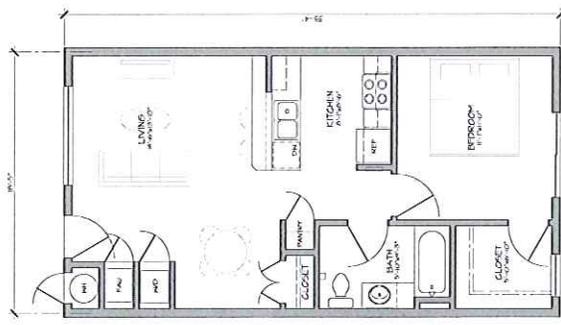
TYPICAL (D) UNIT FLOOR PLAN
 1/4" = 1'-0"



TYPICAL (C) UNIT FLOOR PLAN
 1/4" = 1'-0"



TYPICAL (B) UNIT FLOOR PLAN
 1/4" = 1'-0"

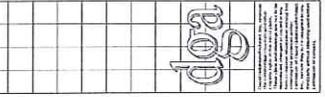


TYPICAL (A) UNIT FLOOR PLAN
 1/4" = 1'-0"

NOTE: ALL FIRST FLOOR UNITS ARE HANDICAP ACCESSIBLE & ADAPTABLE

TYPICAL UNIT TYPE PLANS

DAVID GOLDSTIEN ARCHITECT
 4500 Maple Street
 Newport, CA 94946
 (415) 321-1210

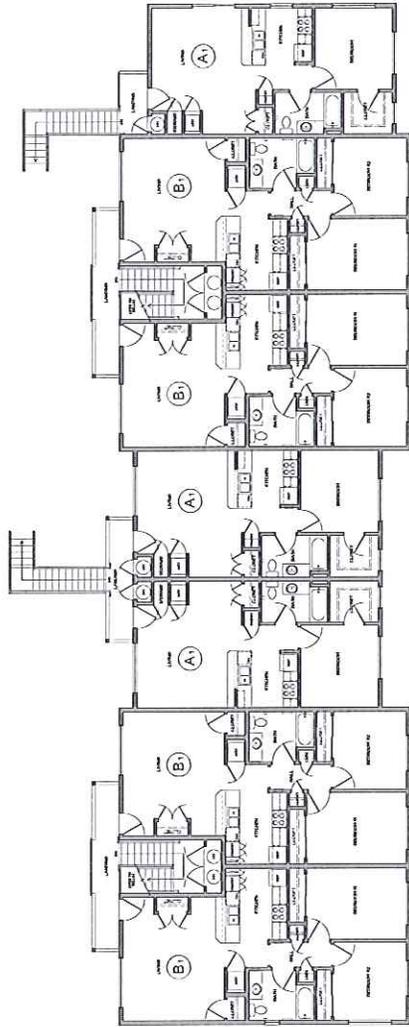


BUELLTON APARTMENTS
 SECOND STREET
 BUELLTON, CA

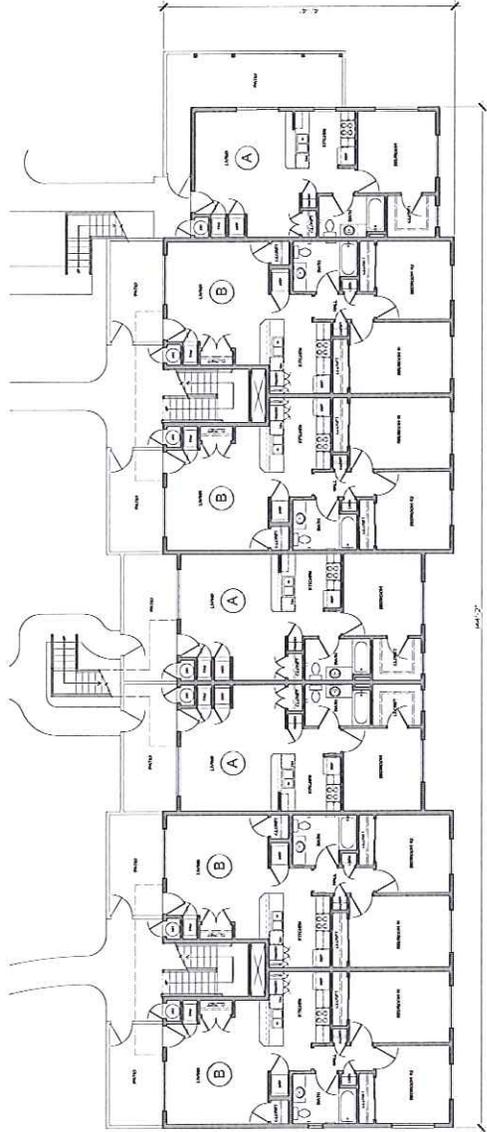
4-16-15 DEV. PL.
 D-11-15 DEV. PL.

DATE: 4-16-15
 DRAWN: K.A.
 SHEET: 12110

A4.0



SECOND FLOOR PLAN
 3/8" = 1'-0"



FIRST FLOOR PLAN
 3/8" = 1'-0"

BUILDING 1

DAVID GOLDSTEN ARCHITECT
 1000 North Park Blvd
 Suite 100, CA 94030
 (415) 435-1234



Professional Seal
 David Goldsten
 Architect
 No. 1000 North Park Blvd
 Suite 100, San Francisco, CA 94109
 (415) 435-1234

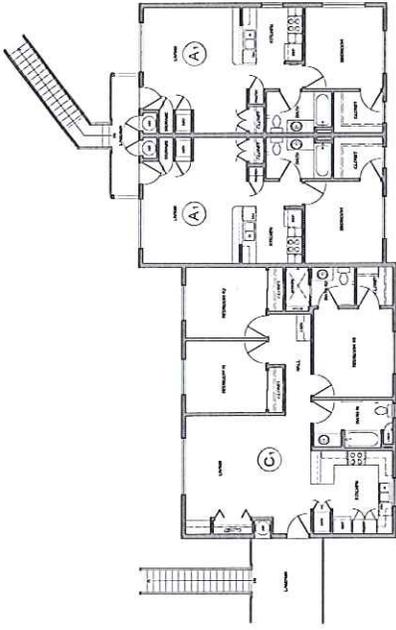
BUELLTON APARTMENTS

SECOND STREET
 BUELLTON, CA

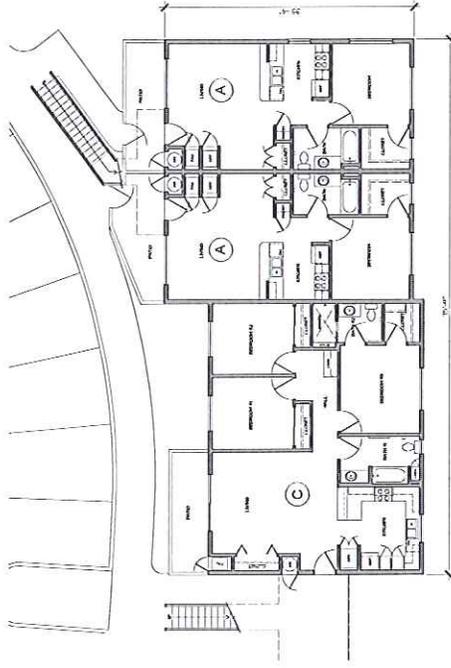


DATE	
REVISION	
4-4-18 DGV/FL	
12-10-18 DGV/FL	
PROJECT	BUELLTON
REVISION	4-4-18-15
DESIGNER	R.A.
DATE	12-10
SCALE	AS SHOWN

A4.2
 SHEET

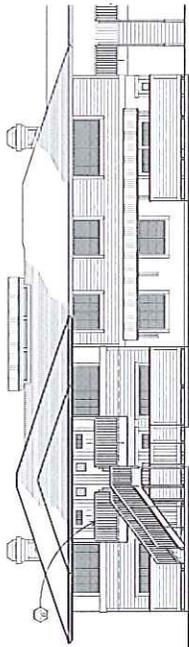


SECOND FLOOR PLAN
 3/8" = 1'-0"

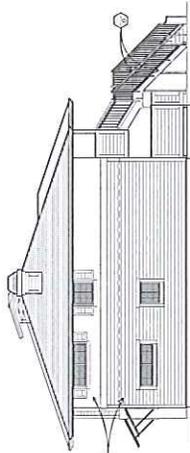


FIRST FLOOR PLAN
 3/8" = 1'-0"

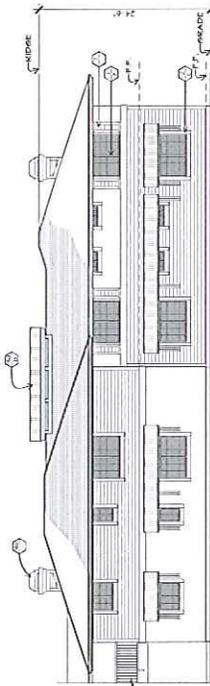
BUILDING 2



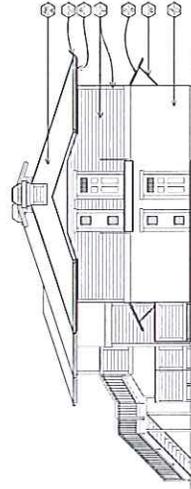
EAST ELEVATION
 3/8" = 1'-0"



SOUTH ELEVATION
 3/8" = 1'-0"



WEST ELEVATION
 3/8" = 1'-0"



NORTH ELEVATION
 3/8" = 1'-0"

LEGEND
 SPOTS APARTIAN DESIGN FINISH PER LIST BELOW
 SPOTS MATERIAL OR FINISH, SEE MATERIAL & FINISH KEY BELOW

NOTE:
 SEE COLORED ELEVATION FOR EXTERIOR PAINT COLOR LOCATION.

- COORDINATION FEATURES:**
1. DIVIDED LIGHT WINDOWS PAIRED, WHITE VINYL
 2. HOOD ANCHOR TRIM (HARDIE TRIM)
 3. ROOF MATERIAL - (PAID FINISH, PAINTED)
 4. ROOF FEATURES
 5. HEAVY VAINS
 6. DOWNING
 7. DOWNING
 8. ANCHORS WITH CORRUGATED METAL ROOFING
 9. ANCHORS WITH CORRUGATED METAL ROOFING
 10. SHUTTLES ON SOME WINDOWS
 11. DEEP ROOF OVERHANGS
- NOTES:**
1. GET WATER OR MATERIALS & FINISHES: BOARDS FOR SAMPLES
 2. ROOFING - (PREFABRICATED SHINGLES, ASPHALT/FLY ASH) - (PREFABRICATED SHINGLES, ASPHALT/FLY ASH)
 3. ANCHORS - (ALUMINUM PATTERNS, GALVALUM) - (ALUMINUM PATTERNS, GALVALUM)
 4. DOWNING - (ALUMINUM PATTERNS, GALVALUM) - (ALUMINUM PATTERNS, GALVALUM)
 5. DOWNING - (ALUMINUM PATTERNS, GALVALUM) - (ALUMINUM PATTERNS, GALVALUM)
 6. DOWNING - (ALUMINUM PATTERNS, GALVALUM) - (ALUMINUM PATTERNS, GALVALUM)
 7. DOWNING - (ALUMINUM PATTERNS, GALVALUM) - (ALUMINUM PATTERNS, GALVALUM)
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 11. DOWNING - (ALUMINUM PATTERNS, GALVALUM) - (ALUMINUM PATTERNS, GALVALUM)

DAVID GOLDSTEN ARCHITECT

1000 N. 10th Street
 Suite 100
 Phoenix, AZ 85006
 (602) 254-1234



PHOTOGRAPHY BY
 JEFFREY M. HARRIS
 1000 N. 10th Street
 Suite 100
 Phoenix, AZ 85006
 (602) 254-1234

BUELLTON APARTMENTS

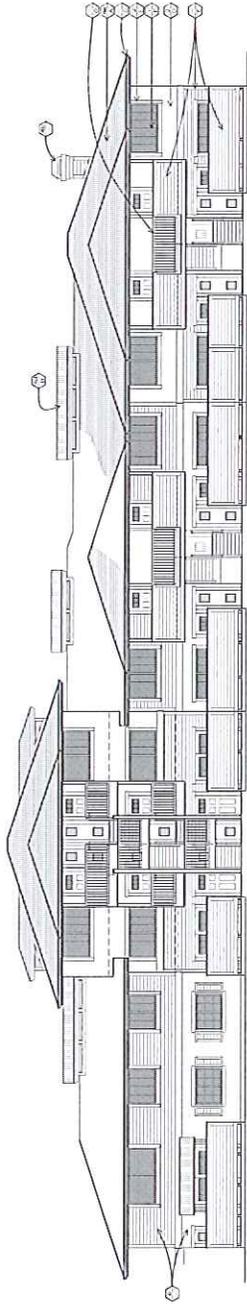
SECOND STREET
 BUELLTON, CA



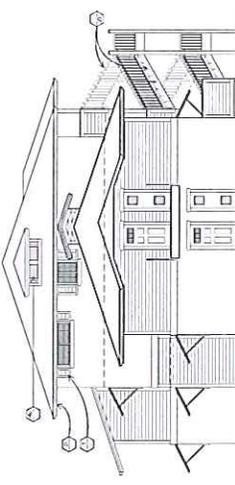
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4-20-14	REV. 1
4-20-14	REV. 2
4-20-14	REV. 3
4-20-14	REV. 4
4-20-14	REV. 5

PROJECT
 BUELLTON APARTMENTS
 SHEET NO. 12 OF 12

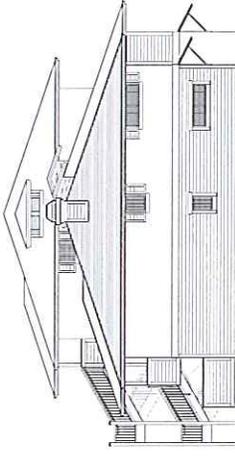
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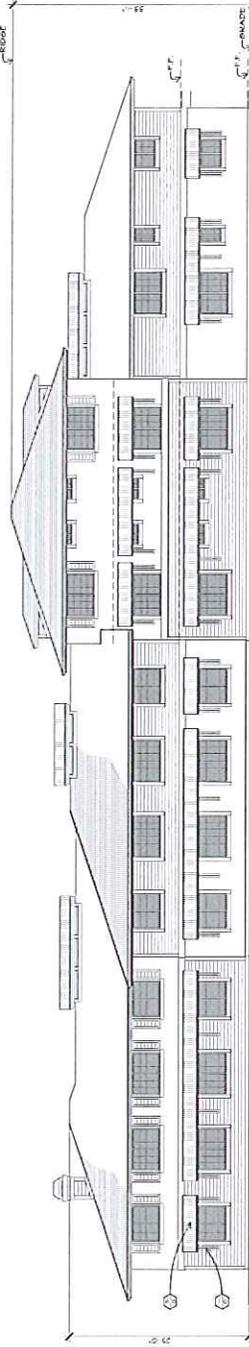
EAST ELEVATION
 1/4" = 1'-0"



SOUTH ELEVATION
 1/4" = 1'-0"



NORTH ELEVATION
 1/4" = 1'-0"



WEST ELEVATION
 1/4" = 1'-0"

LEGEND
 DENOTES ARABIAN DESIGN FEATURE PER LIST BELOW
 DENOTES MATERIAL OF FINISH, OFF MATERIAL & FINISH KEY
 DENOTES FINISH
 USE ALL
 USE COLORED FINISHING FOR EXTERIOR PAINT COLOR LOCATIONS

- ARABIAN DESIGN FEATURES:**
1. WOOD AND/OR TRIM (MADE IN TRIP)
 2. SMOOTH STICCO (HAND FINISH, PAINTED)
 3. ROOF FEATURES:
 a. CHINESE
 b. CHINESE
 c. CHINESE
 d. CHINESE
 4. GORGES (PITI CORNERED METAL ROOFING)
 e. GORGES (PITI CORNERED METAL ROOFING)
 f. GORGES (PITI CORNERED METAL ROOFING)
 5. ANNING (WITH CORNERED METAL ROOFING)
 a. ANNING (WITH CORNERED METAL ROOFING)
 b. ANNING (WITH CORNERED METAL ROOFING)
 6. DUTCH ROOF CORNERED

- MATERIAL & FINISH KEY**
- NOTE: ALL EXTERIOR MATERIALS & FINISHES BOARD FOR
- A. ROOFING - DIMENSIONAL, NORMAL SHINGLES, CERTIFIED
 - B. ANNING - GORGES ROOFING - CORNERED METAL ROOFING
 - C. ANNING - CORNERED METAL ROOFING - TO MATCH PATTERNS
 - D. STICCO - SMOOTH FINISH, PAINTED (SEE LIST, OPTIONAL, RED)
 - E. STICCO - TRIM - MARRIAGE PLANE LAY SHINGLES - MADE IN TRIP
 - F. STEEL STAINLESS STEEL & ANNING MARBLE - DARK IRONIZE

BUILDING 3

REVISIONS: BY:		3562 EMPLEO ST., SUITE C SAN LUIS OBISPO, CA 95401 PHONE: (805) 543-3850 FAX: (805) 543-3829 cod@thomasec.com	BUYELLTON APARTMENTS SECOND STREET BUYELLTON, CA	SHEET TITLE: PHOTOMETRIC SITE PLAN	DRAWN BY: CJ CHECKED BY: CJ DATE: APRIL 02, 2013 SCALE: AS NOTED SHEET:
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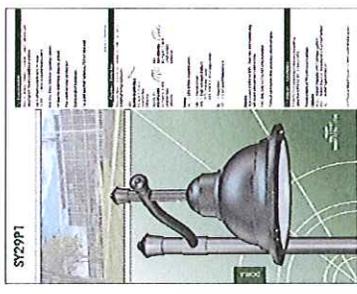
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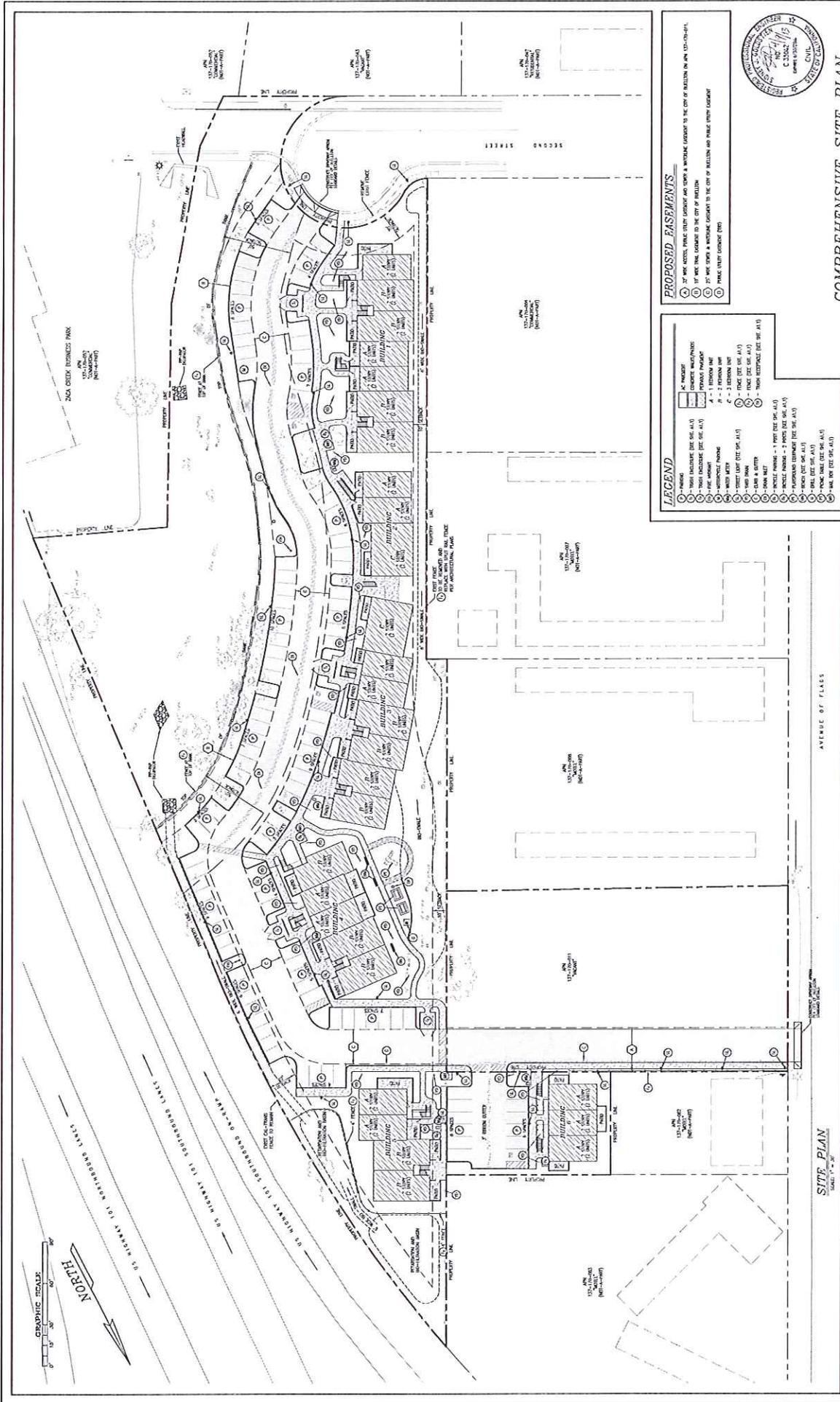


PHOTOMETRIC SITE PLAN
SCALE: 1/8" = 1'-0"
NORTH

Item	Code	Description	Quantity	Unit	Notes
1	SI	Street Light	1	Each	See Schedule 1 for details

Item	Code	Description	Quantity	Unit	Notes
2	SI	Street Light	1	Each	See Schedule 1 for details





LEGEND

- 1 - PARKING
- 2 - CONCRETIZED DRIVE (SEE SPEC. A1.1)
- 3 - CONCRETIZED DRIVE (SEE SPEC. A1.1)
- 4 - CONCRETIZED DRIVE (SEE SPEC. A1.1)
- 5 - CONCRETIZED DRIVE (SEE SPEC. A1.1)
- 6 - CONCRETIZED DRIVE (SEE SPEC. A1.1)
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- 98 - CONCRETIZED DRIVE (SEE SPEC. A1.1)
- 99 - CONCRETIZED DRIVE (SEE SPEC. A1.1)
- 100 - CONCRETIZED DRIVE (SEE SPEC. A1.1)

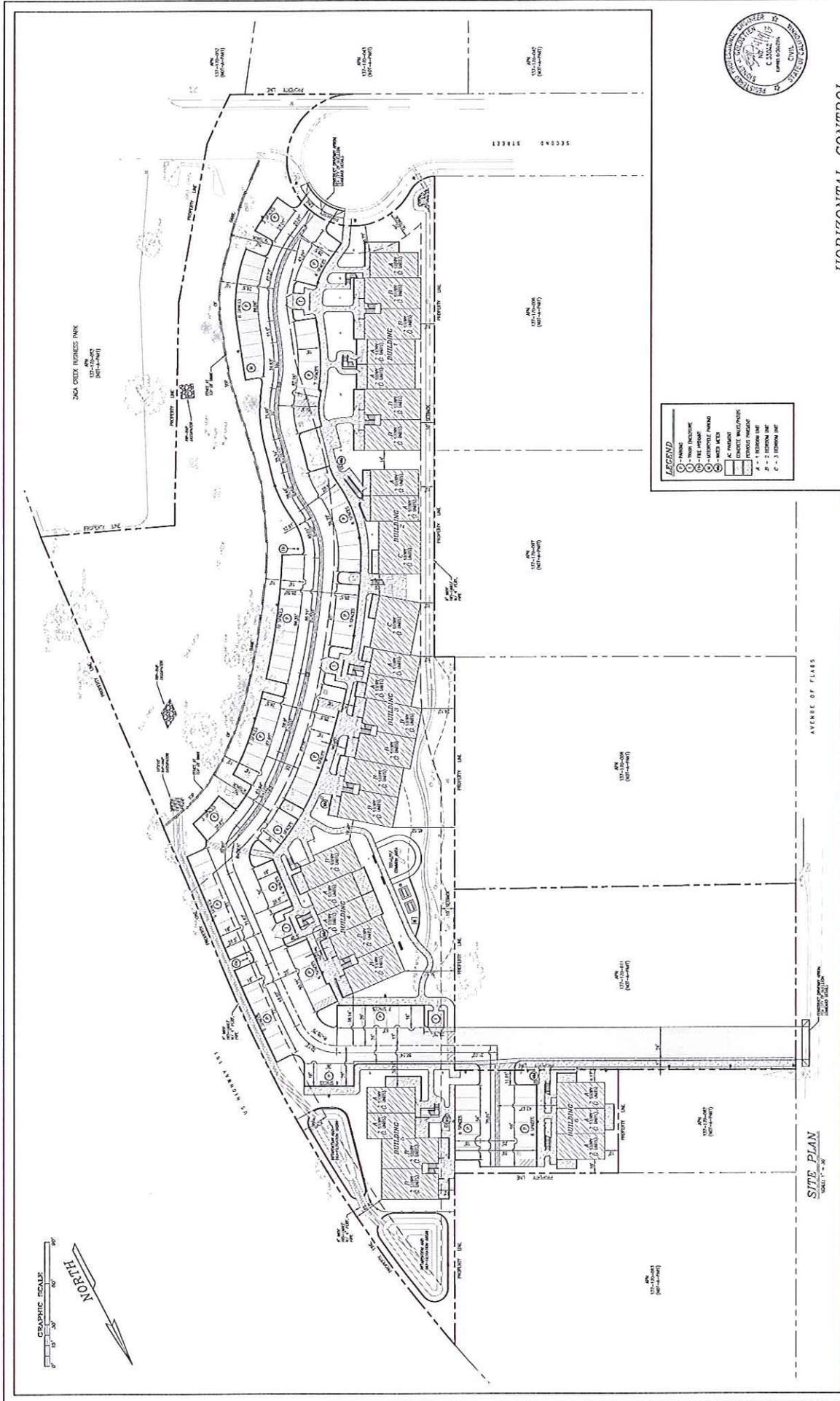
COMPREHENSIVE SITE PLAN

<p>CAUTION: UNDERNO CONDITIONS SHALL BE CONSIDERED AS A GUARANTEE OF ACCURACY OR COMPLETION OF THE PROJECT. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.</p>	<p>DATE: _____</p> <p>REVISIONS: _____</p>	<p>DATE: APR. 9, 2013</p> <p>SID GOLDSTIEN INC. CIVIL ENGINEER INC. 850 ALAMO, PINTADO ROAD SUITE 302 SOLVANG, CALIF. 95468 805-688-1528 (California License # 352-5113)</p>	<p>SCALE: AS SHOWN</p> <p>DRAWN BY: JSC</p> <p>CHECKED BY: JSC</p> <p>SUC</p>	<p>SUBJECT NO. 2</p> <p>OTF NO. 7</p> <p>APN'S 1877170-011 and 053</p> <p>VACANT LOTS</p> <p>BULLITON, CA 95427</p>
	<p>DEVELOPMENT PLAN</p>			<p>PROJECT NO. 12-06-100</p>



PROPOSED EASEMENTS

- 1. 2' WIDE ACCESS, PUBLIC UTILITY LOCATED TO THE CITY OF BULLITON IN APR. 10/11/11.
- 2. 10' WIDE TRAIL LOCATED TO THE CITY OF BULLITON.
- 3. 20' WIDE DRIVE & WALKWAY LOCATED TO THE CITY OF BULLITON AND PUBLIC UTILITY LOCATED.
- 4. PUBLIC UTILITY LOCATED (E.D.)



LEGEND

- - PARKING
- ▭ - BUILDING FOOTPRINT
- ▨ - BUILDING FOOTPRINT WITH PORCH
- ▩ - BUILDING FOOTPRINT WITH DECK
- ▧ - BUILDING FOOTPRINT WITH PATIO
- ▦ - BUILDING FOOTPRINT WITH TERRACE
- ▥ - BUILDING FOOTPRINT WITH BALCONY
- ▤ - BUILDING FOOTPRINT WITH PORCH AND DECK
- ▣ - BUILDING FOOTPRINT WITH PORCH AND PATIO
- ▢ - BUILDING FOOTPRINT WITH PORCH AND TERRACE
- - BUILDING FOOTPRINT WITH PORCH AND BALCONY
- - BUILDING FOOTPRINT WITH PORCH AND TERRACE AND BALCONY
- ▟ - BUILDING FOOTPRINT WITH PORCH AND TERRACE AND BALCONY AND PATIO
- ▞ - BUILDING FOOTPRINT WITH PORCH AND TERRACE AND BALCONY AND PATIO AND DECK
- ▝ - BUILDING FOOTPRINT WITH PORCH AND TERRACE AND BALCONY AND PATIO AND DECK AND PATIO
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- ▀ - BUILDING FOOTPRINT WITH PORCH AND TERRACE AND BALCONY AND PATIO AND DECK AND PATIO



HORIZONTAL CONTROL

DEVELOPMENT PLAN
 APN'S 137-170-011 and 053
 VICINANT LOTS
 BUELLTON, CA 93427

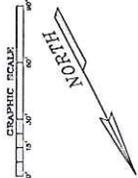
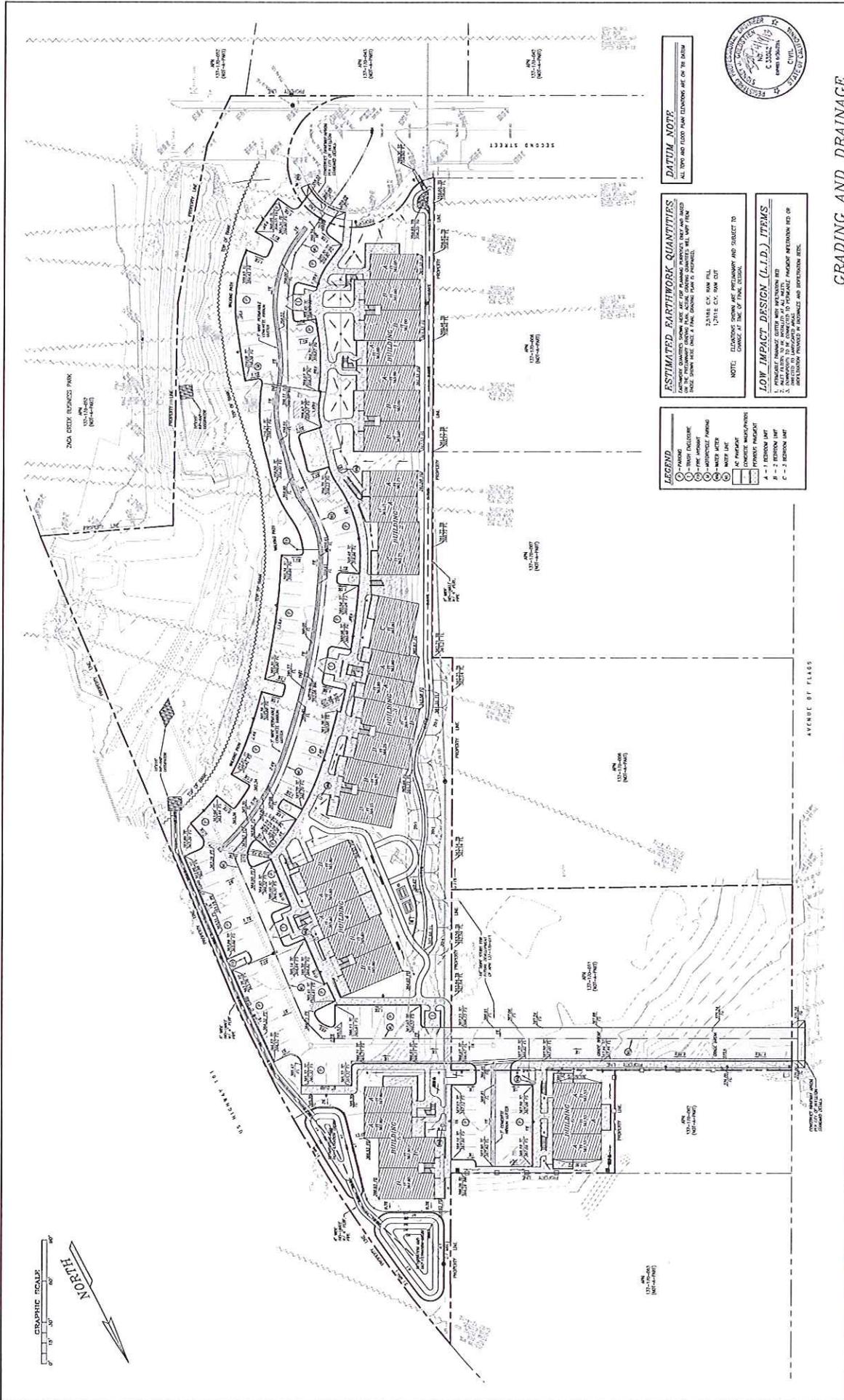
SHEET NO. 3
 OF 7
 SUBMIT NAME: JSS
 FILE NO.: 12-06-100

DATE: APR. 9, 2013
 DRAWN BY: JSS
 SCALE: AS SHOWN

SID GOLDSTIEN
 CIVIL ENGINEER INC.
 650 ALAMO PINTADO ROAD SUITE 302
 SOLVANG, CALIF. 93463 805-688-1526

DATE	REVISIONS

CAUTION:
 UNDESIGNED (UNLESS NOTED), CONTACT AN ENGINEER BEFORE ANY CONSTRUCTION OR
 1-800-421-1131 (IN CA) OR 916-435-9000 (OUTSIDE CA) FOR MORE INFORMATION.



LEGEND

- FINISH ELEVATION
- PROPOSED GRADE
- EXISTING GRADE
- PROPOSED PAVEMENT
- WATER MAIN
- WATER LINE
- SEWER
- GAS
- ELECTRICAL
- TELEPHONE
- CABLE
- FENCE
- SIGN
- LIGHT
- TREE
- SHrub
- SAND
- GRAVEL
- ASPHALT
- CONCRETE
- BRICK
- STONE
- PLASTER
- GYP. BOARD
- INSULATION
- ROOFING
- CLADDING
- FLOORING
- PAINTING
- MECHANICAL
- ELECTRICAL
- TELEPHONE
- CABLE
- FENCE
- SIGN
- LIGHT
- TREE
- SHrub
- SAND
- GRAVEL
- ASPHALT
- CONCRETE
- BRICK
- STONE
- PLASTER
- GYP. BOARD
- INSULATION
- ROOFING
- CLADDING
- FLOORING
- PAINTING

ESTIMATED EARTHWORK QUANTITIES
 APPROXIMATE QUANTITIES SHOWN BASED ON ASSUMED FINISH GRADES AND ARE NOT TO BE USED FOR BIDDING PURPOSES. QUANTITIES ARE BASED ON THE ASSUMED FINISH GRADES AND ARE NOT TO BE USED FOR BIDDING PURPOSES. QUANTITIES ARE BASED ON THE ASSUMED FINISH GRADES AND ARE NOT TO BE USED FOR BIDDING PURPOSES.

LOW IMPACT DESIGN (L.I.D.) ITEMS

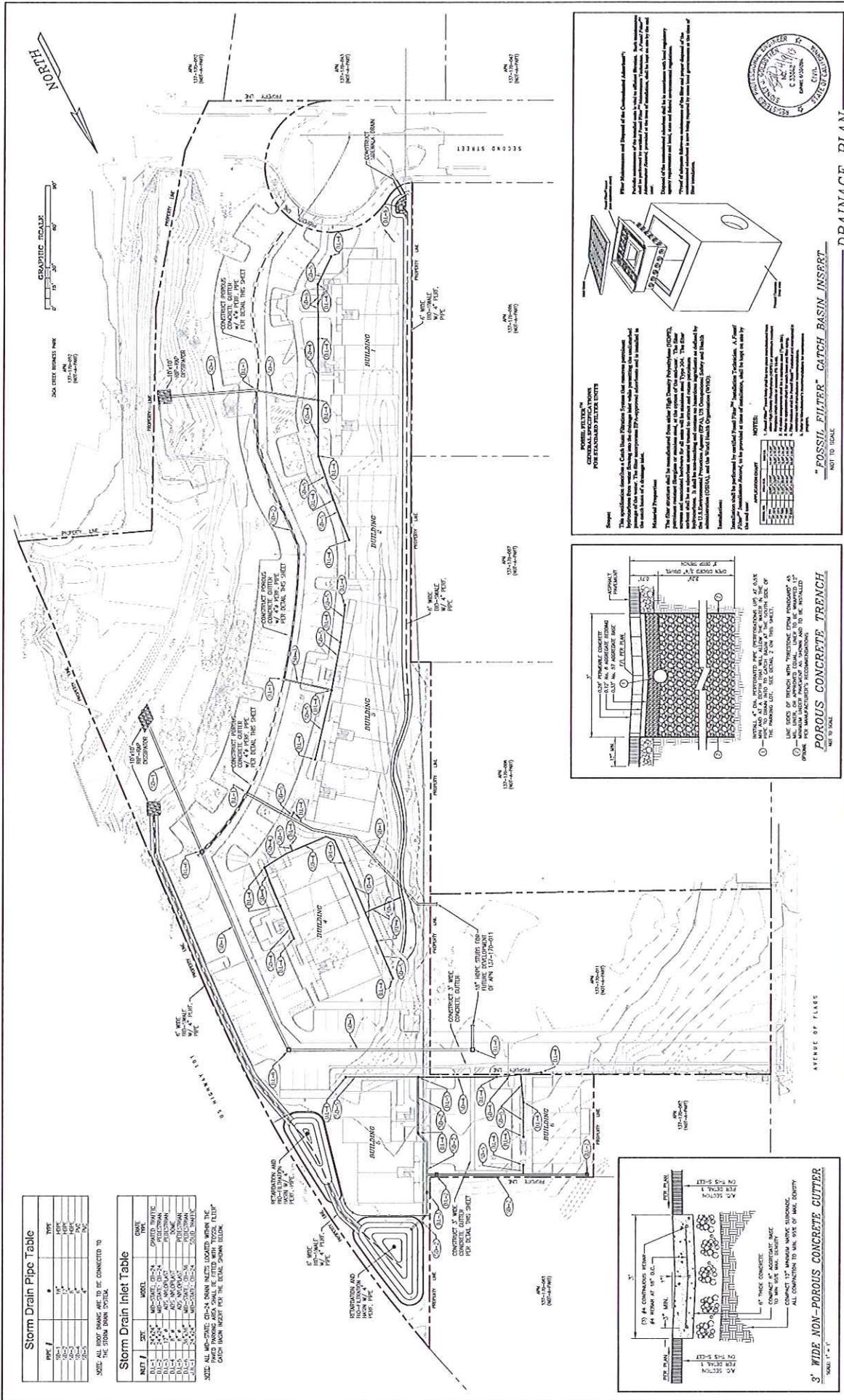
1. PERMEABLE PAVEMENT WITH RETENTION BED
2. PERMEABLE PAVEMENT WITH RETENTION BED
3. PERMEABLE PAVEMENT WITH RETENTION BED
4. PERMEABLE PAVEMENT WITH RETENTION BED
5. PERMEABLE PAVEMENT WITH RETENTION BED
6. PERMEABLE PAVEMENT WITH RETENTION BED
7. PERMEABLE PAVEMENT WITH RETENTION BED
8. PERMEABLE PAVEMENT WITH RETENTION BED
9. PERMEABLE PAVEMENT WITH RETENTION BED
10. PERMEABLE PAVEMENT WITH RETENTION BED

DATUM NOTE
 ALL TYPED AND CIRCLED ELEVATIONS ARE ON THE DATUM

NOTE: ELEVATIONS SHOWN ARE APPROXIMATE AND SUBJECT TO CHANGE AT TIME OF FINAL DESIGN.



CAUTION: THIS PLAN IS THE PROPERTY OF SID GOLDSTIEN CIVIL ENGINEER INC. NO PART OF THIS PLAN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM SID GOLDSTIEN CIVIL ENGINEER INC.	DATE: _____ REVISIONS: _____	DRAWN BY: JSC SCALE: 1" = 30' DESIGNER: JSC	SUBJECT NO.: 4 OF: 7 SHEET NAME: APN'S 157-770-011 and 053 SHEET NO.: _____ FILE NO.: 12-06-100
	DATE: APR. 9, 2013 SID GOLDSTIEN CIVIL ENGINEER INC. 650 ALAMO, PINTADO ROAD, SUITE 302 SOLVANG, CALIF. 93463 805-688-1328	PROJECT: GRADING AND DRAINAGE LOCATION: VACANT LOTS ADDRESS: BUELLTON, CA 93427	DEVELOPMENT PLAN APN'S 157-770-011 and 053 VACANT LOTS BUELLTON, CA 93427



Storm Drain Pipe Table

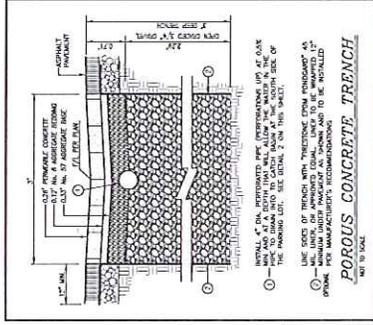
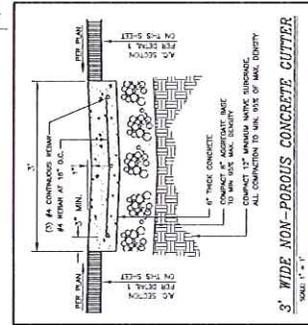
PIPE I.D.	TYPE
18" - 24"	HDPE
18" - 24"	FRP

NOTE: ALL STORM DRAIN SYSTEMS TO BE CONNECTED TO THE CITY STORM DRAIN SYSTEM.

Storm Drain Inlet Table

INLET I.D.	INLET TYPE	GRATE
18" - 24"	MANHOLE	CAST IRON
18" - 24"	MANHOLE	CAST IRON
18" - 24"	MANHOLE	CAST IRON
18" - 24"	MANHOLE	CAST IRON
18" - 24"	MANHOLE	CAST IRON
18" - 24"	MANHOLE	CAST IRON
18" - 24"	MANHOLE	CAST IRON
18" - 24"	MANHOLE	CAST IRON
18" - 24"	MANHOLE	CAST IRON
18" - 24"	MANHOLE	CAST IRON

NOTE: ALL MANHOLE INLETS TO BE LOCATED WITHIN THE CITY STORM DRAIN SYSTEM. ALL MANHOLE INLETS TO BE LOCATED WITHIN THE CITY STORM DRAIN SYSTEM.



POSSIL FILTER™ CATCH BASIN INSET
NOT TO SCALE

GENERAL SPECIFICATIONS FOR STANDARD POLICE BOXES

These specifications describe a Catch Basin Filter™ System that meets performance requirements for use in residential, commercial, and industrial applications. The system is designed to filter out debris and sediment from stormwater runoff before it enters the storm drain system.

Materials: The filter material shall be made of high-density polyethylene (HDPE) with a minimum thickness of 1/2 inch. The filter material shall be made of high-density polyethylene (HDPE) with a minimum thickness of 1/2 inch. The filter material shall be made of high-density polyethylene (HDPE) with a minimum thickness of 1/2 inch.

Installation: The filter material shall be installed in the catch basin in accordance with the manufacturer's instructions. The filter material shall be installed in the catch basin in accordance with the manufacturer's instructions. The filter material shall be installed in the catch basin in accordance with the manufacturer's instructions.

CAUTION:
UNDERGROUND UTILITIES EXIST. CONTACT UNDERGROUND SERVICE BUREAU (CUB) PRIOR TO BEGINNING ANY EXCAVATION OR CONSTRUCTION.

REVISIONS:

DATE:	REVISIONS:
APR. 9, 2013 <td>SID GOLDSTIEN</td>	SID GOLDSTIEN

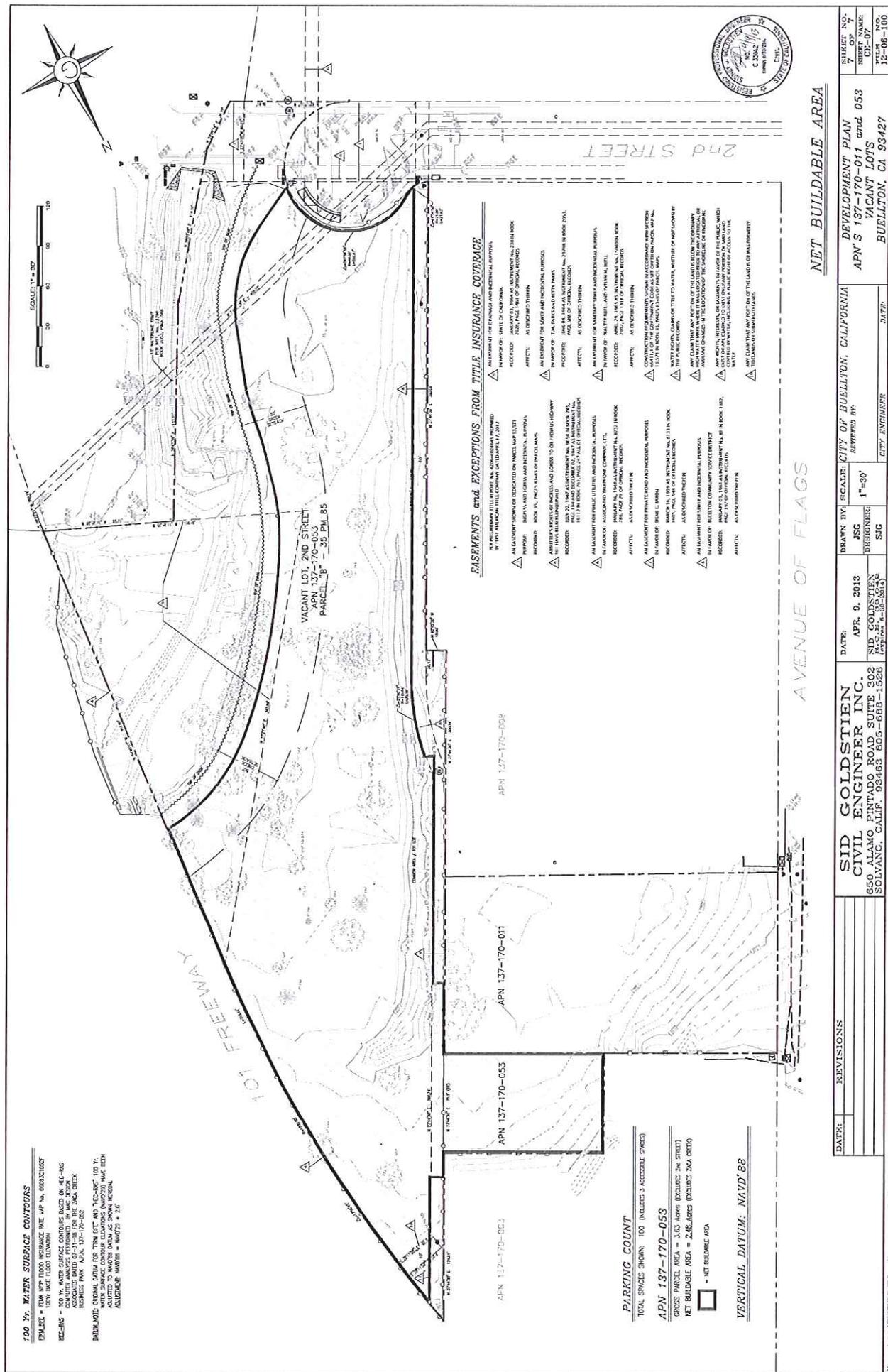
DRAWN BY: JSC
DESIGNED BY: SUG

DATE: APR. 9, 2013
SID GOLDSTIEN
650 ALAMO, PINTADO ROAD SUITE 302
SOLVANG, CALIF. 93463 805-688-1558
(PHONE) (FAX) (CELL) (EMAIL)

SCALE: 1" = 30'

DEVELOPMENT PLAN
APN'S 137-170-011 and 053
VACANT LOTS
BULLITON, CA 93427

SHEET NO. 5
OF 7
PROJECT NO. 12-06-100



100 Yr. WATER SURFACE CONTOURS
 FEMA FIRM - FEMA WSP FLOOD INSURANCE RATE MAP NO. G99040102F
 BEC-FIRM = 100 Yr. WATER SURFACE CONTOUR BASED ON REC-100
 ASSOCIATES DATED 03-11-08 FOR THE CALIF. DEPT. OF WATER CONTROL
 BUREAU OF WATER CONTROL
 DRAUGHTING ORIGINAL DATA FOR TWIN BAY AND REC-100 100 Yr.
 WATER SURFACE CONTOUR ELEVATIONS (MAY2009) HAVE BEEN
 ADJUSTMENT MODIFIED = 100275 + 2.6'

PARKING COUNT
 TOTAL SPACES SHOWN: 100 (INCLUDES 3 ACCESSIBLE SPACES)
APN 137-170-053
 GROSS PARCEL AREA = 3.03 Acres (DETERMINED BY SURVEY)
 NET BUILDABLE AREA = 2.58 Acres (DETERMINED BY SURVEY)
 □ = NET BUILDABLE AREA
VERTICAL DATUM: NAVD-88

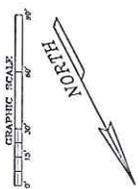
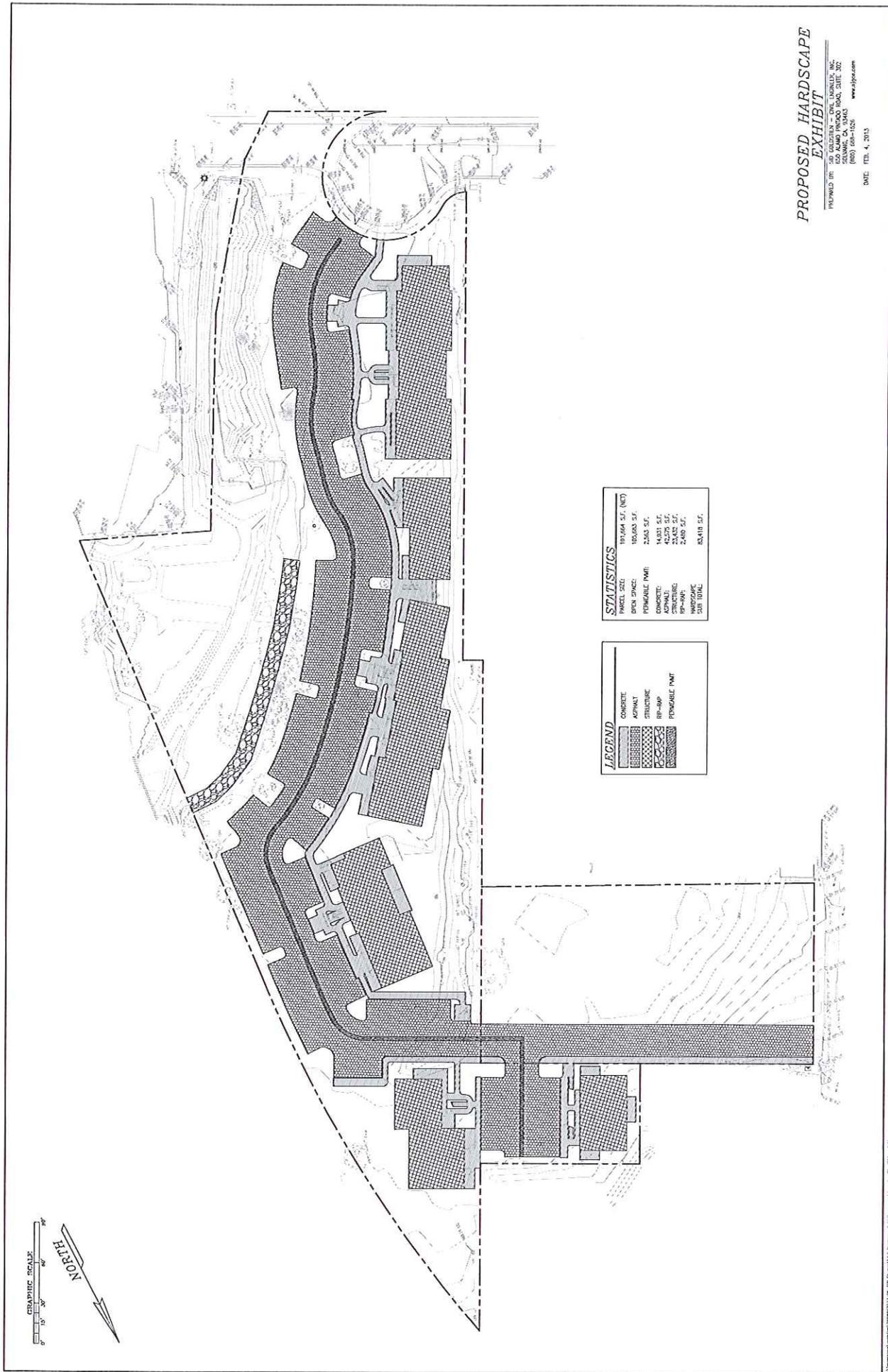
EASEMENTS and EXCEPTIONS FROM TITLE INSURANCE COVERAGE

BY PRELIMINARY TITLE REPORT NO. 200-030348 PREPARED BY TWIN BAY TITLE COMPANY DATED APRIL 17, 2013

- APN 137-170-003:
 - AS EASEMENT FOR FINANCIAL AND INCIDENTAL PURPOSES IN FAVOR OF STATE OF CALIFORNIA
 - RECORDED: JANUARY 15, 1964 AS INSTRUMENT NO. 238 IN BOOK 11612 OF OFFICIAL RECORDS
 - AFFECTS: AS DESCRIBED THEREIN
- APN 137-170-053:
 - AS EASEMENT FOR FINANCIAL AND INCIDENTAL PURPOSES IN FAVOR OF STATE OF CALIFORNIA
 - RECORDED: APRIL 15, 1964 AS INSTRUMENT NO. 238 IN BOOK 11612 OF OFFICIAL RECORDS
 - AFFECTS: AS DESCRIBED THEREIN
- APN 137-170-063:
 - AS EASEMENT FOR FINANCIAL AND INCIDENTAL PURPOSES IN FAVOR OF STATE OF CALIFORNIA
 - RECORDED: APRIL 15, 1964 AS INSTRUMENT NO. 238 IN BOOK 11612 OF OFFICIAL RECORDS
 - AFFECTS: AS DESCRIBED THEREIN
- APN 137-170-011:
 - AS EASEMENT FOR FINANCIAL AND INCIDENTAL PURPOSES IN FAVOR OF STATE OF CALIFORNIA
 - RECORDED: APRIL 15, 1964 AS INSTRUMENT NO. 238 IN BOOK 11612 OF OFFICIAL RECORDS
 - AFFECTS: AS DESCRIBED THEREIN

DATE:	REVISIONS:	SID GOLDSTIEN CIVIL ENGINEER INC. 302 PINTADO ROAD, SUITE 302 SOLVANG, CALIF. 95465 805-688-1525	DATE:	APR. 9, 2013	ISSUANCE DATE:	APR. 9, 2013	SCALE:	1"=30'	DRAWN BY:	SCALE: CITY OF BUELLTON, CALIFORNIA	DEVELOPMENT PLAN:	APN'S 137-170-011 and 063
					BY:	SID GOLDSTIEN (Certificate # 4-35-2013)				CITY ENGINEER	VACANT LOTS	BUELLTON, CA 93427
												STREET NO. OF 7
												SHEET NUMBER: 7
												PLAT NO. 12-06-100





STATISTICS

PARK SIZE	191,664 S.F. (NET)
OPEN SPACE	105,683 S.F.
PENETRABLE PAVT	2,583 S.F.
CONCRETE	14,831 S.F.
ASPHALT	14,831 S.F.
CONCRETE	23,400 S.F.
PP-RIP	2,489 S.F.
HARDSCAPE	85,418 S.F.
SUB TOTAL	

LEGEND

[Pattern]	CONCRETE
[Pattern]	ASPHALT
[Pattern]	STRUCTURE
[Pattern]	PP-RIP
[Pattern]	PENETRABLE PAVT

PROPOSED HARDSCAPE EXHIBIT

PREPARED BY: J&B GOLDBLUM - CIVIL LANDSCAPE, INC.
 220 ALABAMA FREEDOM ROAD, SUITE 302
 FARMINGDALE, NY 11735
 (800) 658-1026 www.jbgs.com

DATE: FEB. 4, 2013

PLEINAIRE
DESIGN GROUP
2615 Stewart Drive, Suite B
Santa Mira, California 91555-1474
RLA 2929
www.pleinaire.com
Phone: 805.349.9695 Fax: 805.326.6689



THESE PLANS, SPECIFICATIONS, AND AGREEMENTS ARE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH ALL CITY, COUNTY AND STATE REQUIREMENTS. I AM A LICENSED LANDSCAPE ARCHITECT, LICENSE NO. 13567, ISSUED BY THE STATE OF CALIFORNIA. I AM NOT PROVIDING CONTRACT ADMINISTRATION SERVICES. I AM NOT PROVIDING CONTRACT ADMINISTRATION SERVICES. I AM NOT PROVIDING CONTRACT ADMINISTRATION SERVICES.

BUELLTON APARTMENTS

BUELLTON, CA

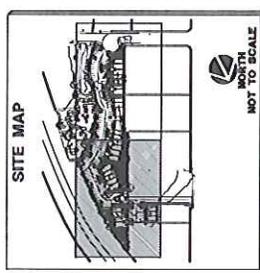
The Santa Ynez Band of Chumash Indians
525 McMurray Road
Buellton CA 93027

SITE REVISION 03.01.13

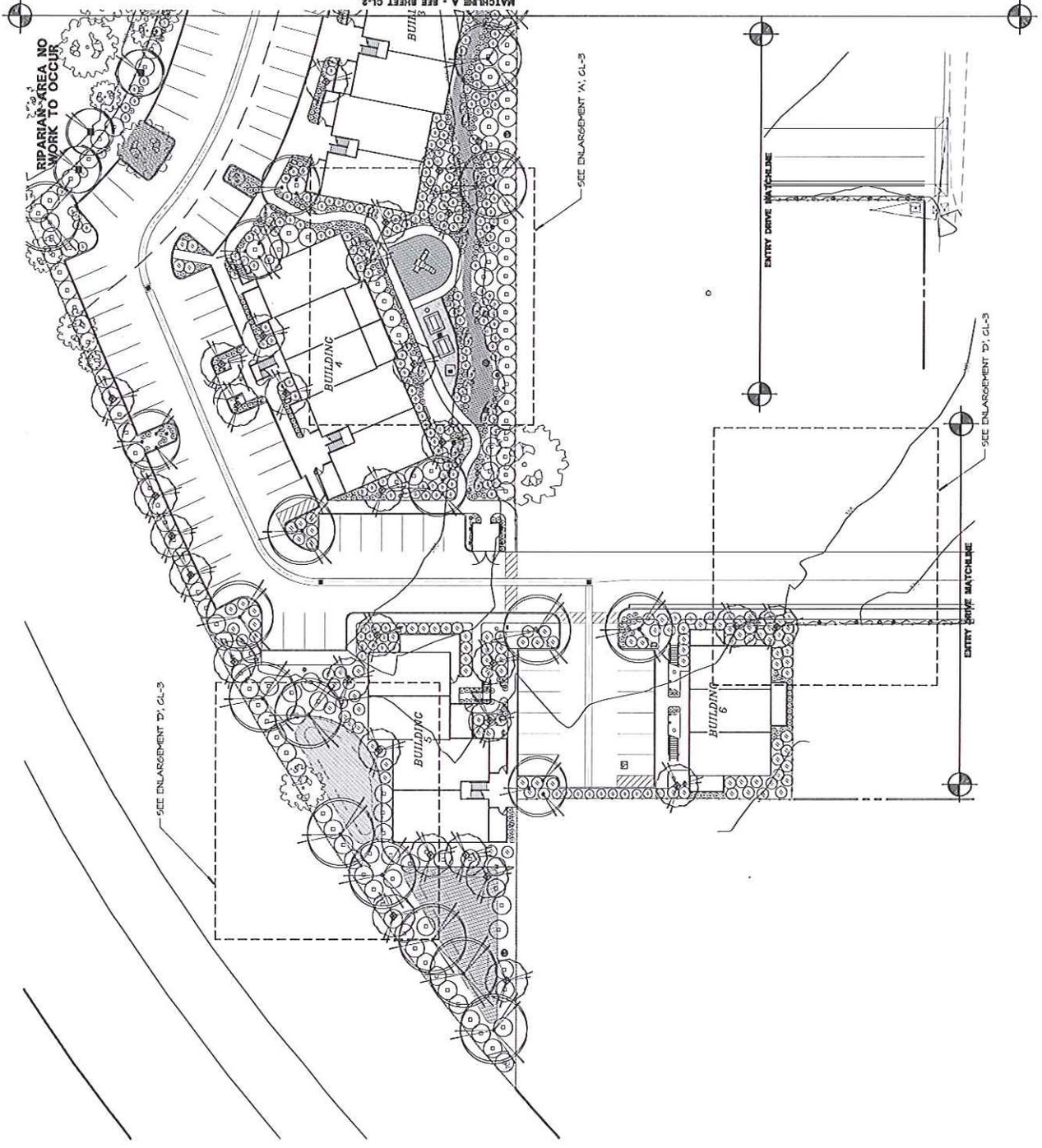
CONCEPTUAL LANDSCAPE PLAN 'A'

Project No: 2287 Date: 12.06.12

CL-1



- PLANT LEGEND:**
- TREES**
 - Accent Tree
 - Canopy Tree
 - Small Scale Tree
 - Flowering Tree
 - Carex agrippa replacement tree
 - Platanus racemosa replacement tree
 - SHRUBS**
 - Small Shrub
 - Medium Shrub
 - Large Shrub
 - Clinging Vine
 - Flowering Vine/Expaller
 - GROUNDCOVERS**
 - Lawn Substitute
 - Blow-mold Grasses
 - Low Growing/Flowering Groundcover
 - Dark Mulch
 - Turf



PLEINAIRE
 DESIGN GROUP
 2015 Skyles Drive, Suite B
 Santa Maria, California 93455-1414
 RLA 2029
 www.pleinaire.com
 Phone: 805.949.6059 Fax: 805.928.4689

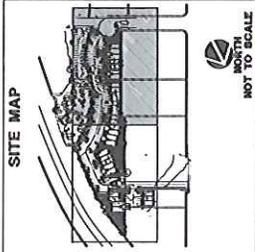


BUELLTON APARTMENTS
 Project Description:
 THE DRAWING, SPECIFICATIONS, NOTES, AND MATERIALS OF THIS PROJECT ARE THE PROPERTY OF PLEINAIRE DESIGN GROUP. NO PART OF THIS DRAWING OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF PLEINAIRE DESIGN GROUP.
 2020 STATE ST. SANTA MARIA, CA 93455

BUELLTON, CA
 The Santa Ynez Band of Chumash Indians
 505 Makarew Road
 Buellton CA 93427

1 SITE REVISION 03.01.13
CONCEPTUAL LANDSCAPE PLAN 'B'
 Project No: 21007 Date: 12.06.12

CL-2



PLANT LEGEND:

TREES

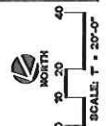
- Accent Tree
- Canopy Tree
- Small Scale Tree
- Flowering Tree
- Quercus agrifolia replacement tree
- Pistacia nereocypria replacement tree

SHRUBS

- Small Shrub
- Medium Shrub
- Large Shrub
- Climbing Vine
- Flowering Vine/Escalier

GROUNDCOVERS

- Low Substrate Bio-swale grasses
- Low Growing/Flowering Groundcover
- Bark Mulch
- Turf



MATCHLINE A - SEE SHEET CL-1

PLEINAIRE
 DESIGN GROUP
 2615 Skow Drive, Suite B
 Santa Maria, California 93455-1414
 CA 93455
 Phone: 805.349.8092 Fax: 805.328.4680



THE REGIONAL OFFICE OF THE ARCHITECT AND LANDSCAPE ARCHITECTS OF CALIFORNIA
 OFFICE OF THE ARCHITECT AND LANDSCAPE ARCHITECTS
 200 WEST WASHINGTON STREET, SUITE 1000
 SACRAMENTO, CALIFORNIA 95814
 PROJECT NO. 2017-0001-0001

BUELLTON APARTMENTS

BUELLTON, CA

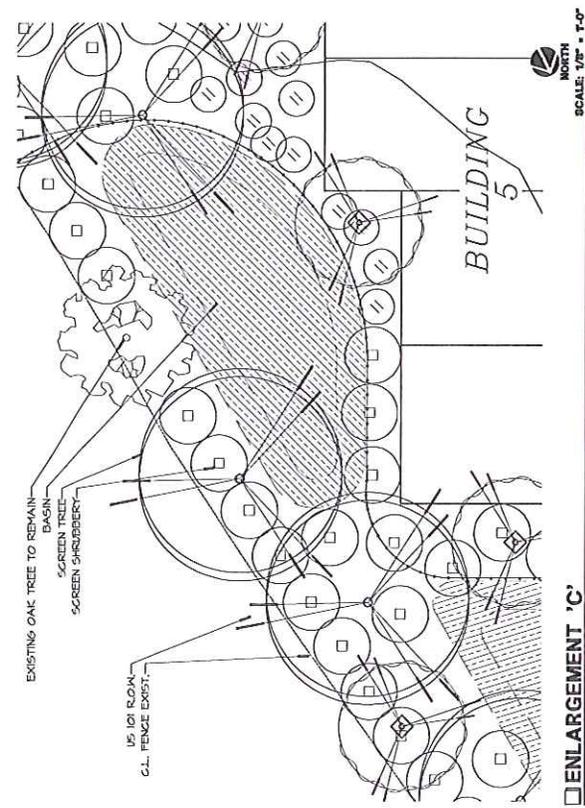
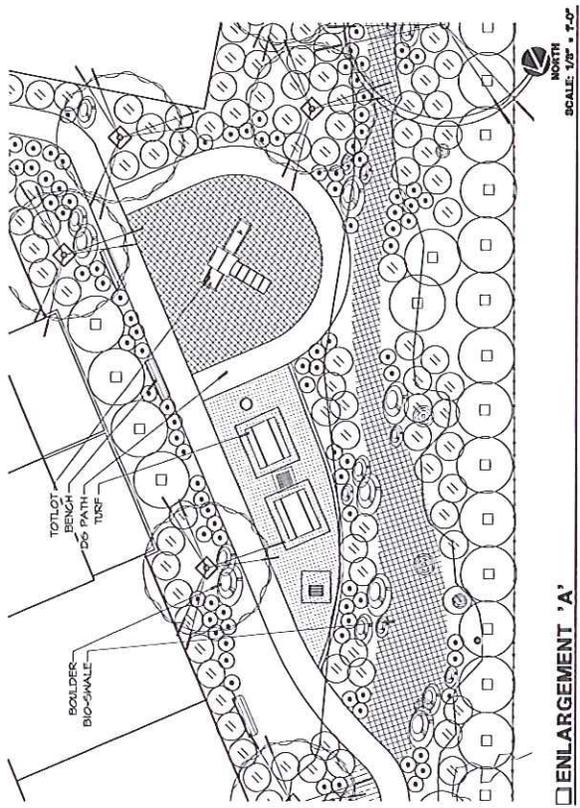
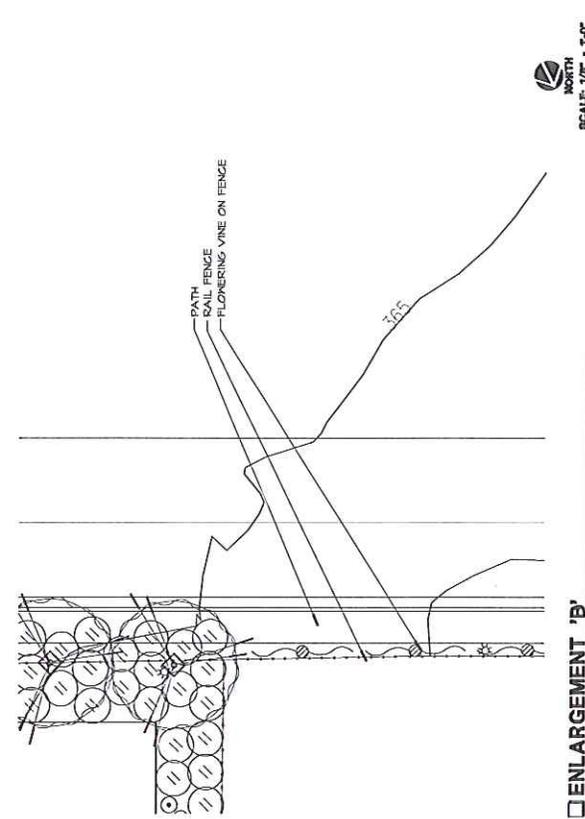
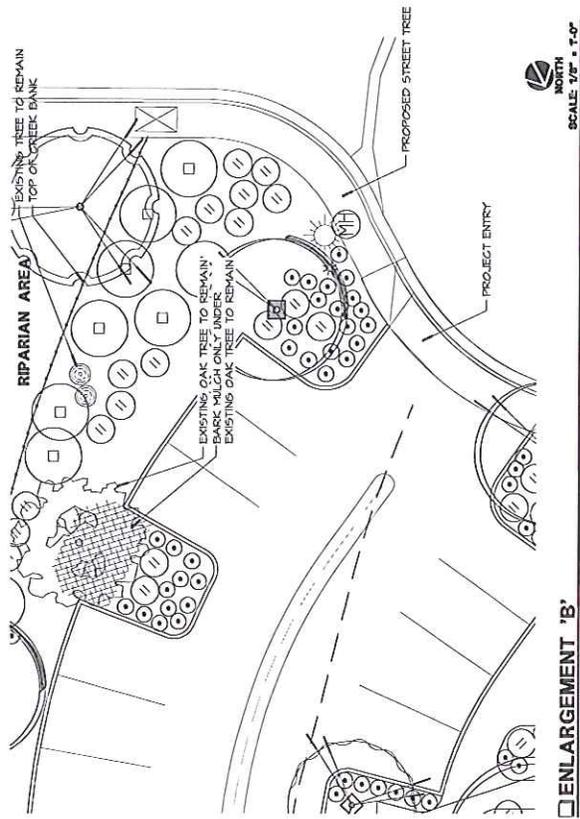
Owner: **The Santa Ynez Band of Chumash Indians**
 505 McAllurey Road
 Buellton CA 93427

1	SITE REVISION	03.01.13
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ENLARGEMENTS

Project No.	21007
Date	12.06.12

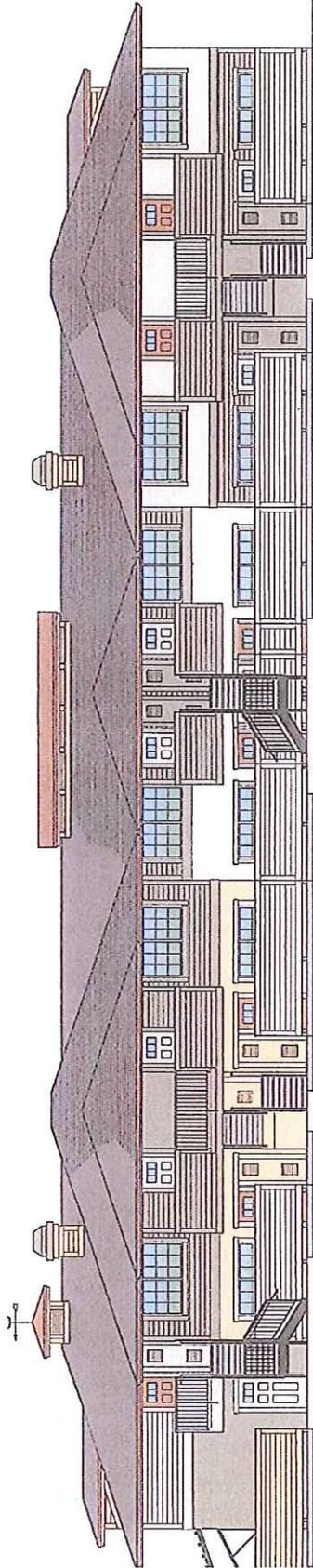
CL-3



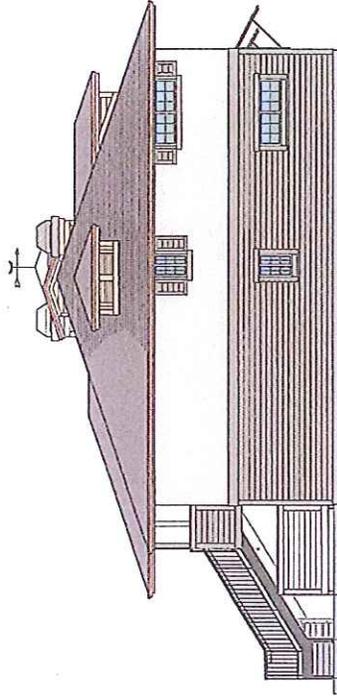
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Revised
April 10, 2013

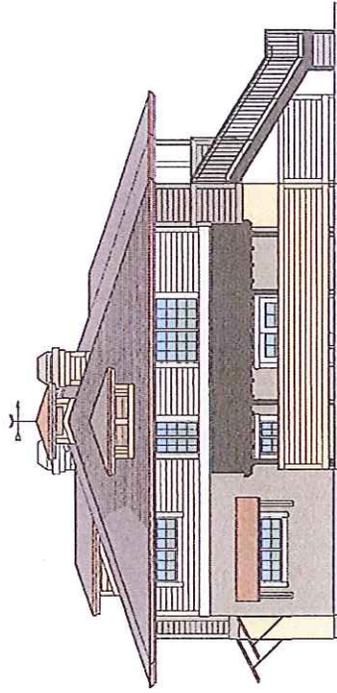
DAVID GOLDSTEN ARCHITECT INC.	600 Alameda Suite 307 San Francisco, CA 94102 415.774.1100 dgoldst@comcast.net	
--	--	--



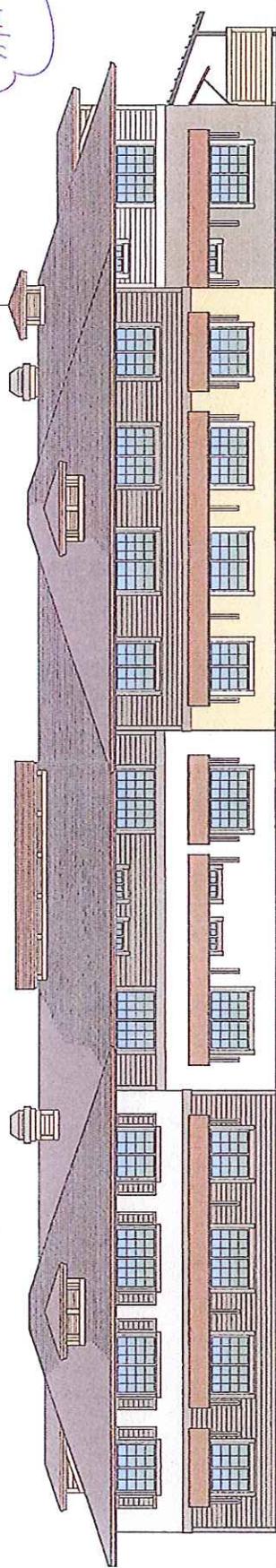
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



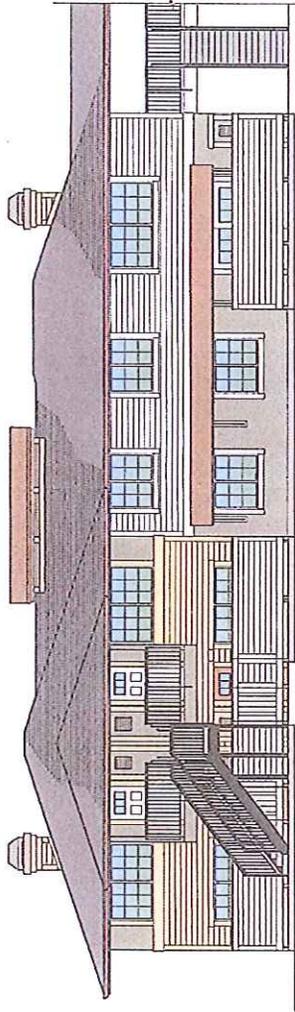
WEST ELEVATION

NOTE: COLORS ARE APPROXIMATE. SEE
EXTERIOR PAINT COLORS BOARD &
EXTERIOR MATERIAL & FINISHES
BOARD FOR ACCURATE RENDITION.

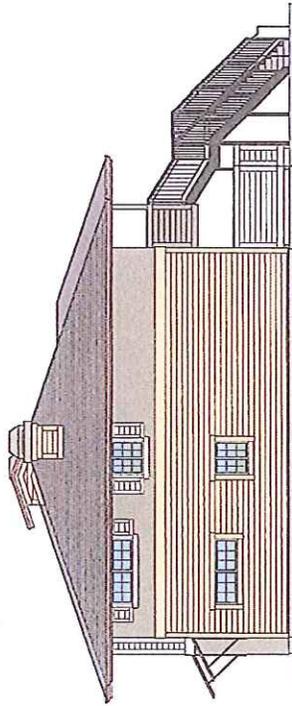
BUILDING 1
SCALE: 1"=10'-0"

Attachment 3

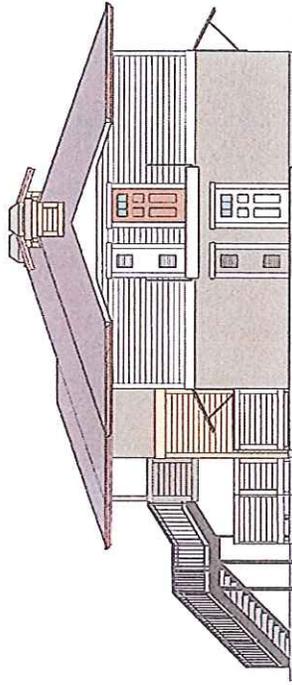
DAVID GOLDSTEIN ARCHITECT P.C.	400 Avenue Phoenix Suite 300 Phoenix, AZ 85004 602-441-1210 ext. 602-441-3881 fax dgold@aol.com	
---	--	--



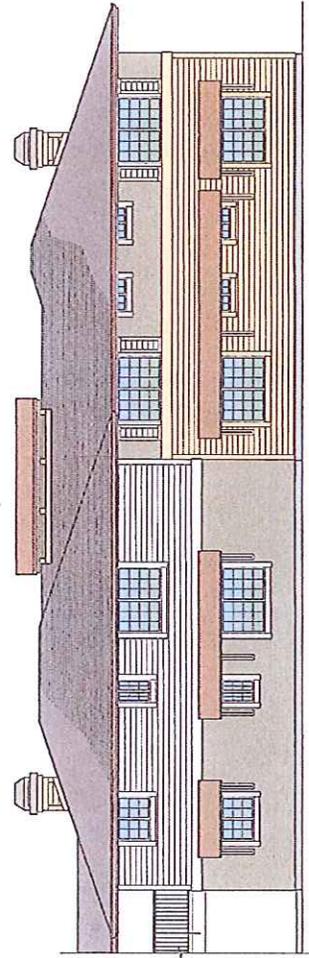
EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



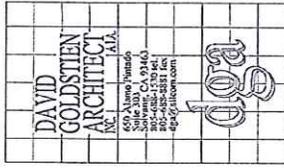
WEST ELEVATION

NOTE: COLORS ARE APPROXIMATE. SEE EXTERIOR PAINT COLORS BOARD & EXTERIOR MATERIAL & FINISHES BOARD FOR ACCURATE RENDITION.

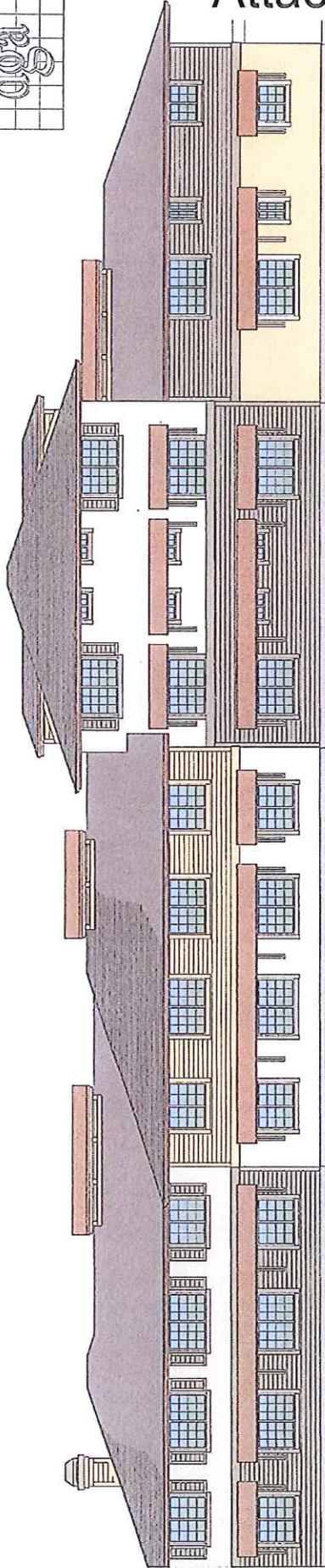
BUILDING 2
SCALE: 1"=10'-0"

Attachment 3

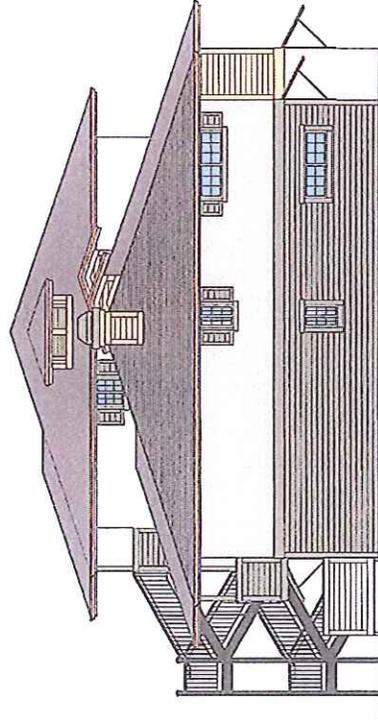
Attachment 3



Attachment 3



WEST ELEVATION

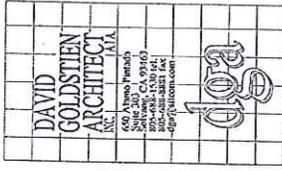


NORTH ELEVATION

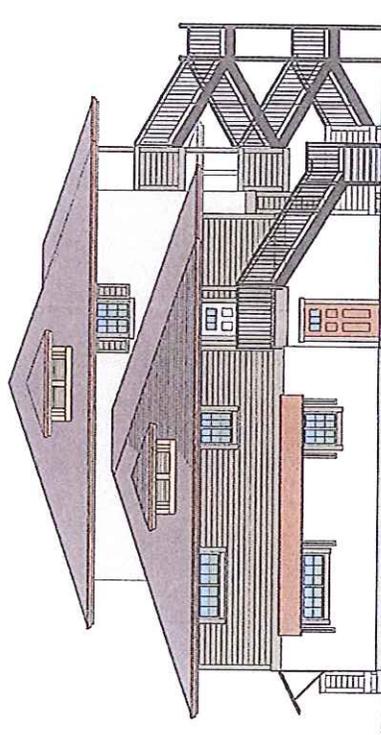
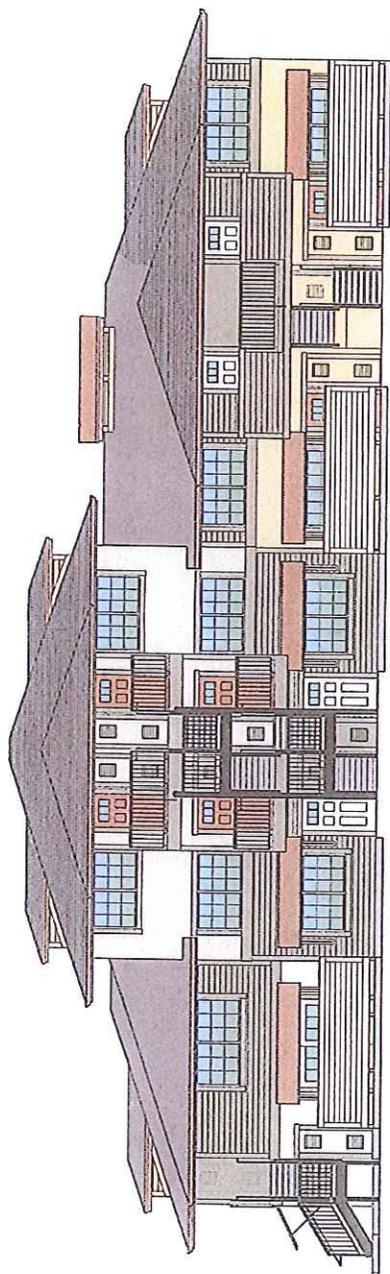
NOTE: COLORS ARE APPROXIMATE. SEE EXTERIOR PAINT, COLORS, BOARDS & EXTERIOR MATERIAL & FINISHES BOARD FOR ACCURATE RENDITION.

BUILDING 3
 SCALE: 1"=10'-0"

Attachment 3



Attachment 3



NOTE: COLORS ARE APPROXIMATE. SEE EXTERIOR PAINT COLORS BOARD & EXTERIOR MATERIAL & FINISHES BOARD FOR ACCURATE REPRESENTATION.

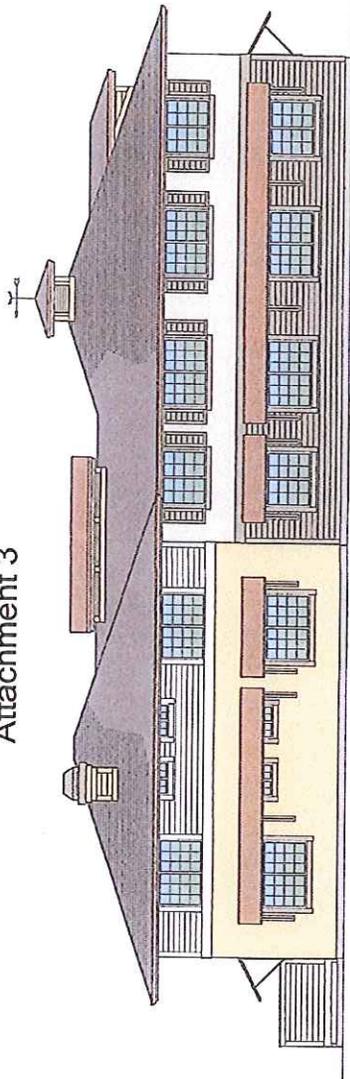
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SCALE: 1"=10'-0"

Attachment 3

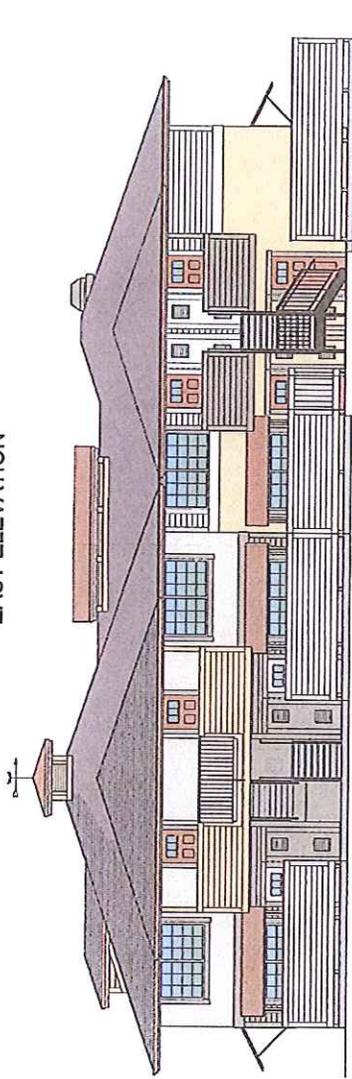
DAVID GOLDSTEN ARCHITECT AIA	1000 Sage Hill, CA 94568 925-885-8887 fax 925-885-8888
1000 Sage Hill, CA 94568 925-885-8887 fax 925-885-8888	1000 Sage Hill, CA 94568 925-885-8887 fax 925-885-8888



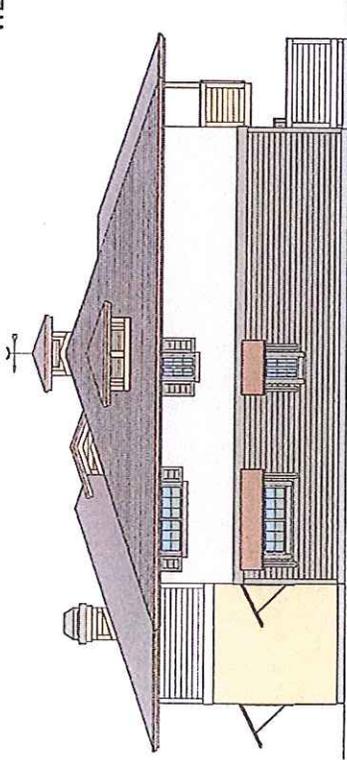
Attachment 3



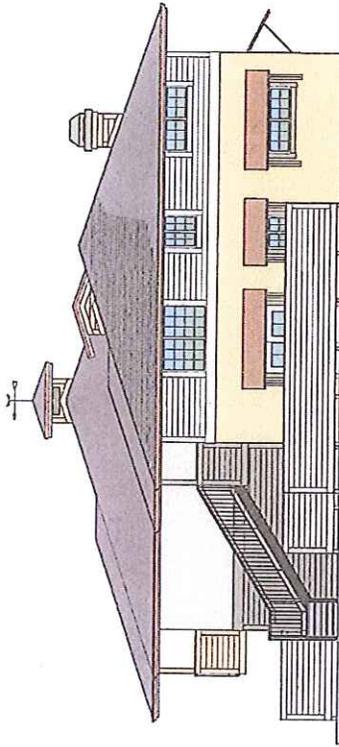
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

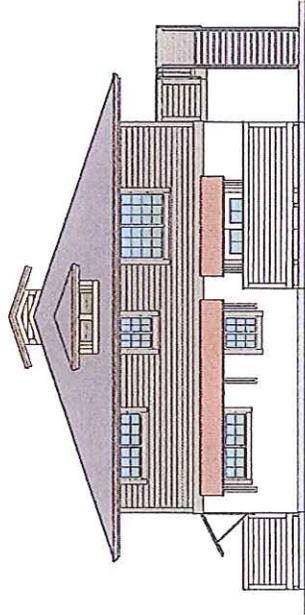
NOTE: COLORS ARE APPROXIMATE. SEE EXTERIOR PAINT COLORS BOARD & EXTERIOR MATERIAL & FINISHES BOARD FOR ACCURATE RENDITION.

BUILDING 5
SCALE: 1"=10'-0"

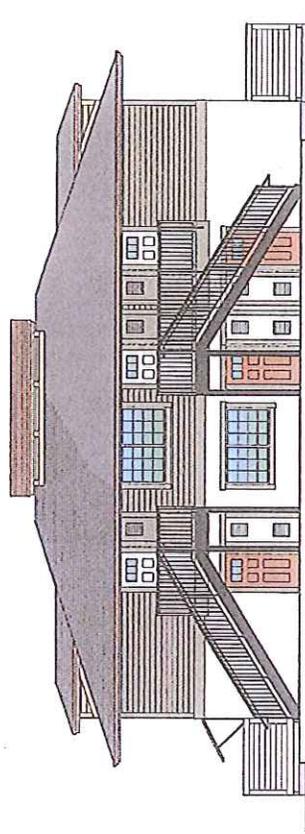
Attachment 3

Attachment 3

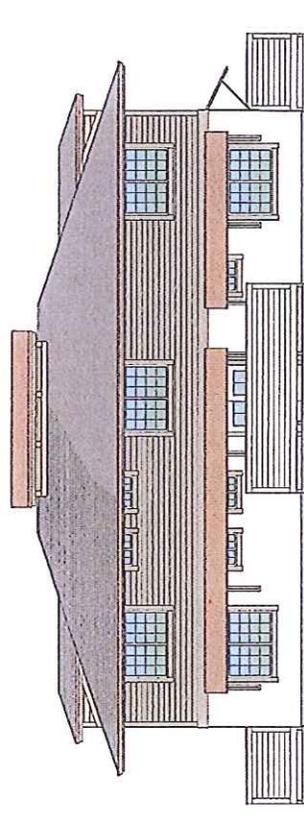
DAVID GOLDSTEN ARCHITECT INC.	656 Alameda Parkway Berkeley, CA 94702 Tel: 925-831-2381 Fax: 925-831-2381 dg@dgatoom.com	
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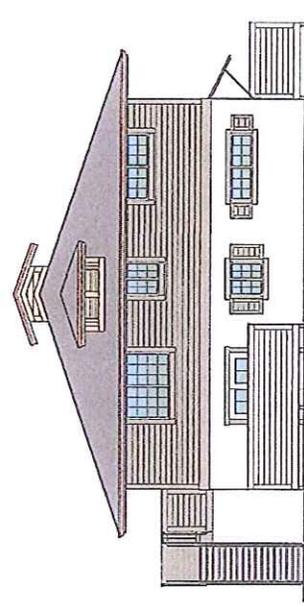
SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION

NOTE: COLORS ARE APPROXIMATE. SEE EXTERIOR PAINT COLORS BOARD & EXTERIOR MATERIAL & FINISHES BOARD FOR ACCURATE RENDITION.

BUILDING 6
SCALE: 1"=10'-0"

Buellton Municipal Code

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[Title 19 ZONING](#)

[Chapter 19.16 AFFORDABLE HOUSING](#)

19.16.013 Affordable housing overlay zone ("AHOZ").

A. **Applicability.** The provisions of this section apply to all AHOZ Sites identified in Figure 1 and Table 5 below. The list of properties set forth in Figure 1 and Table 5 may be modified from time to time by further amendment of this code.

B. **Basic Provisions.** In addition to (and not as a limitation of) the uses allowed according to the underlying zone district of the properties listed in Figure 1 and Table 5, each such property may be developed as a Residential Project, wholly independent and not constrained by the underlying zone district, subject to the provisions set forth below.

1. **Base Density.** Except as otherwise provided in subsection (B)(8) of this section, AHOZ Sites must be developed to a minimum density of twenty-five (25) units per acre. The computation of the minimum required density shall be based on the Net Buildable Area of the properties identified in Figure 1 and Table 5. Where the computation of the minimum required density results in a fraction of a number, the minimum number of units required shall be rounded to the closest whole number.

2. **Inclusionary Requirement.** Not less than twenty (20) percent of all new and Substantially Rehabilitated dwelling units in Residential Projects undertaken by a Developer (other than the Agency) shall be developed with Affordable Units, and not less than thirty (30) percent of all new and Substantially Rehabilitated dwelling units undertaken by the Agency shall be developed with Affordable Units. Except as otherwise provided in subsections (B)(7) and (8) of this section, all of the Affordable Units required by this subsection shall be developed on-site as part of each Residential Project.

3. **Affordable Unit Distribution.** Affordable Units required under this section shall be allocated among the Target Households in proportion to Net RHNA Goals as set forth in Table 4 of Section 19.16.12, but in no event shall the percentage allocated to Very Low Income be less than forty (40) percent. In addition, at least fifty (50) percent of all Affordable Units developed by the Agency shall be reserved for Very Low Income and the balance shall be allocated to Lower and Moderate Income in proportion to Net RHNA Goals.

4. **Density Bonus.** All Residential Projects to which this section applies shall be granted a Density Bonus of two Non-Restricted Units for each Affordable Unit that is produced or required for a Lower or Very Low Income household, up to a maximum combined density of fifty (50) percent above the base density.

5. **Illustrative Calculation.** By way of example, for illustrative purposes only, where a proposed AHOZ Site consists of one acre of land and is proposed to be developed with a total of twenty (20) dwelling units (and the project is to be undertaken by a private Developer without the Agency's involvement), the base density, inclusionary requirement, affordable unit distribution and Density Bonus would be calculated as follows:

- a. **Base Density.** Twenty (20) units/one acre equals twenty (20) units/acre.
- b. **Inclusionary Requirement.** Twenty (20) percent as determined by Table 6.
- c. **Computation of Affordable Units.** Twenty (20) percent times twenty (20) total units equals four Affordable Units.
- d. **Distribution of Affordable Units.**
 - i. **Very Low Income.** Four total Affordable Units times forty-two (42) percent per Table 4 equals 1.68 Very Low Income Affordable Units.
 - ii. **Lower Income.** Four total Affordable Units times thirty-one (31) percent per Table 4 equals 1.24

Lower Income Affordable Units.

iii. Moderate Income. Four total Affordable Units times twenty-seven (27) percent per Table 4 equals 1.08 Moderate Income Affordable Units.

e. Density Bonus. (1.68 Very Low Income Affordable Units plus 1.24 Lower Income Units) times two equals 5.84 Non-Restricted Units. Rounding to the next whole number equals six units.

f. Adjusted Unit Total. Base Density (twenty (20) units) plus Density Bonus (six units) equals twenty-six (26) total units.

6. Production Requirement. Except as otherwise provided in subsections (B)(7) and (8) of this section, the Affordable Units required under this section shall be constructed concurrent with the Non-

Restricted Units developed as part of the Residential Project. For fractions of Affordable Units, including fractions resulting from construction of less than ten dwellings and fractions of Affordable Units allocated among the Target Households, the Developer may elect, at his or her option, to construct the next higher whole number of Affordable Units or pay a Housing In-Lieu Fee for the fractional amount.

7. Equivalent Action. Subject to the provisions of subsection (B)(10) of this section, the city council (at its sole discretion) may allow a Developer to dedicate vacant land in lieu of constructing Affordable Units on-site as part of a Residential Project otherwise required by subsections (B)(2) and (6) of this section. All of the units developed on land donated pursuant to this section shall be Affordable Units distributed among the Target Households pursuant to subsection (B)(3) of this section.

8. Exceptions.

a. Minimum Allowable Density. Subject to the provisions of subsection (B)(10) of this section, the minimum required density may be reduced by the city council (at its sole discretion) when: (i) the findings required in Sections 19.08.100(D) (Zoning Clearance), 19.08.110(D) (Conditional Uses), or 19.08.120(F) (Development Plans), as applicable, cannot otherwise be made; or (ii) the Developer requests relief and compensates for the difference between the minimum number of Affordable Units computed pursuant to subsection (B)(1) of this section compared to the number of Affordable Units computed pursuant to subsection (B)(2) of this section (hereinafter referred to as the “affordable unit differential”).

i. Illustrative Calculation. By way of example, and for illustrative purposes only, where the Net Buildable Area is ten acres, the minimum required density is computed as two hundred fifty (250) units and the inclusionary requirement is computed as fifty (50) dwellings (i.e., ten acres times twenty-five (25) du/acre times twenty (20) percent equals fifty (50) Affordable Units). If a Developer requests that the minimum required density be reduced to two hundred (200) units, then the resulting inclusionary requirement is computed as forty (40) dwellings (i.e., two hundred (200) units times twenty (20) percent equals forty (40) Affordable Units). The affordable unit differential is computed as ten dwellings (i.e., fifty (50) units minus forty (40) units equals ten Affordable Units). Except as provided in subsection (B)(8)(a)(ii) of this section, the affordable unit differential shall be satisfied by construction on-site as part of, and concurrent with development of, a Residential Project.

ii. Equivalent Actions. Subject to review and approval by the city council (at its sole discretion), and provided the mandatory findings of subsection (B)(10) of this section can be made, the affordable unit differential may be satisfied by dedication of vacant land or payment of a Housing In-Lieu Fee. Except for fractional units for which an Housing In-Lieu Fee may be paid as provided in subsection (B)(6) of this section, or the dedication of vacant land as provided in subsection (B)(7) of this section, in no event shall the number of Affordable Units that must be developed on-site be less than twenty (20) percent of the total units within a Residential Project.

b. Inclusionary Requirement. At the discretion of the Developer, the overall inclusionary requirement specified in subsection (B)(2) of this section may be reduced in exchange for a higher percentage of Lower and

Very Low Income Affordable Units. The reduction may be achieved by exchanging Moderate Income Affordable Units for Low and Very Low Income Affordable Units at the following rate of exchange: (i) one and one-half Moderate Income Affordable Units for one Low Income Affordable Unit; and (ii) two Moderate Income Units for one Very Low Income Affordable Unit. Fractions of Affordable Units resulting from such an exchange shall be governed by the provisions of subsection (B)(6) of this section.

9. Retention Period. Except to the extent a longer period of time may be required by other provisions of law, all Affordable Units required under this section shall remain available at affordable housing costs to, and occupied by, the Target Households for the longest feasible time, but for not less than the following: (a) fifty-five (55) years for renter-occupied dwelling units; and (b) forty-five (45) years for owner-occupied dwelling units. Under terms and conditions of the Affordable Housing Agreement, the city may permit sale of owner-occupied Affordable Units prior to the expiration of the forty-five (45) year period pursuant to an adopted program which protects the city's investment of moneys from the Housing Trust Fund, including, but not limited to, equity sharing that permits retention by the seller of a portion of sales proceeds based on the length of occupancy. The remainder of the excess proceeds of the sale shall be allocated to the city and deposited in the Housing Trust Fund.

10. Mandatory Findings.

a. Equivalent actions and exceptions provided in subsections (B)(7) and (8) of this section shall be considered on a case-by-case basis and may only be approved if the city council determines that: (i) the land offered for dedication or the payment of an Housing In-Lieu Fee shall result in production of an equivalent number of required Affordable Units ("equivalent action finding"); (ii) the production of an equivalent number of required Affordable Units is reasonably expected to occur within the planning period of the current adopted Housing Element ("timely production finding"); and (iii) the remaining inventory of AHOZ Sites is sufficient to meet Net RHNA Goals in combination with policy decisions regarding base density, percent of inclusionary housing, distribution of affordable units among target income groups and other housing production programs identified in the Housing Element ("sufficient sites finding"). The equivalent action and timely production findings shall only apply when land is offered for dedication or payment of a Housing In-Lieu Fee is proposed as an alternative to constructing required Affordable Units on-site as part of a Residential Project; the sufficient sites finding shall apply in all cases.

b. In the event that the required findings cannot be made, the city council shall take one of the following actions: (i) not approve the Residential Project; (ii) not grant the equivalent action or exception; or (iii) designate additional AHOZ Sites as necessary such that the potential number of dwellings that may be developed for all property with an AHOZ designation, in combination with other housing production programs identified in the Housing Element, is sufficient to meet Net RHNA Goals for target income groups.

C. Development Standards. Residential Projects developed under the provisions of this section shall be designed and processed in the time and manner set forth below.

1. General Guidelines. The Affordable Units required under this section:
 - a. May either be rental or for-sale dwellings;
 - b. Should be comparable in number of bedrooms, exterior appearance and overall quality of construction to Non-Restricted Units;
 - c. May have less square footage and interior amenities to those of Non-Restricted Units in the same Residential Project, so long as they are of good quality and are consistent with contemporary standards for new housing; and
 - d. May be clustered or disbursed within the Residential Project.
2. Commercial Priority. AHOZ Sites with frontage upon Avenue of Flags or Highway 246 are expressly subject to General Plan Land Use Element policies that give commercial uses priority over residential. In

compliance with these policies, AHOZ Sites with frontage upon Avenue of Flags or Highway 246 are subject to the following development parameters: (i) the Maximum Residential Density may be computed on the basis of the gross area of the AHOZ Site; (ii) the minimum required density, for purposes of subsection (B)(1) of this section and computing inclusionary requirements pursuant to subsection (B)(2) of this section, shall be based on Net Buildable Area of the AHOZ Site, exclusive of the portion of property devoted to or supporting commercial uses (e.g., building space, parking areas, and drive aisles); and (iii) new development shall conform to the development standards prescribed in Land Use Policy L-23 of the General Plan. Exceptions to the development standards set forth in Land Use Policy L-23 of the General Plan may be considered on a case-by-case basis and may only be approved by majority vote of the city council when all of the findings set forth in Land Use Policy L-23 can be made.

3. **Development Review.** All Residential Projects shall comply with adopted community design guidelines of the city, provided such guidelines are not unreasonably imposed as to render a project infeasible. Furthermore, discretionary authority under a development plan or conditional use permit shall not be unreasonably exercised to impose standards or criteria for the purpose of rendering infeasible the development of housing for any and all economic segments of the community as prohibited in Section 65913.2 of the California Government Code.

4. **Environmental Review.** All Residential Projects shall be subject to the requirements of the California Environmental Quality Act (California Public Resources Code Section 21000 et seq. and its implementing regulations), if applicable, and shall adhere to mitigation measures prescribed in the Buellton General Plan and companion environmental impact report, as updated and amended from time to time.

5. **Application Processing.** Applications for development of AHOZ Sites under the provisions of this section shall be processed as follows:

a. **Zoning Clearance.** Residential Projects conforming to the following criteria shall be allowed by zoning clearance under the jurisdiction of the planning director as provided in Sections 19.02.110 and 19.08.100 of this code: (i) the Residential Project consists of no more than twenty-five (25) units per acre (inclusive of density bonus units) on sites with an underlying zone district of general commercial (CR) or residential multifamily (RM); and (ii) the physical attributes of design conform to the development standards of the underlying zone district (i.e. building height, lot coverage, setbacks, etc.) and adopted community design guidelines of the city.

b. **Development Plan Approval.** Residential Projects greater than twenty-five (25) units per acre (or do not otherwise qualify for a zoning clearance) on AHOZ Sites with an underlying zone district of CR or RM may be allowed by development plan approval under the jurisdiction of the planning commission as provided in Sections 19.02.110 and 19.08.120 of the Buellton Municipal Code. The physical attributes of design shall conform to the development standards of the underlying zone district (i.e. building height, lot coverage, setbacks, etc.) and adopted community design guidelines of the city except or unless a modification is granted under the provisions of Section 19.08.120(G)(1) of this code.

c. **Conditional Use Permit.** Residential Projects on AHOZ Sites zoned single-family residential (RS), commercial service (CS), open space (OS) or industrial (M) may be allowed by conditional use permit approval under the jurisdiction of the planning commission as provided in Sections 19.02.110 and 19.08.110 of the Buellton Municipal Code. The physical attributes of design shall conform to the development standards of the underlying zone district (i.e. building height, lot coverage, setbacks, etc.) and adopted community design guidelines of the city except or unless a development plan is processed concurrent with the conditional use permit and a modification is granted under the provisions of Section 19.08.120(G)(1) of this code.

D. Miscellaneous Provisions.

1. **Affordable Housing Agreement.** An Affordable Housing Agreement shall be made a condition of land use permit approval for all Residential Projects pursuant to this section. The Affordable Housing Agreement shall: (a) be recorded as a restriction on the parcel or parcels on which the Affordable Units will be constructed;

and (b) be consistent with Section 19.16.022(B) of this chapter.

2. Project Entitlements. Every Entitlement for a Residential Project that is granted under the provisions of this section shall contain a condition detailing the method of compliance with this section, as applicable. Every final and parcel map shall bear a note indicating whether compliance with the requirements of this section must be met prior to issuance of a building permit for each lot created by such map.

3. Requirements for Certificate of Occupancy/Final Inspection. No temporary or permanent certificate of occupancy shall be issued, final inspection approved or release of utilities authorized for any new dwelling unit in a residential project until the developer has satisfactorily completed the requirements of this section and conditions of approval.

E. Variable Limit. The provisions of this section shall apply to all development permit applications which are filed with the city on or after the effective date of Ordinance No. 05-05 or subsequently amended for applications filed before the effective data, and shall continue thereafter until: (i) the Net RHNA Goals are achieved; or (ii) approval of Residential Projects on AHOZ Sites reaches a total of one thousand five hundred twenty-nine (1,529) total dwelling units inclusive of density bonuses. The list of properties set forth in Figure 1 and Table 5, as well as the variable limit set forth in this subsection, is anticipated to be modified from time to time by further amendment of this code.

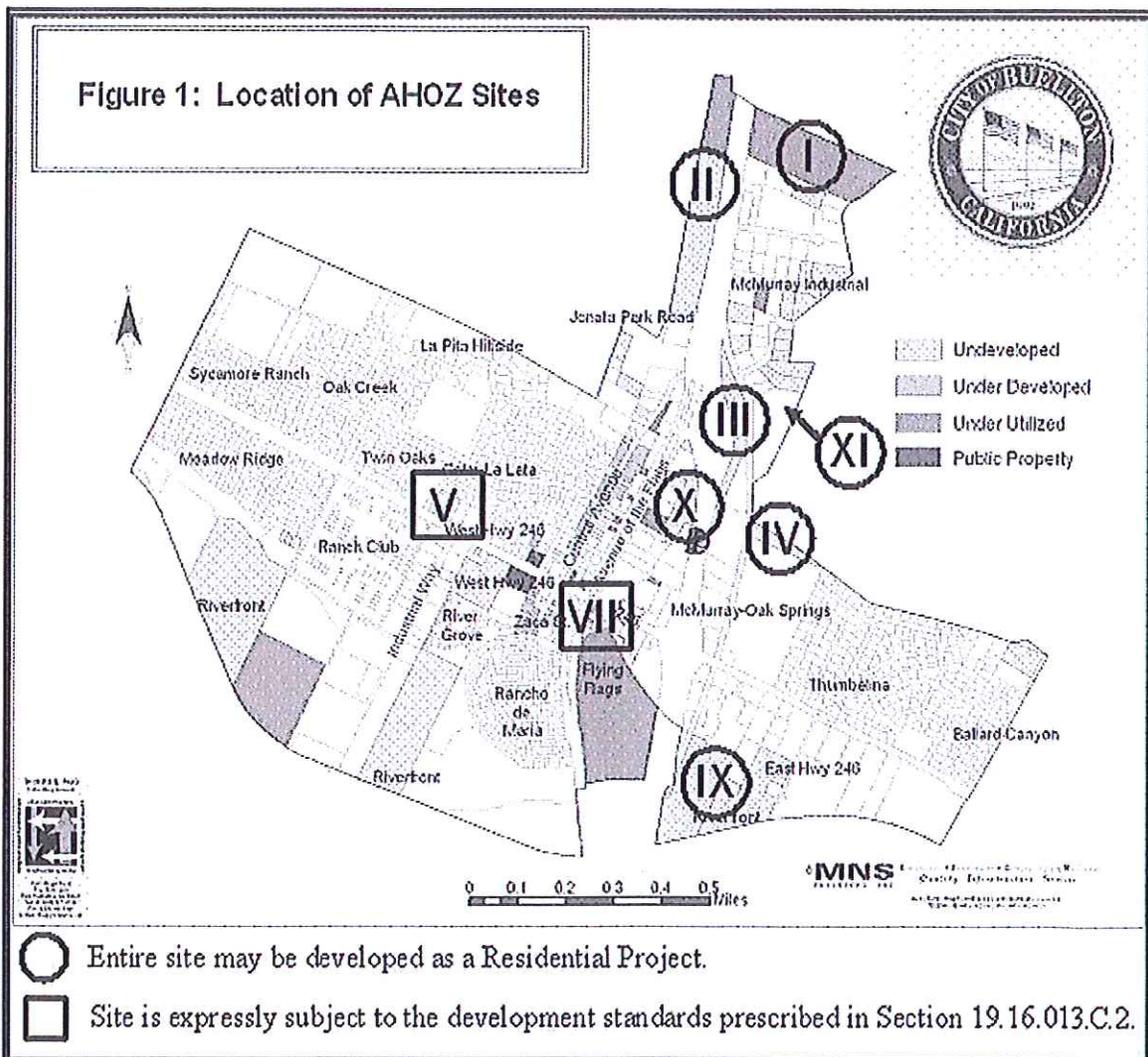


Table 5: List of AHOZ Sites					
Map No.	General Location (All Within the City of Buellton)	No. of Parcels	Site Area (Acres)		Assessor Parcel Numbers
			Gross	Net	
I	Northeasterly of the northerly terminus of McMurray Road adjacent to the McMurray Industrial Park	2	17.95	17.10	137-090-006 137-090-007
II	Along the west side of Jonata Park Road, north of the intersection of Avenue of Flags and Central Avenue	2	18.17	15.00	099-400-064 099-400-065
III	Northwest and southwest of the intersection of Damassa Road and McMurray Road	2	3.39	3.20	137-170-059 137-170-060
IV	East of McMurray Road and north of the easterly prolongation of Glennora Way	1	2.16	1.60	137-090-046
V	Northeast corner of La Lata Drive and Hwy 246	2	1.57	.080	099-590-042 099-590-043
VII	Southeast of the intersection of Hwy 246 and Avenue of Flags	6	2.5	1.15	137-190-013 137-190-017 137-190-024 137-190-026 137-190-032 137-190-033
IX	Southeasterly of the southerly terminus of McMurray Road behind and adjacent to the Buellton Town Center	4	6.72	6.00	137-200-077 137-200-078 137-200-087 137-200-094
X	North of the easterly terminus of Second Street	1	3.63	3.00	137-170-053
XI	Along the easterly side of McMurray Road at the intersection of Damassa Road	1	4.04	4.20	137-170-650
Notes:					
1. Numeric listing of AHOZ Sites above excludes potential candidates identified in the General Plan Land Use and Housing Elements that have not been designated for purposes of this section. The gap in numbering is intentional.					
2. Net Acres is based on the definition of Net Buildable Area and is derived from Table 2-8B of the final EIR for the General Plan Update – Land Use and Circulation Elements, August 4, 2005. Figures shown are estimated; actual Net Buildable Area will be determined at the time of Entitlements. In addition, the Net Acres for AHOZ Sites V and VII have been further reduced by fifty (50) percent to account for the commercial priority provisions of Section 19.16.013(C) (2).					

(Ord. 06-10 § 2(J)(1), 2006; Ord. 05-05 § 2(C), 2005)

Attachment 5

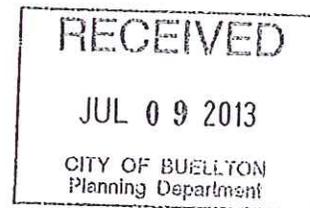
Subj: **Re: Buellton Apts**
Date: 7/9/2013 10:24:44 A.M. Pacific Daylight Time
From: KSMEnterprise1@aol.com
To: marcb@cityofbuellton.com

Hi Marc,

I think that is a good idea. A project of this size and location deserves a thorough look by the City. It is not my intention to have the project eliminated, rather it should be scaled back to a proper fit for the area. Knowing the concerns regarding the AHOZ minimum density, I took the liberty to provide findings for the city to 1.) support a review by the City Council and 2.) reduce the density. This should help support the Planning Commission's direction to request City Council review if decided on. Today I will drop off a letter and the project findings for the Planning Commission. Can you distribute these to each commissioner in advance of the hearing next week. The earlier the better.

Thanks,

Kerry Moriarty
MORIARTY PROPERTY COMPANY
597 Ave. of the Flags, #104
Buellton, CA 93427
Ph: (805) 686-5151
Fx: (805) 686-5959
ksmenterprise1@aol.com



Attachment 5

July 09, 2013

TO: Buellton Planning Commission

Re: Buellton Apartments – 90 Second Street

To Whom It May Concern:

The Chumash Tribe recently submitted a development plan to build a stand-alone (62) unit apartment complex located along Zaca Creek at the old Zoo property off of Second Street and Avenue of Flags. The project proposes 32 (1) bedroom units, 26 (2) bedroom units, 4 (3) bedroom units. There are (6) buildings consisting of two and three story units. Parking is carport. Recreational area is a small "Tot lot". The project requires 20% of the units to be allocated as low income rentals.

As a property owner on the Avenue of Flags and former member of the City's Visioning Committee, I am concerned with the use and density of the project. The development resembles a stereotypical low income housing project. Although the property is over 4 acres, due to the irregular lot shape and proximity to Zaca Creek, the build-able area is reduced to 2.5 acres. This is a density of 25 units per acre. This is an extremely intense use for the site. The density is more similar to a metropolitan type development and out of character for the rural environment Buellton prefers to retain.

The project overwhelms an area that should be reserved primarily for commercial purposes. A residential project of this size may inhibit future commercial use intended for the area. The project potentially could "Cripple" surrounding commercial development options.

An architect consultant estimates the property will house approximately 2.5 persons per unit for a total of 155 residents. Children will make up approximately 35% of the occupants or 54. My fear is the intensity of the development will have a negative impact on the quality of life and small town experience Buellton wants to promote.

My general concerns are as follows;

- 1. General impacts resulting from high volume of residents condensed into small area.**
- 2. Traffic and parking overflow impacts from high volume of vehicles associated with the sheer number of occupants.**
- 3. Lack of adequate open space and recreational space for volume of residents and children living at the site.**
- 4. A large residential use may prevent future commercial development for the surrounding properties concerned with residential neighborhood impacts.**

Attachment 5

I am not advocating the project be eliminated, rather it should be scaled back to a proper fit. I think a reduction in density to 35 units would be more appropriate for the site and in scale for the future commercial development of the area. Most importantly, a larger recreational area is critical to accommodate the number of kids the project will generate. I have provided an alternative site plan showing a relocation of the return road to Avenue of Flags that lines up with the access road in the median providing a matching traffic pattern.

I have taken the liberty to engage an outside land use consultant to analyze the project within the zoning and city land use guidelines. Please see attached document titled "Recommendation and Findings In Support of a Revised Project". This analysis provides the City legal findings to justify a reduction in the number of units in the AHOZ zoning. I strongly urge the Planning Commission to take these findings into consideration and at the very least, require the City Council to Review the proposed project.

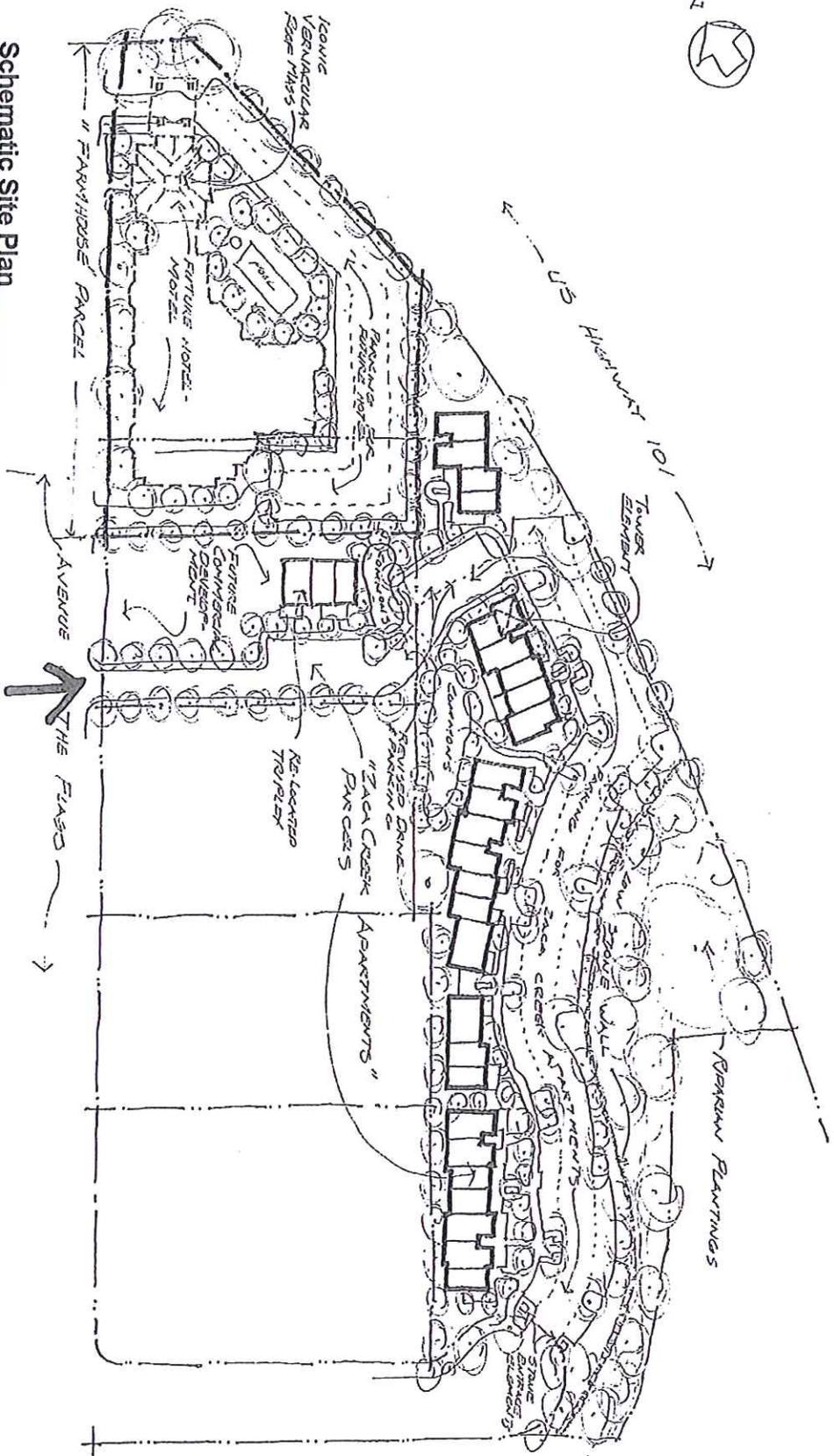
Sincerely yours,

A handwritten signature in black ink, appearing to read "Kerry Moriarty". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kerry Moriarty

Vision Committee Member / Stakeholder on Avenue of Flags

Road Re-alignment to ADF



Schematic Site Plan
1" = 80'-0"

PA
Pellert Group Architects, LLP
 10 East Fremont St, Santa Barbara, CA 93101
 Phone 805 963 2022 Fax 805 963 2023
 www.pellertgroup.com

Moriarty Property Company

Zaca Creek Apartments
 Buellton, CA

Site Plan

A1

03.04.2013

Attachment 5

BUELLTON APARTMENTS RECOMMENDATION AND FINDINGS IN SUPPORT OF A REVISED PROJECT

A. RECOMMENDATION

That the City Council deny the proposed project, as presently configured, and grant a reduction in density sufficient to remedy the findings of policy and regulatory inconsistency set forth in Paragraph D.

B. SUMMARY

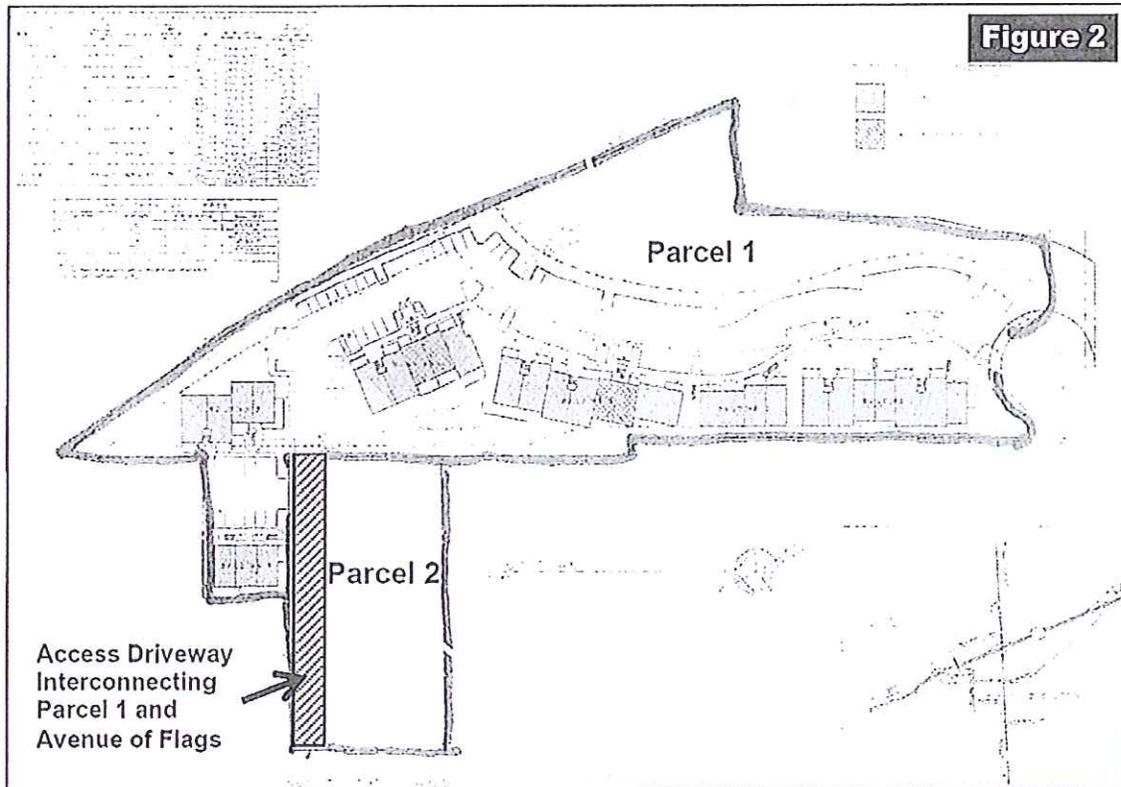
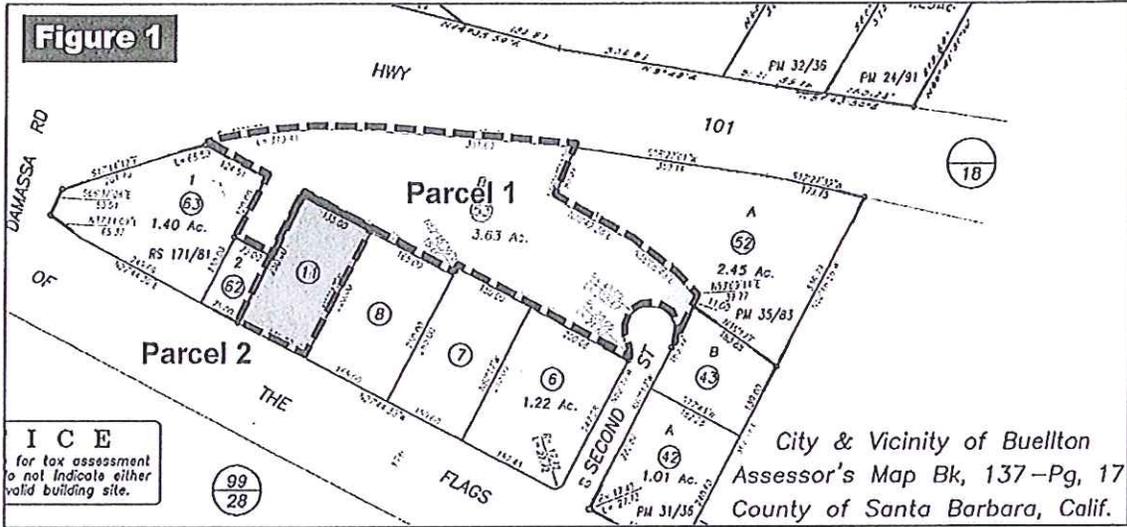
- The City's Affordable Housing Overlay Zone ("AHOZ") and implementing regulations empower the City Council to disapprove or reduce the density of proposed projects under specified circumstances.
- A Development Plan is required for Buellton Apartments and its approval is subject to and contingent upon making findings of consistency with various General Plan policies and Zoning Ordinance regulations.
- For reasons of design-development incompatibility, potential environmental impact and policy-regulatory inconsistency, a Development Plan for Buellton Apartments cannot be granted.
- The failure to make requisite findings enables the City Council to modify Buellton Apartments provided that such action will not compromise the City's ability to meet its assigned share of regional housing needs ("RHNA").
- The inventory of AHOZ-designated properties, with adjustments for pending projects and the reduction of sites identified in the adopted Housing Element, is sufficient to accommodate RHNA with or without Buellton Apartments.
- The inability to make requisite findings, coupled with the residual capacity of other AHOZ sites, enables the City Council (at its discretion) to disapprove or reduce the density of Buellton Apartments.

C. OVERVIEW

1. **Project Description.** The proposed project entails development of a 62-unit apartment complex consisting of two and three story buildings ranging in height from 25 to 35 feet and containing a mix of one, two and three bedroom units with on-site parking and outdoor play area on 4.19 acres of vacant land located north of the easterly terminus of Second Street (hereinafter referred to as "Buellton Apartments"). The site on which Buellton Apartments is proposed is comprised of two parcels identified as

Attachment 5

Santa Barbara County Assessor Parcel Nos. 137-170-053 ("Parcel 1") and 137-170-011 ("Parcel 2"), collectively referred to as the "Project Site" (Figure 1). Both parcels have an underlying General Plan and Zoning Designation of General Commercial. In addition, Parcel 1 has an Affordable Housing Overlay Zone ("AHOZ") designation that allows for development of residential dwellings at minimum density of 25 units per acre as a permitted use.



Attachment 5

2. **Approval Process.** The scope of improvements that encompass Buellton Apartments (as presently configured) entails residential dwellings and accessory uses located on Parcel 1, whereas the proposed use of Parcel 2 is for the sole purpose of providing secondary access from Parcel 1 to Avenue of Flags (Figure 2). For property with an AOHZ designation, Section 19.16.013.C.5. of the Buellton Zoning Ordinance (Municipal Code Title 19) provides that all affordable housing projects be processed by means of an abbreviated Zoning Clearance unless: (i) the proposed density exceeds 25 dwelling units per acre; or (ii) the physical attributes of design do not conform with zoning or community design standards. While it may be possible to process Parcel 1 by means of Zoning Clearance, the inclusion of Parcel 2 (as an accessory residential use) necessitates Development Plan approval for the overall Site by operation of Section 19.02.210 of the Buellton Municipal Code.

3. **Policy Considerations.** The findings set forth below provide the written analysis and conclusions of the decision making bodies regarding compliance with the current adopted General Plan and Zoning Ordinance (codified in Title 19 of the Buellton Municipal Code), and relevant policy documents including the Buellton Vision Plan (February 2012), Community Design Guidelines (November 2005); Avenue of Flags/Hwy 246 Urban Design Plan (December 2002). Of particular relevance are provisions relevant to the AHOZ and associated policies of the 2009-2014 Housing Element.

4. **Administrative Record.** The Administrative Record upon which all findings are based includes the following: (i) all relevant policy and regulatory documents referenced under "Regulatory Considerations" above; (ii) all information submitted by the applicant in connection with the project application (including written correspondence, oral testimony, architectural drawings and associated exhibits); (ii) all information (including staff reports, meeting presentations, written correspondence and public testimony) presented to the decision making bodies; and all other documents comprising the record pursuant to Public Resources Code section 21167.6(e). The custodian of the documents and other materials that constitute the record of the proceedings are in the custody of the City Clerk and Planning Commission Secretary.

D. FINDINGS

1. AHOZ Ordinance.

a. **Exceptions (Zoning Ordinance Section 19.16.013.B.8.a).** *Subject to the provisions of [the "Mandatory Findings" described in Paragraph D.1.b. below], the minimum required density may be reduced by the city council (at its sole discretion) when...the findings required in Sections 19.08.100(D) (Zoning Clearance), 19.08.110(D) (Conditional Uses), or 19.08.120(F) (Development Plans), as applicable, cannot otherwise be made. Finding:* As noted in Paragraph C.2. above, the proposed project requires Development Plan approval, and as concluded in Paragraph D.2., the findings specific to Development Plans cannot be made for Buellton Apartments (as presently configured). As such, and based on the evidence provided in Paragraph D.1.b., the City Council has the discretion to either deny the proposed project or reduce overall density.

Attachment 5

b. Mandatory Findings (Zoning Ordinance Section 19.16.013.B.10.b.). *In the event that the required findings cannot be made, the city council shall take one of the following actions: (i) not approve the Residential Project; (ii) not grant the equivalent action or exception; or (iii) designate additional AHOZ Sites as necessary such that the potential number of dwellings that may be developed for all property with an AHOZ designation, in combination with other housing production programs identified in the Housing Element, is sufficient to meet Net RHNA Goals for target income groups.* **Finding:** Based on the evidence provided in this Paragraphs D, the required findings for Buellton Apartments (as presently configured) cannot be made. Consequently, and by the combined authority of Zoning Ordinance Sections 19.16.013.B.8.a. and 19.16.013.B.10.b., the City Council, at its sole discretion, may either deny the project or reduce overall density provided that the resulting reduction in development potential can be offset by the capacity of other AHOZ designated sites. Based on the analysis provided in Paragraph D.3.h., the City has the requisite capacity to absorb the reduction of density for Buellton Apartments without compromising the ability to accommodate the City's assigned share of regional housing needs, and no replacement AHOZ sites are needed.

c. Environmental Review (Zoning Ordinance Section 19.16.013.C.4.). *All Residential Projects shall be subject to the requirements of the California Environmental Quality Act (California Public Resources Code Section 21000 et seq. and its implementing regulations), if applicable, and shall adhere to mitigation measures prescribed in the Buellton General Plan and companion environmental impact report, as updated and amended from time to time.* **Finding:** No site-specific environmental analysis has been performed for Buellton Apartments; consequently, it is not possible to determine compliance with Zoning Ordinance Section 19.16.013.C.4. Potential significant adverse impacts include: (i) loss of sensitive habitat by the removal mature vegetation; (ii) resident exposure to highway noise and potential flood hazards; (iii) stormwater management and potential off-site surface water pollution; (iv) compromised public safety resulting from the intermingling of commercial and residential traffic, as well as the addition of a new driveway conflict point on Avenue of Flags; and (iv) increased intensity of use and consequent impacts on adjacent properties from increased noise, exterior lighting and 24-hour occupancy.

2. Development Plans

a. Requirement (Zoning Ordinance Section 19.08.120.F.1.a.). *That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed.* **Finding:** For the reasons discussed in Paragraphs D.3.a. and D.3.c. (commercial encroachment), Paragraph D.3.b. (development context), Paragraphs D.3.d. and D.3.e. (traffic management), Paragraph D.3.f. (removal of habitat) and Paragraph D.3.g. (inadequate park space), Buellton Apartments (as presently configured) is improperly scaled for the site on which it is proposed.

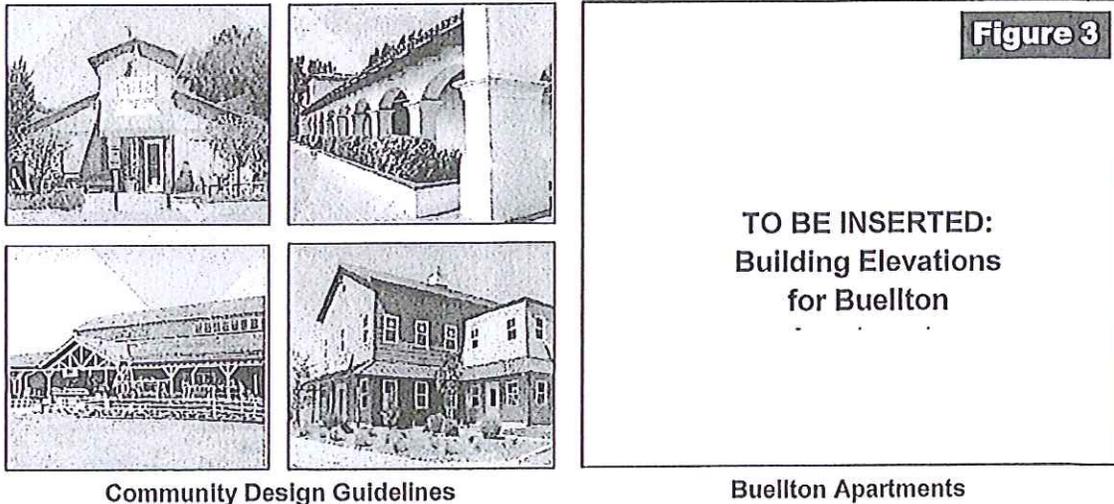
Attachment 5

b. Requirement (Zoning Ordinance Section 19.08.120.F.1.b.). *That adverse impacts are mitigated to the maximum extent feasible.* Finding: For the reasons discussed in Paragraphs D.1.c. and D.2.a., potential adverse environmental effects have neither been fully evaluated nor mitigated to a level of insignificance. Figure 6 below provides an example as to how land use and circulation impacts can be adequately addressed. Consequently, a finding of consistency cannot be made.

c. Requirement (Zoning Ordinance Section 19.08.120.F.1.c. and 19.08.120.F.1.g.). *That streets and highways are adequate and properly designed; the project will not conflict with any easements required for public access through, or public use of a portion of the property.* Finding: As noted in Paragraphs D.3.d. and D.3.e. below, Buellton Apartments (as presently configured) does not propose any easements or right-of-ways necessary to implement the secondary access provisions of General Plan Land Use Policy L-8 or General Plan Circulation Policy C-4, or separation of residential and commercial traffic as promoted in General Plan Circulation Policies C-7 and C-8. Consequently, a finding of consistency cannot be made.

d. Requirement (Zoning Ordinance Section 19.08.120.F.1.e.). *That the project 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.* Finding: For the reasons discussed in Paragraphs D.2.a., D.2.b., D.2.c., D.2.f., D.3.b., D.3.d. and D.3.e. herein, Buellton Apartments (as presently configured) fails to evidence compatibility with the surrounding area or protection of public health, safety or welfare. Consequently, a finding of consistency cannot be made.

e. Requirement (Zoning Ordinance Section 19.08.120.F.1.f.). *That the project is in conformance with the applicable provisions of this title and the general plan.* Finding: For the reasons discussed throughout Paragraphs D.2 and D.3 herein, the proposed project (as presently configured) is inconsistent with relevant provisions of the General Plan and Zoning Ordinance.



Community Design Guidelines

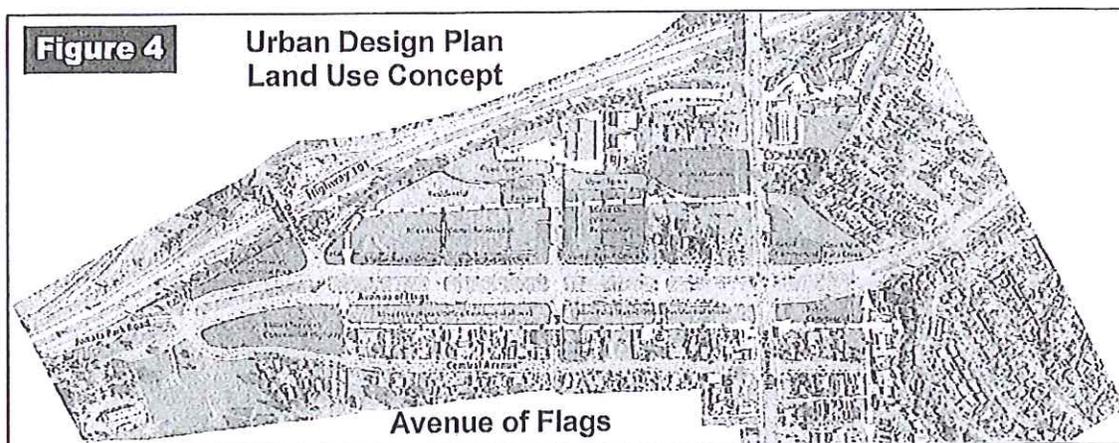
Buellton Apartments

Attachment 5

f. **Requirement (Zoning Ordinance Section 19.08.120.F.1.h).** *That the proposed development is in conformance with the community design guidelines.*
Finding: As graphically depicted in Figure 3 above, Buellton Apartments (as presently configured) embodies a modern/metropolitan motif, contrary to the City's goal to retain a more rural style environment. In this regard, a combination of Agrarian, Mission Revisal, Ranch and Contemporary Ranch are specifically recommended for properties along Avenue of Flags (Community Design Guidelines, page 11). In contrast, the architectural elevations for the proposed project depict a much more non-descript urban appearance. Consequently, a finding of consistency cannot be made.

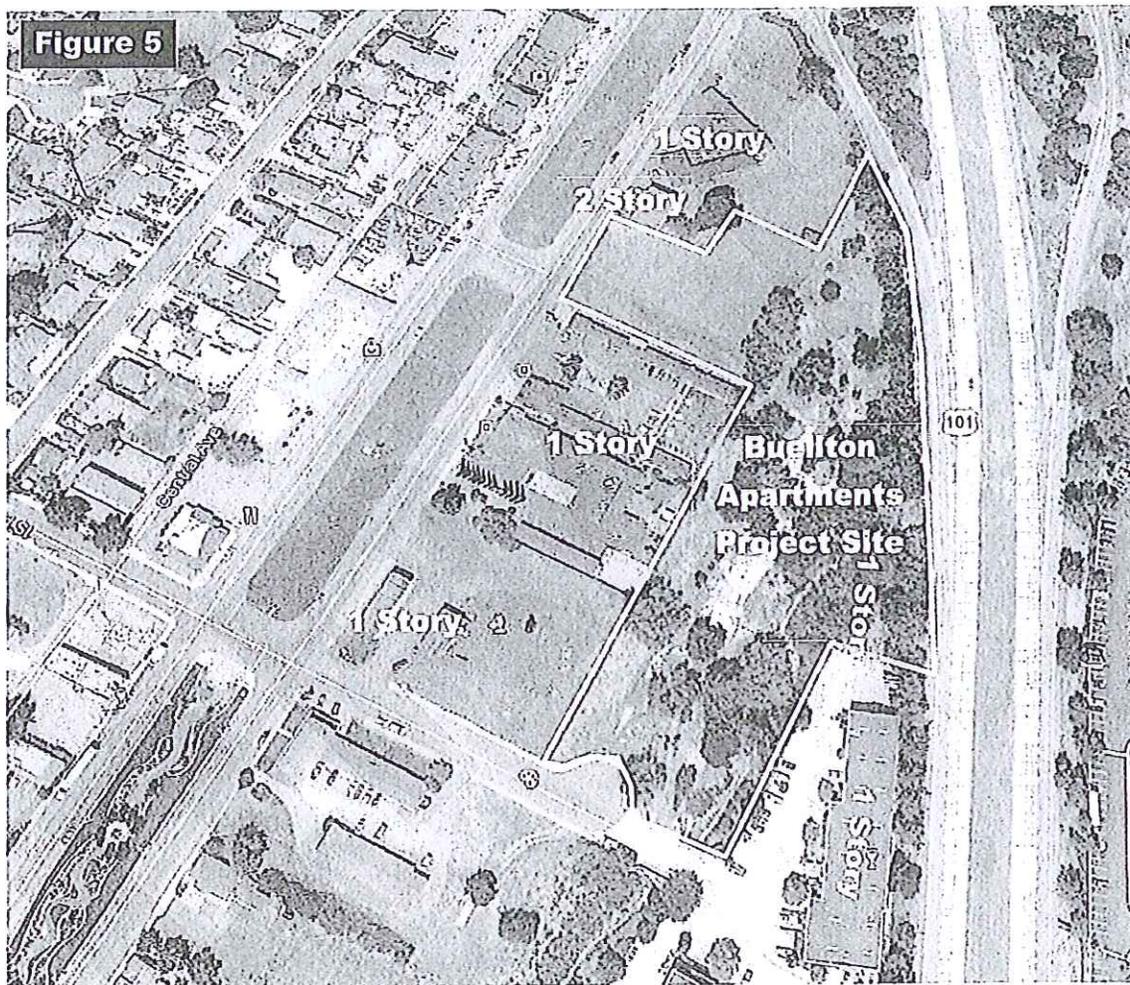
3. Policy Consistency.

a. **Policy (General Plan Land Use L-8).** *New development and changes in existing use should adhere to the pattern of land use recommended in the Avenue of Flags/Highway 246 Urban Design Plan for the Avenue of Flags Revitalization Area (refer to Figure LU-6 and the discussion of the Urban Design Plan in the introduction). Non-conforming uses should be encouraged to relocate elsewhere at locations appropriate to the use. Vertical and horizontal mixed-use development should be encouraged in relation to lot depth, and a commercial orientation shall be maintained along the street frontage of the Avenue. Finding:* As shown in Figure LU-6 of the General Plan and depicted in Figure 4 below, residential use of Parcel 1 (Figure 1 above) generally conforms to land use principles of the Urban Design Plan. However, the driveway return to Avenue of Flag (as depicted in Figure 2 above) compromises the use of Parcel 2 which is expressly reserved for commercial purposes as discussed in Paragraph D.3.c. below. Furthermore, the Urban Design Plan promotes development of a secondary circulation system: "...to improve circulation along the Avenue, improved vehicle access can be created by design of a series of interconnected parking lots behind east side parcels. These parking lots will connect from Pea Soup Anderson's on the south to Second Street and north towards the Damassa intersection. On the west side of the Avenue the existing alley should be improved with better access at intersecting streets and the Avenue. Alley improvements on the west side of the Avenue are important to compensate for narrow lots (Urban Design Plan, Page 16)." Buellton Apartments (as presently configured) does not make accomodation for secondary access. For these reasons, a finding of consistency cannot be made.



Attachment 5

b. Policy (General Plan Land Use L-19). *The form, scale and character of new residential development should be compatible with the existing development context (e.g., density, design features, etc.) of adjacent development areas.* **Finding:** As depicted in Figure 5 below, the size and mass of existing developed properties in the vicinity of the Project Site are comprised principally of single story buildings. Buellton Apartments, on the other hand, consist of two and three story buildings that would dominate the area. This disparity in context is aggravated by an architectural design that departs from the rural context that the City's Community Design Guidelines promotes (see discussion in Paragraph D.2.f. above). Consequently, a finding of consistency cannot be made.



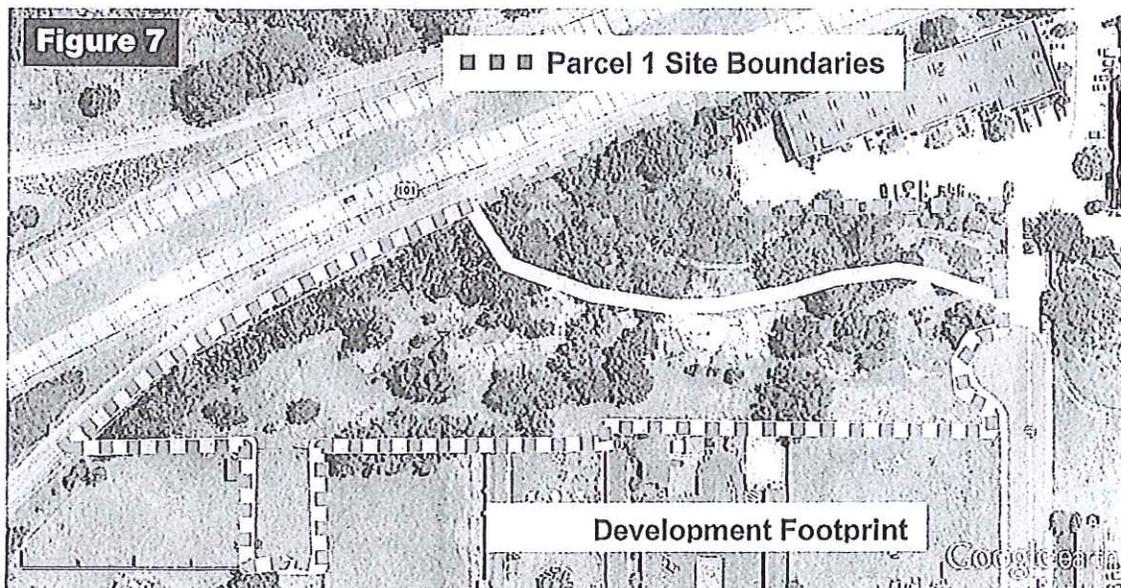
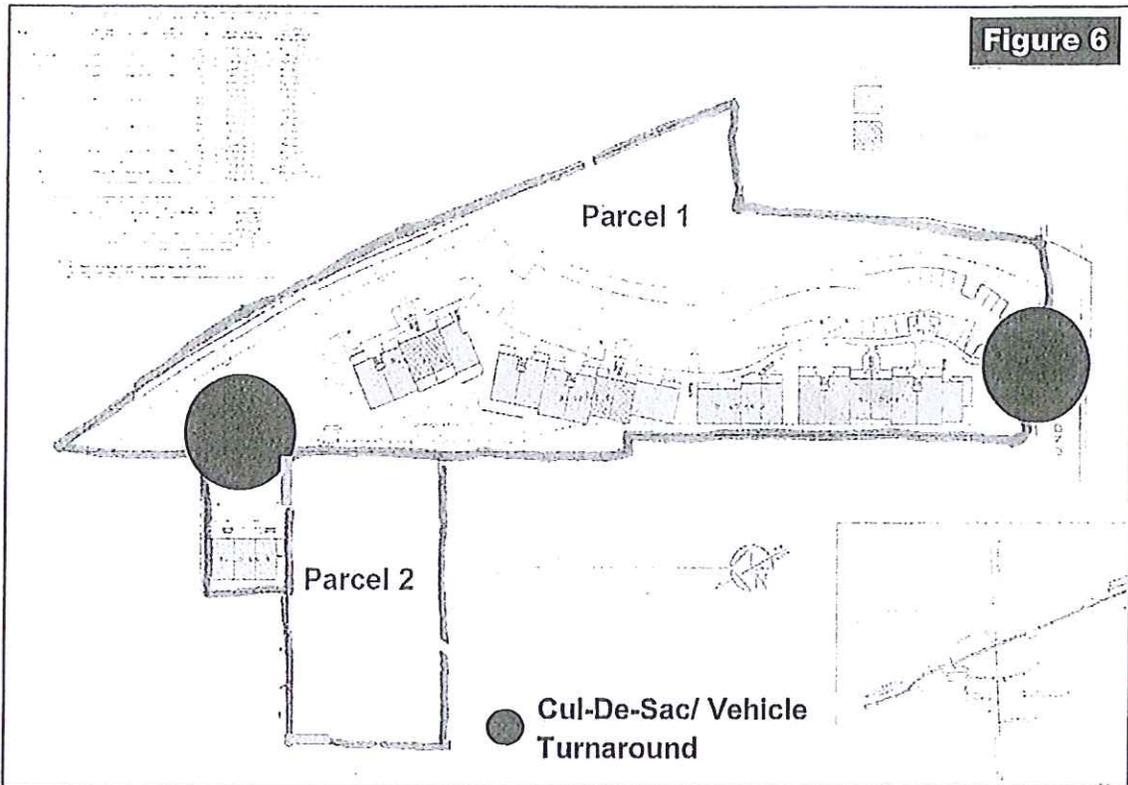
Attachment 5

c. **Policy (General Plan Land Use L-23).** *For property with a General Commercial (GC) land use designation and frontage upon Avenue of Flags or Highway 246, new residential development may only be allowed: (i) as part of mixed use projects, subordinate in character and scale to principal permitted commercial uses; (ii) located above or behind commercial uses facing the street; and (iii) where sufficient vehicle access and parking is provided for both residential and commercial uses. Exemptions to this policy may only be granted by a majority vote of the City Council when all of the following findings can be made: (i) compelling public interests are served (e.g., provision of affordable housing) or circumstances particular to a project or site warrant such an exemption (e.g., site characteristics, development constraints, neighborhood compatibility, environmental setting, community benefits and other relevant factors); (ii) the viability of the remaining commercial corridor is not jeopardized; and (iii) the City's economic and fiscal goals are not compromised. Finding:* As depicted in Figure 1 above, the Project Site is comprised of two separate parcels: Parcel 1 is wholly removed from Avenue of Flags for which residential is allowed under the Urban Design Plan (Figure 4); Parcel 2, on the other hand, fronts directly upon Avenue of Flags and is designated for commercial use. As further shown in Figure 2, Buellton Apartments (as presently configured) includes driveway access through Parcel 2 for the benefit of Parcel 1. In this present configuration, the driveway constitutes an accessory residential use and potentially compromises commercial utilization of Parcel 2. Insofar as the driveway is not an integral component of a mixed use development (with preference given to commercial use), a finding of consistency with General Plan Land Use Policy L-23 cannot be made.

d. **Policy (General Plan Circulation C-4).** *New development shall be required to dedicate easements and incorporate circulation features promoted in the Avenue of Flags/Highway 246 Urban Design Plan or otherwise contribute toward the cost of completing such features at a later date. These circulation features include... creation of secondary access along the Avenue of Flags between Highway 246 and Damassa Road, interconnecting parking lots at rear of parcels along the easterly side of the Avenue...". Finding:* As noted in Paragraphs D.3.a. above, Buellton Apartments (as presently configured) does not make accommodation for secondary access. Consequently, a finding of consistency cannot be made.

e. **Policy (General Plan Circulation C-7 and C-9).** *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 nonresidential areas. Finding:* The interconnection of Avenue of Flags with the Project Site, coupled with the likely sharing of driveway access with future commercial development of Parcel 2, allows for the potential intermixing of commercial and residential traffic in violation of General Plan Circulation Policies C-7 and C-8. Figure 6 below provides one of many possible design solutions that would provide for a separation of residential and commercial traffic, while allowing for residential development of Parcel 1 and preserving commercial priority for Parcel 2 as envisioned in the Urban Design Plan (Figure 4).

Attachment 5



Attachment 5

f. **Policy (General Plan Conservation and Open Space C/OS-12 and 13).** *Promote preservation of native trees to maintain the character of the City, preserve the City's beauty and identity, and protect native habitat; development should be designed to avoid native trees with a trunk diameter at breast height of 8 inches or more.* **Finding:** A significant percentage of the Project Site is comprised of mature vegetation, largely associated with Zaca Creek as a primary water source. As depicted in Figure 7 above, roughly one-half of the existing on-site vegetation would be removed to accommodate the development footprint of Buellton Apartments (as presently configured). While the proposed project includes offsetting compensation for the removal of large trees, the extensive change in baseline conditions violates the principles of General Plan Conservation and Open Space Policy C/OS-12. Consequently, a finding of consistency cannot be made.

g. **Policy (General Plan Parks and Recreation PR-1 and PR-7).** *Strive to achieve a ratio of five acres of parkland per 1,000 residents; require creation of parks, and/or greenbelts by new project developers in all residential projects.* **Finding:** The California Department of Fair Employment and Housing administers the California Fair Employment and Housing Act and recognizes an informal occupancy limit of two persons per bedroom plus one additional person for the entire dwelling. Based on this standard, and accounting for the unit mix proposed for Buellton Apartments (as presently configured), a maximum resident population of 254 persons is forecasted. At a ratio of five acres of parkland per 1,000 residents, the need attributable to the proposed project is calculated as 1.27 acres (i.e., 217.8 square feet x 254 persons). This figure translates to roughly 30% of total site compared to only *[to be inserted]* square feet of active recreation devoted to a "tot lot." This constitutes a significant shortfall in park and recreational space, and as such, a finding of consistency with General Plan Parks and Recreation Policies PR-1 and PR-7 cannot be made.

h. **Policy (General Plan Housing H-4).** *The City shall reduce its 51 acres of AHOZ designated properties at a minimum density of 25 units per acre (Table A-1) to ensure an adequate supply of land for affordable housing projects to meet the new total RHNA allocation of 279 units and the requirement for 111 low, very low, and extremely low income units.* **Finding:** To implement General Plan Housing Policy H-4, Program 1 of the City's current adopted 2009-2014 Housing Element imposes a minimum threshold of 785 dwellings. As shown in Table A-1 of the Housing Element and reproduced in Figure 8 below, the inventory of existing AHOZ-designated sites has the capacity to accommodate 1,278 dwellings. With the elimination of Sites III, VII and XI as identified in Program 1 of the 2009-2014 Housing Element, the total potential capacity would be reduced to 1,068 dwellings. Assuming that the current proposal for Site II is approved (Meritage Senior Living Community), the resulting development potential would be reduced from 375 to 247 units. Assuming further that the current entitlements granted for Site IV (Polo Village) lapse without development, the resulting development potential would be further reduced from 53 to 40 dwellings. Together, these worse-case scenarios result in a total adjusted development capacity of 927 dwelling units (i.e., 1,278 gross capacity – Sites III, VII and XI [removed from the AHOZ inventory; 210 units] – Site II [unadjusted capacity; 375 dwellings] + Site II [adjusted capacity based on the current proposed Meritage Senior Living Community project; 247 dwellings] – Site IV [adjusted capacity based on the current proposed Polo Village

Attachment 5

project; 53 units] + Sites IV [unadjusted current capacity; 40 dwellings]). If Buellton Apartments (as presently configured) is not approved at a minimum density of 25 units per acre, the resulting reduction in AHOZ capacity would leave a total development potential of 852 dwellings (i.e., 927 adjusted dwellings – 75 units of Site X potential = 852 dwellings). In summary, the disapproval or reduction in density of Buellton Apartments would not be inconsistent with applicable policies and programs of the current adopted Housing Element.

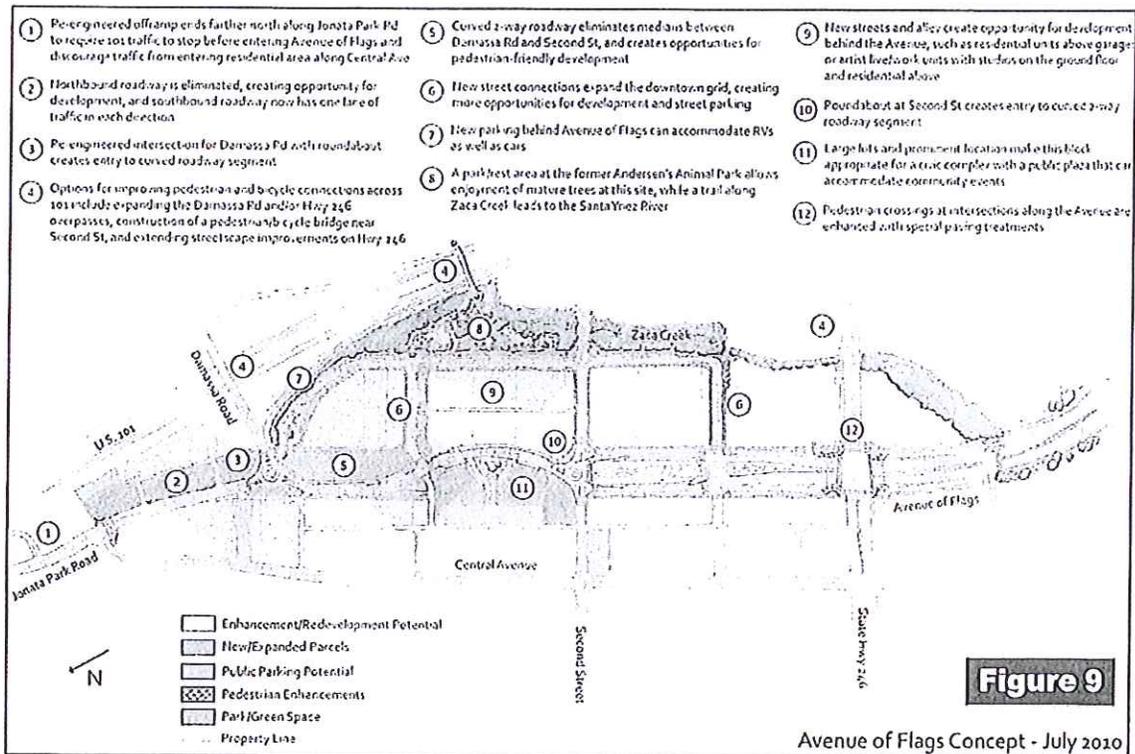
Figure 8					
AHOZ Site	Net Acres**	APN	General Plan	Zoning	Housing Units
I	17.10	137-090-006, -007	Industrial	M - AHOZ	428
II	15.00	099-400-064, -065	General Commercial	CR - AHOZ	375 247
III	3.20	137-170-059, -060	General Commercial	CR - AHOZ	80
IV***	1.60	137-090-067	General Commercial	CR - AHOZ	53 40
VII	1.15	137-190-013, -017, -024, -026, -032, -033	General Commercial	CR - AHOZ	29
IX	6.00	137-200-077, -078, -087, -094	General Commercial	CR - AHOZ	150
X	3.00	137-170-053	General Commercial	CR - AHOZ	75
XI	4.04	137-170-067	General Commercial	CR - AHOZ	101
TOTAL (GROSS)					1,278
SOURCE:					
1. 2009-2014 Housing Element (Table A-1), City of Buellton, July 23, 2009 and amended November 12, 2009.					
2. Final EIR for the General Plan Update-Land Use and Circulation Elements and codified in Table 5 of Section 19.16.013 of the Buellton Municipal Code (AHOZ Ordinance) , City of Buellton, August 4, 2005,					
NOTES:					
<input type="checkbox"/> Denotes Site proposed for elimination by Policy H-4 and Program 1 of the Housing Element.					
<input type="checkbox"/> Denotes Site for which a project is pending (Meritage Senior Living Community).					
<input type="checkbox"/> Denotes Site for which a project has been approved (Polo Village) but construction has not yet commenced.					
<input type="checkbox"/> Denotes lowest development potential with and without pending and approved projects.					

Attachment 5

4. Buellton Vision Plan.

a. **Preface.** The Buellton Vision Plan dated February 2012 is a community-based advisory document that builds upon and refines land use concepts embodied in the Avenue of Flags Urban Design Plan. This document does not have the equal standing with the General Plan as a formal policy guide, but does represent a prevailing sentiment of community stakeholders.

b. **Relevant Considerations.** In specific regard to the Project Site, the Buellton Vision Plan (as depicted in Figure 9 below) advocates: (i) preservation of mature woodland vegetation that comprises much of the Project Site (Reference #8); and (ii) introduction of new streets and alleyways to facilitate mixed use development (Reference #6 and #9). These overarching goals reinforce General Plan Land Use Policies L-8 and L-23, Circulation Policy C-4, and Conservation and Open Space Policies C/OS-12 and 13. For the reasons discussed in Paragraphs D.3.a., D.3.c., D.3.d. and D.3.f. above, Buellton Apartments (as presently configured) is inconsistent with relevant provisions of the Buellton Vision Plan.



PLANNING COMMISSION RESOLUTION NO. 13-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE LAND USE ELEMENT AND CIRCULATION ELEMENT UPDATE FOR THE BUELLTON APARTMENTS PROJECT (12-FDP-02), LOCATED AT 90 SECOND STREET, ASSESSOR'S PARCEL NUMBER'S 137-170-053 AND 137-170-011, AND MAKING FINDINGS IN SUPPORT THEREOF

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

SECTION 1: In accordance with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 *et seq.*, the State CEQA Guidelines, 14 C.C.R. section 15000 *et seq.*, and the Environmental Guidelines of the City of Buellton, a Final Environmental Impact Report (EIR) for the City of Buellton General Plan Land Use Element and Circulation Element Update (State Clearinghouse #2005011097) was certified by the Buellton City Council on September 22, 2005, by City Council Resolution 05-17. The Buellton Apartments project site was identified as Key Site X in the Final EIR.

SECTION 2: Pursuant to the Zoning Ordinance of the City of Buellton, an application has been filed by the Santa Ynez Band of Chumash Indians, property owner, and Sid Goldstien, agent, hereinafter referred to as "Applicant", requesting approval to develop the Buellton Apartments, a 62 unit apartment complex located at 90 Second Street (APN's 137-170-053 and 137-170-011). The subject property is currently zoned CR (General Commercial) with an AHOZ designation (Affordable Housing Overlay Zone).

SECTION 3: The proposed Project consists of:

- A. Final Development Plan (12-FDP-02):** Approval of 62 apartment units (32 one-bedroom, 26 two-bedroom and 4 three-bedroom units) and 116 parking spaces on a 4.19 acre project site. The subject property is planned and zoned for General Commercial (CR) with an Affordable Housing Overlay (AHOZ). The AHOZ overlay allows residential projects at a density of 25 units per acre with a requirement that 20% of the units be affordable to target households. The proposed 62 units meet the 25 unit per acre requirement and 12 of the units will be affordable.

SECTION 4: In conjunction with the proposed Buellton Apartments project, the City has, in accordance with the requirements of CEQA, the State CEQA Guidelines and the Environmental Guidelines of the City of Buellton, prepared an Addendum to the Final EIR to evaluate the potential environmental impacts of the proposed project. A full, true and correct copy of the Addendum is attached hereto, marked as Exhibit "A," and incorporated herein by this reference. In addition, a copy of the Addendum is on file with the Planning Department of the City of Buellton.

SECTION 5: The Buellton Apartments Project will not require any further environmental documentation beyond the Addendum (Exhibit "A"), provided the City makes the findings required by CEQA. Specifically, CEQA Section 21166 provides that in circumstances where an Environmental Impact Report has been prepared, no Subsequent EIR (CEQA Section 15162) or Supplemental EIR (CEQA Section 15163) is required unless one or more for the following occurs:

"(a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.

(b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.

(c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available."

SECTION 6: On July 18, 2003, the Planning Commission of the City of Buellton conducted a public meeting to review the Addendum and the information contained in this Resolution.

SECTION 7: All legal prerequisites have occurred prior to the adoption of this Resolution.

SECTION 8: Based upon the substantial evidence contained in the whole record, including the facts findings and conclusions contained in the Addendum, any written and/ oral staff reports presented to the City Council with respect to the Addendum, as well as a review of the Final EIR in relation to the material contained in the Addendum, the Planning Commission of the City of Buellton does hereby find, determine, and declare that:

- A. There are no substantial changes proposed in the Buellton Apartments Project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- B. No substantial changes will occur with respect to the circumstances under which the Buellton Apartments Project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
- C. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. That the Buellton Apartments Project will have one or more significant effects not discussed in the previous EIR;
2. That significant effects previously examined will be substantially more severe than shown in the previous EIR;
3. That mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Buellton Apartments Project, but the project proponents decline to adopt the mitigation measure or alternative; and,
4. That mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

SECTION 9: In accordance with the requirements of CEQA Section 21166 and based on the information contained in the Addendum and the forgoing findings, the Planning Commission specifically finds that the Buellton Apartments Project will not have a significant effect on the environment, because all potentially significant environmental effects have been analyzed adequately in the earlier Final EIR pursuant to the applicable standards of CEQA and all such potentially significant environmental effects have been avoided or mitigated, including revisions or mitigation measures that are imposed upon the project and as imposed on the proposed Buellton Apartments Project, no further environmental review is required pursuant to CEQA, the State CEQA Guidelines or the Environmental Guidelines of the City of Buellton.

SECTION 10. The Planning Commission hereby recommends that the City Council take the following actions:

1. Addendum: Adoption of the Addendum for the Buellton Apartments Project.
2. Mitigation Monitoring: Monitoring of the mitigation measures pursuant to the mitigation monitoring procedures of the Environmental Guidelines of the City.
3. Notice of Determination: That the Planning Director is directed to prepare, and file with the County Clerk, a notice of determination as provided under Public Resources Code Section 21152 and CEQA Guidelines 15075.

PASSED, APPROVED and ADOPTED this 18th day of July 2013.

Art Mercado
Chair

ATTEST:

Clare Barcelona
Planning Commission Secretary

Exhibit A - Addendum

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. 13-07 was duly approved by the Planning Commission of the City of Buellton at a meeting held on the 18th day of July 2013, by the following vote, to wit.

AYES: (0)

NOES: (0)

ABSENT: (0)

NOT VOTING: (0)

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of July, 2013.

**ADDENDUM
TO
CITY OF BUELLTON GENERAL PLAN
LAND ELEMENT AND CIRCULATION
ELEMENT UPDATE ENVIRONMENTAL
IMPACT REPORT**

1.0 INTRODUCTION

This document is an Addendum to the Final Environmental Impact Report (EIR) for the City of Buellton General Plan Land Use Element and Circulation Element Update (State Clearinghouse #2005011097) that addresses the Buellton Apartments Project (Key Site X from the EIR). The Buellton City Council adopted Resolution No. 05-17 certifying the EIR on September 22, 2005.

The Final Development Plan (12-FDP-02) for the Buellton Apartments is for development of a 62 unit apartment complex under the City's Affordable Housing Overlay Zone requirements. There are six buildings with one-bedroom, two-bedroom, and three-bedroom units on a 4.19 acre site located at the northeast end of Second Street (Assessor's Parcel Numbers 137-170-053 and 137-170-011). A common outdoor play area is also proposed. Twelve units are required to be made affordable to moderate, low, and lower income persons. The subject property is planned and zoned for General Commercial (CR) and is an Affordable Housing Overlay Zone (AHOZ) site.

In accordance with Section 15164 of the State CEQA Guidelines, this Addendum is being prepared to address the noise and traffic impacts of the project because changes or additions to the EIR are necessary but none of the conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of a subsequent EIR have occurred. Only minor technical additions to the Final EIR are necessary. Pursuant to Section 15162 of the State CEQA Guidelines, a subsequent EIR does not need to be prepared, due to the following:

- Substantial changes are not proposed in the project which will require major revisions of the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which will require revisions to the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, is not available.

The Buellton Apartment project would not substantially increase the magnitude or severity of any impact, including traffic, air quality and/or noise impacts, identified in the Final EIR. As

specified in Section 15164(c) of the State CEQA Guidelines, an Addendum need not be circulated for public review but can be included in or attached to the Final EIR. The City of Buellton shall consider the Addendum with the Final EIR prior to making a decision on the Buellton Apartments project.

2.0 ENVIRONMENTAL IMPACT ANALYSIS

This Addendum addresses the impacts of traffic and noise in relation to the Buellton Apartments project. The traffic analysis is included as Appendix A and the noise analysis is included as Appendix B. The Final EIR analyzed 75 units on this property and the proposed project has 62 units.

The proposed project would be considered substantially consistent with the provisions of the Final EIR for the following reasons:

- The Buellton Apartments project would not substantially increase the magnitude or severity of any impact, including traffic, air quality, and noise impacts, identified in the Final EIR.
- The Buellton Apartments project would occur on the same portions of the site, and would therefore result in similar impacts related to site disturbance, as the Site X in the Final EIR..

For these reasons, the Final EIR may be used as the environmental document to assess the impacts of the Buellton Apartments project.

It should be noted that all applicable mitigation measures identified in the Final EIR would continue to apply to the Buellton Apartments project. The Final EIR is available for review at the City of Buellton Planning Department, 107 West Highway 246, Buellton, CA 93427.

Since the Buellton Apartments project would occur within the same area evaluated in the Final EIR, impacts related to site disturbance (e.g., agricultural resources, biological resources, cultural resources, etc.) would be the similar for the proposed project and the Site X as evaluated in the Final EIR. Due to the reduced number of residential units proposed, the proposed project would not increase the city's population over that analyzed in the Final EIR, and therefore, it would not substantially increase the magnitude or severity of any residual impacts to Parks, Public Services and Utilities, or Schools.

The conformity of the Buellton Apartments project with the Final EIR in regard to transportation and circulation and noise are described below.

Transportation and Circulation. The traffic impacts of the Buellton Apartments project were evaluated by Associated Transportation Engineers, Inc. (ATE) in the Traffic Analysis dated June 4, 2013 (Appendix A). This Study concluded that the Buellton Apartments project would generate 409 average daily trips and 36 P.M. peak hour trips. These numbers are within the parameters of the Final EIR traffic counts. In addition, the current Study indicates no impacts to the surrounding circulation system. As noted in the Final EIR, the City of Buellton requires all new development to pay traffic impact mitigation fees to offset cumulative incremental traffic

impacts. With payment of these fees, cumulative impacts would not occur with the Buellton Apartment project.

Noise. In order to ensure that noise impacts remain below significant levels as identified in the Final EIR due to traffic noise on Highway 101, a Noise Study was prepared by Rincon Consultants dated January 2013 (Appendix B). No new noise impacts were identified as part of the Study. The existing noise environment was just further defined as part of the Study. The Study concluded that the noise impacts would continue to be insignificant with the inclusion of the following mitigation measure that updates existing noise mitigation measure N-1(a) from the Final EIR:

N-1 Noise Reducing Building Construction Techniques. Prior to issuance of the building permits, the property owner/project developer should submit plans and specifications to the City Planning Department that include the following noise reduction measures:

a. All on-site residential structures facing U.S. Highway 101 should include windows and exterior doors that have a minimum STC rating of 29 STC or higher. Exterior doors should be solid core and be installed with weather stripping.

b. All on-site residential structures facing U.S. Highway 101 should include exterior wall assemblies with a STC rating of 45 or higher. This can be accomplished using standard wall assemblies using 2 by 4 inch studs, batt insulation in the wall cavities, and a double-layer of half-inch drywall on each side, or using staggered 2 by 4 inch studs with 2 by 6 inch top and bottom plates and a single layer of half inch drywall on each side. Other methods of achieving STC 45 in exterior wall assemblies can be found at:

http://inspectapedia.com/bestpractices/sound_control3.htm

<http://www.stcratings.com/assemblies.html>

http://www.sae.edu/reference_material/pages/STC%20Chart.htm

c. All onsite residential structures facing U.S. Highway 101 should be provided with forced-air mechanical ventilation, as required by the Uniform Building Code, to adequately ventilate the interior space of the units when windows are closed to control noise.

3.0 ORIGINAL FEIR MITIGATION MEASURES

The following are mitigation measures from the Final EIR that are applicable to the Buellton Apartments project and will be made conditions of approval.

Noise

N-1(a) Acceptable Noise Levels. Residential structures located within unacceptable noise contours shall provide attenuation of indoor noise levels to below 45 dBA Community Noise Equivalent Level ("CNEL"), and where practicable, outdoor living area noise levels to below 65 dBA CNEL. This can be accomplished using one or more of the following methods or as recommended in a noise study to be prepared by an acoustical engineer:

- a. A structural setback from the roadways that generate the unacceptable noise levels;
- b. Installation of vegetated berms at the property line, in combination with structural setbacks from the roadways that generate the unacceptable noise levels;
- c. Install solid core doors and double-paned glass windows on the side of the residential units facing the source of unacceptable noise levels.

(To be amended by N-1 from the Addendum)

N-1(b) Noise in Exterior Areas. Exterior usable areas for residential units that border sources of unacceptable noise levels shall be located within an interior courtyard.

Aesthetics

AES-2(a) Glare Prevention. New structures shall utilize non-reflective exterior materials to prevent glare, as feasible.

Air Quality

AQ-3(a) Standard Dust Control Procedures. During clearing, grading, earth moving, or excavation operation, excessive fugitive dust emissions shall be controlled by regular watering, paving construction roads, or other dust preventive measures such as using the following procedures:

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- Gravel pads must be installed at all access points to prevent tracking of mud on to public roads.
- If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or

treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.

- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- 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 offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading for the structure.
- Prior to land use clearance, the applicant shall include, as a note on a separate informational sheet to be recorded with map, these dust control requirements. All requirements shall be shown on grading and building plans.

AQ-3(b) Application of Standard CBACT. Best available control technology for construction equipment (CBACT) shall be applied to the piece of construction equipment estimated to cause the highest level of combustion emissions during any proposed construction, based on APCD standards. CBACT technology may include the following: fuel injection timing retard of 2 degrees; installation of high pressure injectors; coating of internal combustion surfaces (cylinder head, pistons, and valves); and/or use of reformulated diesel fuel.

AQ-3(c) Standard Ozone Precursor Controls. At all times, ozone precursor emissions shall be controlled not only through the routine maintenance of all construction equipment, but construction activities shall also be required to utilize new technologies to control ozone precursor emissions including:

- Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) should be utilized wherever feasible.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction equipment shall be maintained in tune per the manufacturer's specifications.
- Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or precombustion chamber engines.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.

- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Biology

B-6(a) Prohibition of Invasive Plants. Plants considered to be invasive by the California Exotic Pest Plant Council shall be prohibited in new development adjacent to permanent open space/natural areas within the City. Wherever site development is proposed adjacent to a special-status plant habitat an appropriate buffer of fire retardant and native vegetation shall remain or be established between the sensitive area and the proposed development.

B-7(a) Ground Disturbance Timing. In order to avoid impacts to nesting birds including the ground-nesting northern harrier, or other birds protected under the Migratory Bird Treaty Act, all initial project specific ground disturbing activities and tree removal as a result of future development shall be limited to the time period between September 15 to March 1. If initial development project specific site disturbance, grading, and tree removal cannot be conducted during this time period, pre-construction surveys for active nests within the limits of proposed grading areas should be conducted by a qualified biologist two weeks prior to any construction activities. If active nests are located, then all construction work must be conducted outside a non-disturbance buffer zone at a distance established by the city in consultation with the CDFG. No disturbance to the nest shall occur until the adults and young are no longer reliant on the nest site.

B-7(a) Pet Brochure. Applicants of residential projects adjacent to open space or other habitat areas shall be required to prepare a brochure that informs prospective homebuyers about the impacts associated with non-native animals, especially cats and dogs, and other non-native animals, to sensitive habitat areas. The brochure shall also describe measures homeowners can take to minimize impacts of pets on wildlife. Similarly, the brochure shall inform potential homebuyers of the potential for coyotes or other wildlife to prey on domestic animals in areas where appropriate.

B-7(a) Night Lighting Standards. Night lighting of public areas near sensitive habitats shall be kept to the minimum necessary for safety purposes:

- (1) Exterior lighting within 100 feet of open space habitat shall be shielded and aimed as needed to avoid spillover into habitat areas. Decorative lighting shall be low intensity.
- (2) Use of high-intensity floodlights on residential/ commercial lots shall be shielded and aimed as needed to avoid spillover into habitat areas including open space, vineyard, and agricultural areas.

B-7(a) Wildlife Habitat Buffer. Wherever site development is proposed adjacent to wildlife habitat an appropriate buffer for fire safety and native vegetation shall remain or be established between the habitat area and the proposed development.

B-7(a) Migration Corridors. Natural migration corridors including the Santa Ynez River, Zaca Creek, Thumbelina Creek, and the tributary drainages throughout the City shall be maintained

in a manner designed to promote wildlife movement and protection and the safe and accessible passage of wildlife under busy roadways. New roadways that cross migration/movement corridors shall be designed to accommodate wildlife passage.

Cultural Resources

CR-1(a) Halt Work Order for Archaeological Resources. If archaeological resources are exposed during construction of individual projects pursuant to the Land Use or Circulation Elements, all earth disturbing work within the vicinity of the find must be temporarily suspended until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. A representative should monitor any mitigation excavation associated with Native American materials.

Geology

G-4(a) Grading and Erosion Control Plan. A grading and erosion control plan that minimizes erosion, sedimentation and unstable slopes shall be prepared and implemented by the applicants for development projects, prior to issuance of Grading Permits. It must include one or more of the following erosion reduction methods, as determined by the City Engineer:

- a. Methods such as retention basins, drainage diversion structures, spot grading, silt fencing/coordinated sediment trapping, straw bales, and sand bags shall be used to minimize erosion on slopes and siltation into Santa Ynez River, Zaca Creek and Thumbelina Creek during grading and construction activities.
- b. Graded areas shall be revegetated within 4 weeks of grading activities with deep-rooted, native, drought-tolerant species to minimize slope failure and erosion potential. If determined necessary by the Planning Department, irrigation shall be provided. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.
- c. After construction of tract improvements, exposed areas shall be stabilized to prevent wind and water erosion, using methods approved by the Planning Department and Air Pollution Control District. These methods may include importing of topsoil is to be imported and spread on the ground surface in areas having soils that can be transported by the wind, and/or the mixing of the highly erosive sand with finer-grained materials (silt or clay) in sufficient quantities to prevent its ability to be transported by wind. The topsoil or silt/clay mixture is to be used to stabilize the existing soil to prevent its ability to be transported by wind. As a minimum, six inches of topsoil or silt/clay/sand mixture is to be used to stabilize the wind-erodable soils.
- d. Where necessary, site preparation shall include the removal of all or a portion of the expansive soils at the building sites and replacement with compacted fill.
- e. Where necessary, construction on transitional lots shall include overexcavation to expose firm sub-grade, use of post tension slabs in future structures, or other geologically acceptable method.
- f. Landscaped areas adjacent to structures shall be graded so that drainage is away from structures.

- g. Irrigation shall be controlled so that overwatering does not occur. An irrigation schedule shall be reviewed and approved by Planning and Building prior to land use clearance for grading.
- h. Grading on slopes steeper than 5:1 shall be designed to minimize surface water runoff.
- i. Fills placed on slopes steeper than 5:1 shall be properly benched prior to placement of fill.
- j. Brow ditches and/or berms shall be constructed and maintained above all cut and fill slopes, respectively.
- k. Cut and fill benches shall be constructed at regular intervals.
- l. Retaining walls shall be installed to stabilize slopes where there is a 10-foot or greater difference in elevation between buildable lots.
- m. The applicant shall limit excavation and grading to the dry season of the year (typically April 15 to November 1, allowing for variations in weather) unless a Planning Department Building and Safety approved erosion control plan is in place and all measures therein are in effect.
- n. The applicant shall post a bond with the County and hire a Planning Department-approved geologist or soils engineer prior to land use clearance for grading, and to ensure that erosion is controlled and mitigation measures are properly implemented.

Hazardous Materials

S-1(b) Previously Unidentified Hazardous Materials. In the event that hazardous waste and/or materials, including chemical odors or stained soils, are encountered during construction of future development sites, the following actions shall be taken by the applicant or authorized agent thereof: (1) all work in the vicinity of the suspected contaminant will be halted; (2) all persons shall be removed from the area; (3) the site shall be secured under the direction of the County Fire Department; and (4) the City of Buellton Hazardous Waste/Materials Coordinator shall be notified. Work shall not recommence until such time as the find is evaluated and appropriate measures are implemented as necessary to the satisfaction of the California Department of Toxic Substances Control.

Drainage

HWQ-3(b) Pervious Paving Material. Future development projects shall be encouraged to develop plans/practices for minimizing runoff rates and volumes of stormwater on-site to allow percolation to the underlying aquifer. Some methods that may be used to facilitate groundwater recharge and reduce surface water runoff may include, but are not limited to, the use of pervious paving material within parking lots and other paved areas to facilitate rainwater percolation.

HWQ-4(a) Storm Water Quality Measures. A Best Management Practice (BMP) device shall be installed to intercept water flowing off of proposed parking lots and roadway surfaces for urban infill projects. Whenever feasible, the preferred approach to treating surface runoff will be the use of drainage swales. The chosen method for treating runoff will be a proven and documented pollution prevention technology device that removes oil and sediment from stormwater runoff, and retains the contaminants for safe and easy removal. The chosen device

shall possess design features to prevent resuspension of previously collected contaminants and materials, and contain a built-in diversion structure to divert intense runoff events and prevent scouring of the previously collected sediments. The filter devices shall be sized to capture all dry weather surface runoff and accommodate the first flush (one inch) during storm events. The storm water quality system must be reviewed and approved by the City and Regional Water Quality Control Board.

HWQ-4(b) Stormwater BMP Maintenance Plan. All stormwater BMP devices in new development shall be required to be cleaned and maintained in accordance with the manufacturer's maintenance specifications. The timing shall be at least twice per year: just prior to the onset of the rainy season (i.e., November 1st) and immediately after the end of the rainy season (i.e., May 1st).

Appendix A



Since 1978

ASSOCIATED TRANSPORTATION ENGINEERS

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Richard L. Pool, P.E.
Scott A. Schell, AICP, PTP

June 4, 2013

13033L01A.wpd

Ms. Rose Hess, Director of Public Works
City of Buellton
P.O. Box 1819
Buellton, CA 93427

TRAFFIC ANALYSIS FOR THE SECOND STREET APARTMENTS - BUELLTON, CALIFORNIA

Associated Transportation Engineers (ATE) has prepared the following traffic analysis for the Second Street Apartments Project, located on Second Street east of Avenue of the Flags in the City of Buellton as part of the development review process.

PROJECT DESCRIPTION

The project is proposing to develop a vacant 4.19-acre site with a 62 unit affordable housing apartment complex. The project will conform to the affordable housing overlay (AHOZ), and will allow the City of Buellton to provide workforce housing for its residents. Regional access will be provided by the U.S. Highway 101/State Route 246 and U.S. Highway 101/Damassa Road interchanges. Direct access to the site is proposed via driveway connections to Second Street and Avenue of the Flags. Figure 1 (attached) illustrates the project site plan.

PROJECT TRIP GENERATION

Typical weekday trip generation estimates were developed for the project based on rates published in the Institute of Transportation Engineers (ITE), Trip Generation, 9th Edition for "Low-Rise Apartment" (Land Use Code #221). Table 1 provides the weekday trip generation estimates for the project.

Appendix A

Rose Hess

Page 2

May 31, 2013

**Table 1
Project Trip Generation**

Land Use	Size	ADT		A.M. Peak Hour		P.M. Peak Hour	
		Rate	Trips	Rate	Trips (In/Out)	Rate	Trips (In/Out)
Apartments	62 units	6.59	409	0.46	29 (6/23)	0.58	36 (23/13)

The data presented in Table 1 shows that the project is estimated to generate 409 average daily trips, 29 A.M. peak hour trips and 36 P.M. peak hour trips.

POTENTIAL TRAFFIC IMPACTS

Project trips were distributed to the local street system as illustrated on Figure 2 (attached). As shown in Table 1, the project would add 29 A.M. peak hour trips and 36 P.M. peak hour trips to the local street system. Based on the project trip distribution, the project would add 17 A.M. peak hour trips and 22 P.M. peak hour trips to the U.S. Highway 101/Damassa Road interchange. The project would add 4 A.M. and 5 P.M. peak hour trips to the U.S. Highway 101/State Route 246 interchange. Based on City of Buellton and Caltrans impact criteria, the additional project trips would not significantly impact the U.S. Highway 101/Damassa Road or the U.S. Highway 101/State Route 246 interchanges.

GENERAL PLAN CONSISTENCY

The project site is currently zoned General Commercial (CR) with an Affordable Housing Overlay (AHOZ). As stated earlier the project will conform to the AHOZ and will allow the City of Buellton to provide needed workforce housing for its residents. The project will generate less traffic than a commercial development which would be allowed on the site. Any traffic impacts would be offset by the payment of the City of Buellton traffic impact fee.

City Traffic Engineering
Associated Transportation Engineers


By: Richard L. Pool, P.E.
President



RLP/DFN/wp

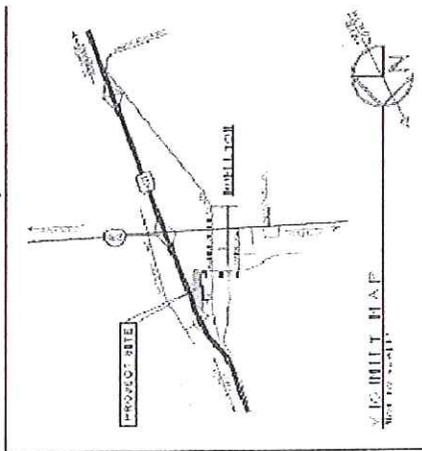
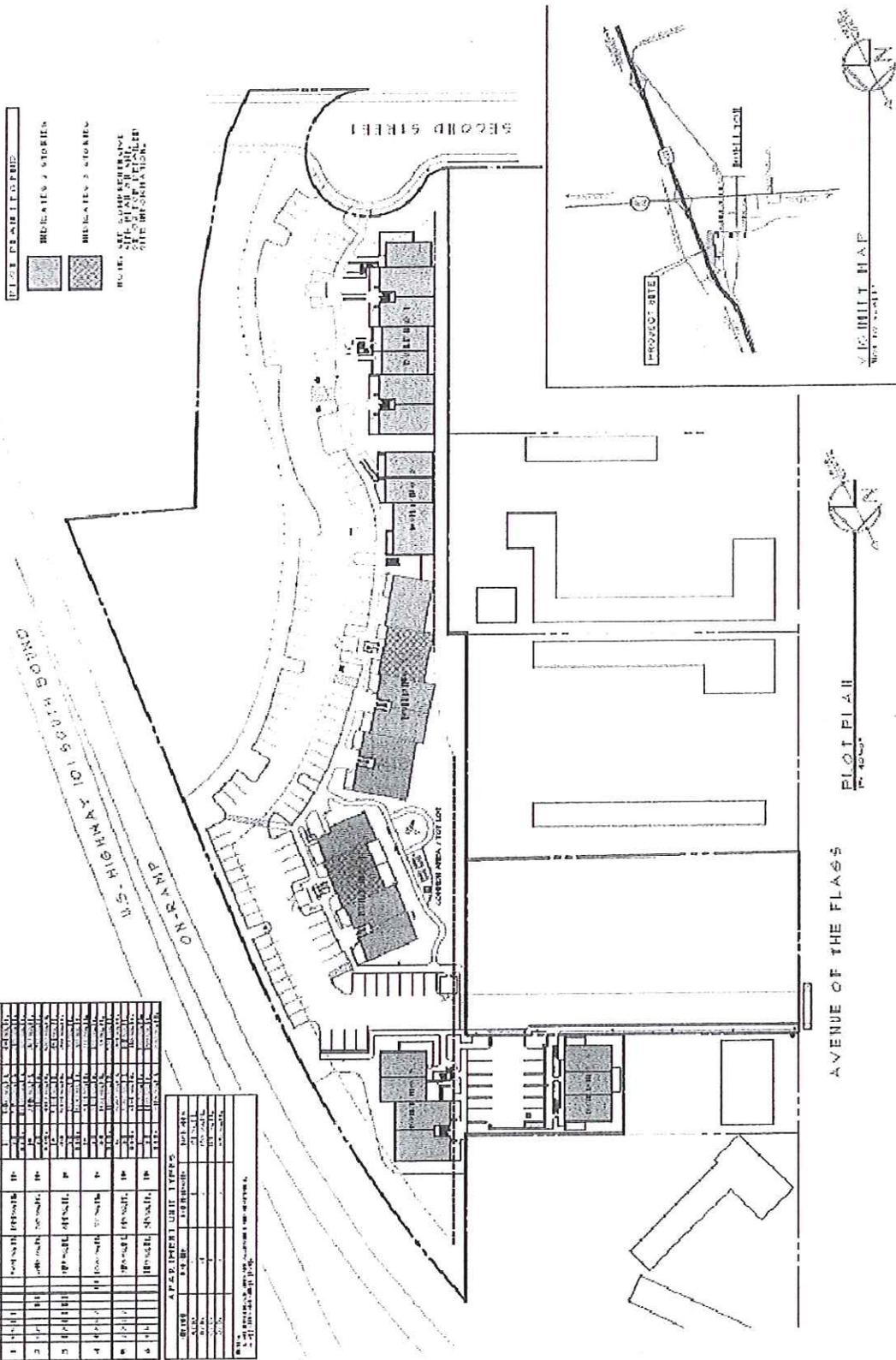
attachments: Figure 1- Project Site Plan
Figure 2- Project Trip Distribution Percentages
cc: Sid Goldstien

LEGEND

INDICATES 1 STORY
 INDICATES 2 STORIES
 INDICATES 3 STORIES
 BOLD TEXT INDICATES THE
 EXISTING BUILDING
 SITE INFORMATION

BUILDING CORNER AND AREA BEHIND BOUNDARY			
NO.	AREA	AREA	AREA
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2	100.00	100.00	100.00
3	100.00	100.00	100.00
4	100.00	100.00	100.00
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6	100.00	100.00	100.00
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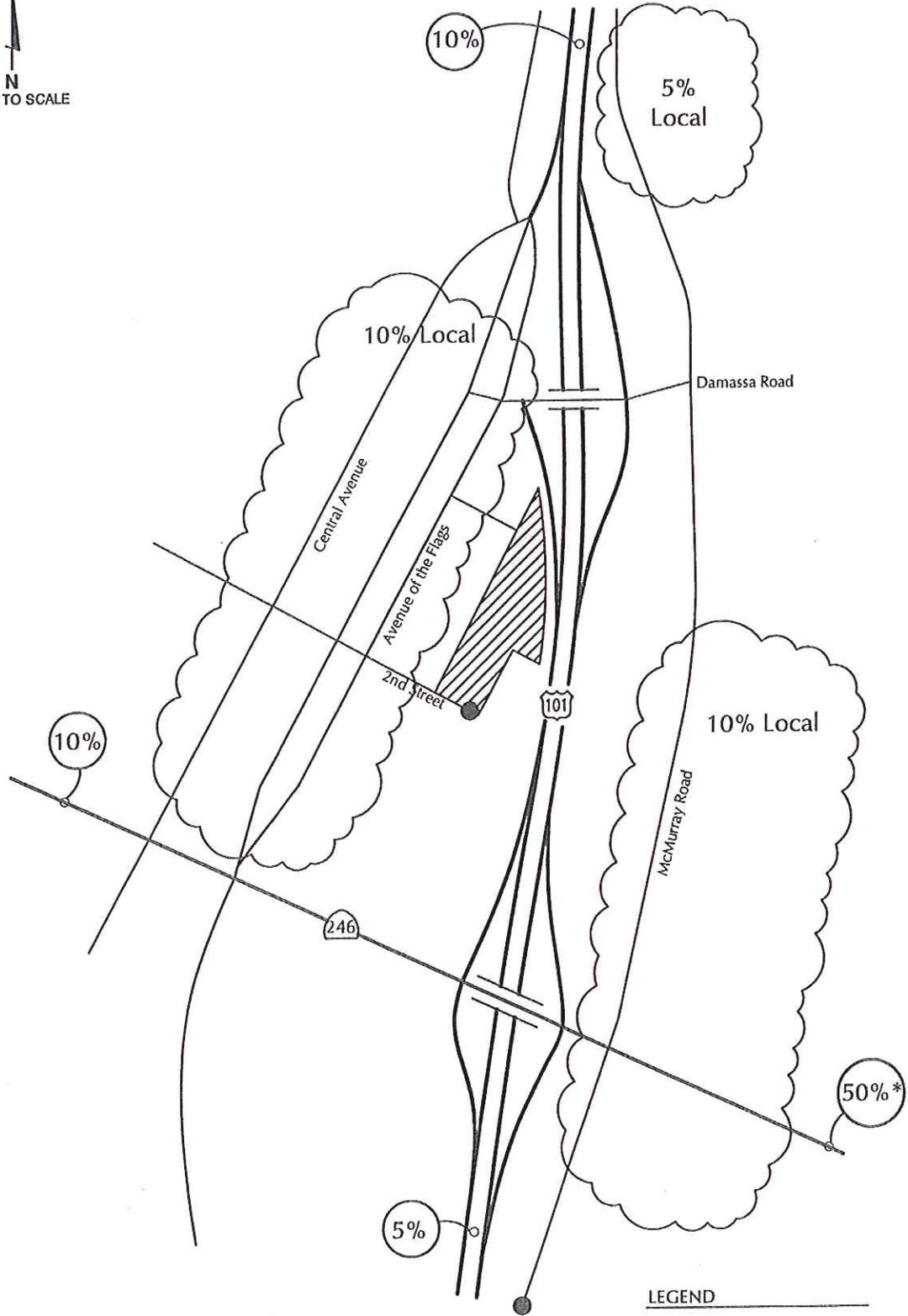
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4	4 BR	100.00	100
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97	97 BR	100.00	100
98	98 BR	100.00	100
99	99 BR	100.00	100
100	100 BR	100.00	100



AVENUE OF THE FLAGS

O'CONNELL AVENUE

Appendix A



LEGEND

○ - Distribution Percentage

* Assumes 40% via Damassa Road and 10% via SR 246

City of Buellton
**2nd Street Apartments
Project**



**Noise
Study**



January 2013



Rincon Consultants, Inc.
1530 Monterey Street, Suite D
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January 30, 2013
Project No. 13-00733

Sid Goldstien - Civil Engineer, Inc.
650 Alamo Pintado Road, Suite 302
Solvang, CA 93463

NOISE STUDY
2nd Street Apartments Project
Buellton, California

Dear Mr. Goldstien:

Rincon Consultants, Inc. is pleased to submit the attached Noise Study for the proposed 2nd Street Apartments project in Buellton, California. In general, standard residential construction methods would be sufficient for the proposed project. However, in order to ensure that interior noise levels would remain below the City's interior noise standard (45 dBA), Noise Reduction Measure N-1 is recommended to reduce interior noise levels in all units to less than 45 dBA with an adequate margin of safety.

If you have any questions regarding this study or if we can provide you with other consulting services, please feel free to contact us.

Sincerely,
RINCON CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "CB", with a long horizontal line extending to the right.

Chris Bersbach, MESM
Environmental Planner

A handwritten signature in black ink, appearing to read "Richard Daulton", written in a cursive style.

Richard Daulton, MURP
Principal

2nd Street Apartments Project Noise Study

Prepared for:

Sid Goldstien – Civil Engineer, Inc.
650 Alamo Pintado Road, Suite 302
Solvang, CA 93463

Prepared with the assistance of:

Rincon Consultants, Inc.
1530 Monterey Street, Suite D
San Luis Obispo, California 93401

January 2013

This report is printed on 50% recycled paper.

2nd Street Apartments Project Noise Study

Table of Contents

	Page
Cover Letter	
Project Description.....	1
Setting	1
Overview of Sound Measurement.....	2
Sensitive Receptors	2
Project Site Setting.....	2
Regulatory Setting	4
Impact Analysis.....	6
Methodology and Significance Thresholds.....	6
On-Site Exterior Noise Environment	6
Future Interior Noise Environment.....	8
References	11
List of Tables	
Table 1 On-Site Noise Measurement Results.....	4
Table 2 Calculated Exterior Noise Associated with Traffic on U.S. Highway 101 (between SR 246 and North Buellton)	7
List of Figures	
Figure 1 Noise Measurement Locations.....	5
Appendices	
Appendix: Noise Measurement Data and Traffic Noise Modeling Results	

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2ND STREET APARTMENTS PROJECT BUELLTON, SANTA BARBARA COUNTY NOISE STUDY

This report is an analysis of the potential noise impacts of the proposed 2nd Street Apartments Project located in Buellton, California in Santa Barbara County. The report has been prepared by Rincon Consultants, Inc. under contract to Sid Goldstien - Civil Engineer, Inc., in support of project design to reduce potential noise impacts. This technical analysis is intended to be incorporated into the California Environmental Quality Act (CEQA) documentation and/or other City submittal requirements for the project. The purpose of this study is to analyze the potential long-term noise impacts associated with the proposed project, including roadway noise from vehicle trips on U.S. Highway 101.

PROJECT DESCRIPTION

The 2nd Street Apartments project would involve the construction of a 62-unit apartment project on an approximately 3-acre site in the City of Buellton. The project site is located on 2nd Street on the west side of U.S. Highway 101, and is bordered by 2nd Street to the south, existing commercial development to the southeast, U.S. Highway 101 to the east, and Avenue of Flags and existing commercial development to the northwest.

Access to the project site would be via two new driveways, the first of which would be located at the cul-de-sac at the eastern end of 2nd Street, and the second of which would be located along Avenue of Flags and would provide ingress/egress to the project site between existing commercial developments.

Construction of the proposed apartment structures would be standard 2x4 wood framing with stucco and hardiboard exteriors and dual pane windows. The buildings located along the freeway would be two-story; however there would be 3-story elements in other buildings. There would be no outdoor use areas facing the freeway.

SETTING

Overview of Sound Measurement

Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz).

Sound pressure level is measured on a logarithmic scale with the 0 dB level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dB, and a sound that is 10 dB less than the ambient sound level has no effect on ambient noise. Because of the nature of the human ear, a sound must be about 10 dB greater



than the reference sound to be judged as twice as loud. In general, a 3 dB change in community noise levels is noticeable, while 1-2 dB changes generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40-50 dBA, while arterial streets are in the 50-60+ dBA range. Normal conversational levels are in the 60-65 dBA range, and ambient noise levels greater than 65 dBA can interrupt conversations.

Noise levels typically attenuate (or drop off) at a rate of 6 dB per doubling of distance from point sources (such as industrial machinery). Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dB per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dB per doubling of distance. Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm reduces noise levels by 5 to 10 dBA. Standard new residential construction typically provides a reduction of exterior-to-interior noise levels of 25 dBA or more (Federal Transit Administration, May 2006).

In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level). Typically, Leq is summed over a one-hour period. Lmax is the highest RMS (root mean squared) sound pressure level within the measuring period, and Lmin is the lowest RMS sound pressure level within the measuring period.

The time period in which noise occurs is also important since noise that occurs at night tends to be more disturbing than that which occurs during the day. Community noise is usually measured using Day-Night Average Level (Ldn), which is the 24-hour average noise level with a 10-dBA penalty for noise occurring during nighttime (10 p.m. to 7 a.m.) hours, or Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a 5 dBA penalty for noise occurring from 7 p.m. to 10 p.m. and a 10 dBA penalty for noise occurring from 10 p.m. to 7 a.m. Noise levels described by Ldn and CNEL usually do not differ by more than 1 dB.

Sensitive Receptors

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. The City of Buellton 2025 General Plan Noise Element includes a variety of land use and development types that are described as noise sensitive. These noise sensitive land uses include residences, hospitals, schools, guest lodging, libraries, and parks. The predominant noise sensitive land uses in the City are residential areas. Due to the proximity of the proposed uses to U.S. Highway 101, future residents at the proposed project may be exposed to excessive traffic noise from U.S. Highway 101.

Project Site Setting

The 2nd Street Apartments residential project site is located in Buellton, on 2nd Street on the west side of U.S. Highway 101, and is bordered by 2nd Street to the south, existing commercial



development to the southeast, U.S. Highway 101 to the east, and Avenue of Flags and existing commercial development to the northwest. The most common and primary sources of noise in the project site vicinity are motor vehicles (e.g., automobiles, buses, trucks, and motorcycles) along U.S. Highway 101. Motor vehicle noise from Avenue of Flags is not a major influence on noise levels on the project site due to the substantially lower level to traffic on this roadway, the distance from the project site boundary (approximately 350 feet), and the fact that transmission of sound from Avenue of the Flags is generally obstructed by a combination of existing commercial development and topography to the west of the site. The residential pad elevations proposed nearest the roadway will be approximately at-grade with the highway. Motor vehicle noise is of concern because it is characterized by a high number of individual events, which often create a sustained noise level, and because of its proximity to noise sensitive uses.

U.S. Highway 101 runs along the eastern boundary of the northern half of the project site; the southern half of the project site is separated from U.S. Highway 101 by commercial development and an undeveloped vegetated drainage swale. The project site is vegetated with a variety of trees and shrubs that partially shield the site from views of U.S. Highway 101. There are no existing sources of noise on the project site, as the site is currently undeveloped.

Automobiles, motorcycles, medium trucks, and heavy trucks are clearly audible from the project site. According to California Department of Transportation (Caltrans) traffic data, the AADT (Annual Average Daily Traffic, available from the Caltrans Traffic Data Branch) for the segment of U.S. Highway 101 between State Route 246 and north Buellton was 20,500 vehicles in 2011. The posted traffic speed along this segment of U.S. Highway 101 is 65 miles per hour (mph). Based on the volume of vehicle traffic along U.S. Highway 101 and the lack of other major noise sources on or near the project site, vehicle noise from U.S. Highway 101 remains the primary existing noise source on the project site.

The City of Buellton General Plan 2025 Noise Element (May 2007, Revised December 2008) provides noise contours from U.S. Highway 101, which represent lines of equal noise exposure, and provide a visualization of estimates of sound level. As shown on Figure N-2 of the General Plan Noise Element, the eastern portion of the project site, closest to U.S. Highway 101 is within the 70 dBA contour, and the remainder of the site is within the 65 dBA contour. Table N-3 of the General Plan Noise Element indicates that the 70 dBA contour extends 261 feet from U.S. Highway 101 immediately north of State Route 246. The 65 dBA noise contour extends 562 feet from U.S. Highway 101, and the 60 dBA noise contour extends 1,212 feet from U. S. Highway 101. The noise contours in the General Plan Noise Element represent noise levels circa 2005, and are based on an average daily traffic level of 20,000 vehicles on this section of U.S. Highway 101, based on data provided in 2006 by Caltrans. It should be noted that the more recent traffic levels (20,500 AADT in 2011), discussed above, are substantially similar to the 2005 traffic levels used to calculate the noise contours in the General Plan Noise Element.

Land forms and man-made structures have complex effects on sound transmission and on noise contours. Generally, barriers between a source and receiver absorb or reflect noise resulting in a quieter environment. Where vegetation, land forms, or other barriers do not interrupt the noise transmission path from source to receiver, the contours prove to be good estimates of the average noise level from roadway traffic. In areas where barriers interrupt the sound transmission, the noise contours overestimate the extent to which a source intrudes into the



community. The noise contour distances describe worst-case conditions because they do not account for any obstructions to the noise path, such as walls, berms, or buildings.

To determine existing noise levels on the project site, four weekday morning 20-minute noise measurements was taken on the project site using an ANSI Type II integrating sound level meter on January 23, 2013. These on-site noise measurements provide existing sound levels immediately following the a.m. peak hour period, which are primarily due to roadway noise from U.S. Highway 101. Figure 1 depicts the on-site noise measurement locations, and Table 1 identifies the measured noise levels.

Table 1
On-Site Noise Measurement Results

Measurement Number	Measurement Location	Distance from U.S. Highway 101 ¹	Sample Time	Leq (dBA)	Lmax (dBA)	Lmin (dBA)
1	Northern portion of project site – future building location	155 feet	Weekday morning	63.2	71.8	49.3
2	Central portion of project site – future building location	190 feet	Weekday morning	63.0	71.6	47.4
3	Northwestern portion of project site – future location of outdoor activity area	255 feet	Weekday morning	58.8	69.6	46.1
4	Southern portion of project site – future building location	390 feet	Weekday morning	52.2	64.8	43.5

Source: Field visit on January 23, 2013 using ANSI Type II Integrating sound level meter.

1. Distance is from the approximate centerline of U.S. Highway 101.

See Figure 1 for noise measurement locations.

See Appendix for noise monitoring data sheets

As shown in Table 1, the four noise measurements indicate that noise levels along U.S. Highway 101 at the project site were several decibels lower than the noise contours provided in the General Plan Noise Element. This is likely the result of noise attenuation due to the on-site vegetation and topography, which the noise contours do not account for.

Regulatory Setting

The City of Buellton has adopted noise standards in its General Plan Noise Element. Based on the Noise Element, the City maintains an exterior noise standard of 60 dBA Ldn and an interior standard of 45 dBA Ldn for residential uses (both single-family and multi-family) and an exterior standard of 65 dBA Ldn for hospital and nursing home, church, school, and library uses.





Noise Measurement Locations

Figure 1

IMPACT ANALYSIS

Methodology and Significance Thresholds

Noise levels associated with traffic along area roadways were calculated using the Traffic Noise Model Version 2.5 Look-Up Tables (U.S. Department of Transportation, Federal Highway Administration [FHWA], April 2004) (noise modeling data sheets can be viewed in the Appendix). The model calculations are based on estimated peak hour traffic volume along the adjacent segment of U.S. Highway 101, which was based on daily traffic data available from the Caltrans Traffic Data Branch. According to the Caltrans traffic data, the AADT for the segment of U.S. Highway 101 north of State Route 246 was 20,500 vehicles in 2011. Based on a ½% per year growth rate for U.S. Highway 101 (ATE, Personal Communication, 2013), by 2030 AADT along this segment of U.S. 101 would be 22,538 vehicles.

As indicated above, Buellton has adopted an exterior noise standard of 60 dBA Ldn and an interior noise standard of 45 dBA Ldn for residential uses (both single-family and multi-family). If future residential uses would be exposed to traffic noise increases exceeding Buellton's adopted noise standards (60 dBA for outdoor activity areas at residential land uses, and 45 dBA for indoor spaces at residential development and schools), impacts would be considered significant. For noise-sensitive land uses, the exterior compatibility standards are applied outside the building locations at noise-sensitive areas with frequent human use including outdoor patios, decks, pools, and play areas. If no such outdoor activity areas are present in a project, the exterior compatibility standards are applied near building doors and windows.

On-Site Exterior Noise Environment

The proposed residences on the project site would be exposed to noise from vehicular traffic along U.S. Highway 101. U.S. Highway 101 is the largest and most highly traveled roadway adjacent to the project site, and would therefore be the primary source of roadway noise. The buildings located along the freeway would be two-story; however there would be 3-story elements in other buildings. There would be no outdoor use areas facing U.S. Highway 101. None of the proposed floor plans would involve balconies or other second-floor outdoor living areas that would face U.S. Highway 101.

As discussed above, the General Plan Noise Element shows estimated roadway noise levels circa 2005, based on an average daily traffic level of 20,000 vehicles. Although 2011 traffic estimates (20,500 in 2011 [Caltrans, 2012]) are substantially similar to 2005 traffic levels, this analysis includes calculated estimates of roadway noise based on 2011 traffic levels in order to determine the extent to which the noise contours in the General Plan Noise Element may have changed since 2005.

The traffic noise analysis for existing conditions is based on AADT from the Caltrans Traffic Data Branch for the segment of U.S. Highway 101 between State Route 246 and north Buellton (Caltrans Traffic Data Branch, 2012). The traffic noise analysis for future conditions is based on a ½% per year growth rate for U.S. Highway 101 (ATE, Personal Communication, 2013) projected to 2030. Roadway noise levels were estimated using the Traffic Noise Model (TNM) Version 2.5 Look-Up Tables (U.S. Department of Transportation, Federal Highway Administration



[FHWA], April 2004). Because the Caltrans Traffic Data Branch provides highway traffic levels based on daily volume (AADT), and the TNM Look-Up Tables estimate traffic noise based on hourly traffic volumes, maximum peak-hour traffic volumes were assumed to be approximately 10% of daily traffic volume, which is a common factor for estimating hourly traffic volume. Therefore, based on an AADT of 20,500 in 2011, maximum peak-hour traffic volumes are assumed to be approximately 2,050 vehicles along the segment of U.S. Highway 101 between State Route 246 and north Buellton. Similarly, based on a projected maximum AADT of 22,538 for 2030, maximum peak-hour traffic volumes are assumed to be approximately 2,254 along the segment of U.S. Highway 101 between State Route 246 and north Buellton. Traffic along U.S. Highway 101 was assumed to travel at an average of 65 miles per hour, and to include an average mix of 90% automobiles, 5% medium trucks, and 5% heavy trucks.

Table 2 shows the estimated 2011 and 2030 noise levels at several distances from the centerline of U.S. Highway 101, including a reference distance of 100 feet, as well as similar distances to the noise measurement locations shown in Figure 1 and Table 1. Noise levels were calculated for both "soft" and "hard" conditions, which describes the surface over which the roadway noise travels on its way to a given receptor. The existing conditions on the project site include substantial unpaved surfaces and vegetation, which characterize "soft" conditions. The project site plans indicate that much of this surface would be replaced with paved parking areas, which characterize "hard" conditions. As described in Table 1, the noise measurement locations represent anticipated future on-site locations of buildings and outdoor use areas, based on the project site plans. A noise model summary and results are included in the Appendix.

Table 2
Calculated Exterior Noise Associated with Traffic on U.S. Highway 101
(between SR 246 and North Buellton)

Receptors	On-Site Noise Measurement (from Table 1, dBA Leq)	Calculated Exterior Noise Level, 2011, soft (dBA Leq)	Calculated Exterior Noise Level, 2011, hard (dBA Leq)	Calculated Exterior Noise Level, 2030, hard (dBA Leq)
Reference distance (100 feet)	n/a	69.8	74.1	74.5
Noise Measurement Location 1 (155 feet)	63.2	65.7	72.1	72.5
Noise Measurement Location 2 (190 feet)	63.0	63.9	71.2	71.6
Noise Measurement Location 3 (255 feet)	58.8	61.1	69.7	70.1



Table 2
Calculated Exterior Noise Associated with Traffic on U.S. Highway 101
(between SR 246 and North Buellton)

Receptors	On-Site Noise Measurement (from Table 1, dBA Leq)	Calculated Exterior Noise Level, 2011, soft (dBA Leq)	Calculated Exterior Noise Level, 2011, hard (dBA Leq)	Calculated Exterior Noise Level, 2030, hard (dBA Leq)
Noise Measurement Location 4 (390 feet)	52.2	57.3	67.6	68.0

Estimates of noise generated by traffic are based on distances measured from roadway centerline. Refer to Appendix for full noise model output. Noise levels presented do not account for attenuation provided by topography; therefore, actual noise levels at receptor locations influenced by study area roadways may in many cases be lower than presented herein.
Source: Federal Highway Administration Traffic Noise Model Version 2.5 Look-Up Tables.

As shown in Table 2, the calculated 2011 noise levels under "soft" conditions are 1-5 decibels higher than the measured noise levels depicted in Table 1. As described above, the calculated noise levels account for vegetation, land forms, or other barriers between a source and receiver, which absorb or reflect noise. In areas where vegetation, land forms, or other barriers interrupt the sound transmission, the noise contours overestimate the extent to which a source intrudes into the community. Therefore, the lower observed noise levels on the project are likely to be the result of noise attenuation due to the on-site vegetation and topography.

Based on the calculated on-site noise levels, on-site traffic noise could reach 72.1 dBA (the calculated noise level at Noise Measurement Location 1) under existing + project peak-hour conditions, and could reach 72.5 dBA under 2030 peak-hour traffic conditions.

Calculated noise levels at the outdoor activity area shown on the project site plans (Noise Measurement Location 3) are 69.7 dBA in 2011 and 70.1 dBA in 2030; however, actual future noise levels at this location would be substantially lower than these calculated noise levels, due to the fact that the proposed project includes a structure located between U.S. Highway 101 and the outdoor activity area. In order to estimate the noise reduction that would result from the intervening structure, noise levels for 2011 and 2030 were calculated using a barrier of 23 feet in height (a conservative/low estimate for the height of a two-story building) located between the highway and the proposed outdoor activity area. Under both 2011 and 2030 conditions, the calculated sound levels at this location would be reduced by 15.1 dBA with the inclusion of the described barrier. The resulting sound levels at this location would be 54.6 dBA in 2011 and 55.0 dBA in 2030. Therefore, the exterior noise level at the outdoor activity area would not be expected to exceed the City's exterior noise standard of 60 dBA Ldn for residential uses, and additional noise reduction measures would not be required.

Future Interior Noise Environment

Interior noise levels were calculated based on distance from U.S. Highway 101, and a review of the project site plans. As discussed above, U.S. Highway 101 would be the largest and most highly traveled roadway adjacent to the project site, and would therefore be the primary source



of roadway noise. Construction of the proposed apartment structures would be standard 2x4 wood framing with stucco and hardiboard exteriors and dual-pane windows.

Residential units closest to U.S. Highway 101 would require sound-rated window and wall assemblies capable of reducing noise levels in interior spaces to 45 dBA Ldn or less (Buellton's interior noise level requirement). In buildings of typical construction, interior noise levels are approximately 25 dBA lower than exterior noise levels (Federal Transit Administration, May 2006). For example, a unit exposed to exterior noise levels of 70 dBA Ldn would be 55 dBA Ldn inside with the windows partially open and 45 dBA Ldn with the windows shut.

As shown in Table 2, exterior noise levels could reach 72.1 dBA (the calculated noise level at Noise Measurement Location 1) under existing peak-hour conditions and could reach 72.5 dBA under 2030 peak-hour traffic conditions. Based on a standard estimate for noise reduction in interior spaces of approximately 25 dBA, interior noise levels for residences nearest U.S. Highway 101 would be approximately 47.1 dBA under existing peak-hour conditions, and 47.5 dBA under 2030 peak-hour traffic conditions, using standard residential construction techniques. This noise level would exceed the City's interior noise standard of 45 dBA Ldn for residential uses. Ensuring that interior noise levels are below 45 dBA under current and future conditions would require attaining an exterior-to-interior noise reduction of approximately 28 dBA. A reduction of 28 dBA with windows closed can be achieved by providing all units facing U.S. Highway 101 with upgraded dual glazed windows and solid core exterior doors with a sound transmission class (STC) rating 29 or higher, as well as exterior wall assemblies that have a STC rating of 45 or higher. Noise Reduction Measure N-1 requires these design elements as well as the requirement that the buildings meet the ventilation standards required by the Uniform Building Code with windows closed. Therefore, in order to ensure that interior noise levels would remain below the City's interior noise standard of 45 dBA Ldn, specific construction techniques are recommended as noise reduction measures.

Noise Reduction Measures

Interior noise levels would be reduced through implementation of the following noise reduction measures:

- N-1 Noise Reducing Building Construction Techniques.** Prior to issuance of building permits, the property owner/project developer should submit plans and specifications to the City Planning Department that include the following noise reduction measures:
- All on-site residential structures facing U.S. Highway 101 should include windows and exterior doors that have a minimum STC rating of 29 STC or higher. Exterior doors should be solid core and be installed with weather stripping.
 - All on-site residential structures facing U.S. Highway 101 should include exterior wall assemblies should have a STC rating of 45 or higher. This can be accomplished using standard wall assemblies using 2 by 4 inch studs, batt insulation in the wall cavities, and a double-layer of half-inch drywall on each side, or using staggered 2 by 4 inch studs with 2 by 6 inch top and bottom plates and a single-layer of half-inch drywall on each



side. (Other methods of achieving STC 45 in exterior wall assemblies can be found at

http://inspectapedia.com/BestPractices/Sound_Control3.htm,

<http://www.stcratings.com/assemblies.html>, and

http://www.sae.edu/reference_material/pages/STC%20Chart.htm.)

- All on-site residential structures facing U.S. Highway 101 should be provided with forced-air mechanical ventilation, as required by the California Building Code, to adequately ventilate the interior space of the units when windows are closed to control noise.

Incorporation of these design requirements would be expected to achieve an exterior-to-interior noise level reduction of up to 30 dBA.

Residual Impacts

Noise Reduction Measure N-1 would reduce interior noise levels in all units to lower than 45 dBA, satisfying the City's interior noise standard.



REFERENCES

- Associated Transportation Engineers, Inc. (ATE). Personal Communication, Dan Dawson. January 30, 2013.
- Buellton, City of. General Plan 2025 Noise Element. May 2007, Revised December 2008.
- California Department of Transportation (Caltrans) Traffic Operations Division. Caltrans Traffic Data Branch 2011 Traffic Volumes. 2012. Available online at: <http://traffic-counts.dot.ca.gov/>
- Federal Transit Administration, Office of Planning and Environment. *Transit Noise and Vibration Impact Assessment*. May 2006.
- U.S. Department of Transportation, Federal Highway Administration. Traffic Noise Model version 2.5. April 2004.



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01_SECAVE1

Noise Measurement 1

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MAX Value=71.8

MIN Value=49.3

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63.2,10:49:40,
63.3,10:49:50,
63.2,10:50:00,
63.2,10:50:10,
63.2,10:50:20,

63.2,10:50:30,
63.2,10:50:40,
63.2,10:50:50,

01_SECAVE1

Noise Measurement 2

Date Time=01/23/13 10:56:00

Sampling Time=10

Record Num= 120

Leq Value=63.0

SEL Value=93.8

MAX Value=71.6

MIN Value=47.4

Freq Weighting=A

Time weighting=Slow

63.1,10:56:00,
61.8,10:56:10,
60.1,10:56:20,
58.9,10:56:30,
59.5,10:56:40,
60.7,10:56:50,
60.8,10:57:00,
60.6,10:57:10,
60.7,10:57:20,
61.0,10:57:30,
60.8,10:57:40,
62.0,10:57:50,
61.7,10:58:00,
61.7,10:58:10,
61.6,10:58:20,
61.6,10:58:30,
61.7,10:58:40,
61.6,10:58:50,
61.4,10:59:00,
61.9,10:59:10,
61.9,10:59:20,
61.9,10:59:30,
61.9,10:59:40,
61.9,10:59:50,
62.0,11:00:00,
62.1,11:00:10,
62.3,11:00:20,
62.4,11:00:30,
62.6,11:00:40,
62.8,11:00:50,
62.9,11:01:00,
62.9,11:01:10,
63.1,11:01:20,
63.3,11:01:30,
63.2,11:01:40,
63.2,11:01:50,
63.2,11:02:00,
63.1,11:02:10,
63.1,11:02:20,
63.2,11:02:30,
63.2,11:02:40,
63.2,11:02:50,
63.2,11:03:00,
63.3,11:03:10,
63.2,11:03:20,
63.2,11:03:30,
63.2,11:03:40,
63.1,11:03:50,
63.1,11:04:00,
63.0,11:04:10,
63.0,11:04:20,
63.1,11:04:30,
63.1,11:04:40,
63.0,11:04:50,

02_SECAVE2

63.1,11:05:00,
63.0,11:05:10,
63.2,11:05:20,
63.1,11:05:30,
63.1,11:05:40,
63.1,11:05:50,
63.0,11:06:00,
63.0,11:06:10,
63.0,11:06:20,
62.9,11:06:30,
62.9,11:06:40,
62.9,11:06:50,
62.8,11:07:00,
62.8,11:07:10,
62.8,11:07:20,
62.9,11:07:30,
63.0,11:07:40,
63.0,11:07:50,
63.0,11:08:00,
63.2,11:08:10,
63.2,11:08:20,
63.2,11:08:30,
63.2,11:08:40,
63.2,11:08:50,
63.1,11:09:00,
63.2,11:09:10,
63.2,11:09:20,
63.1,11:09:30,
63.2,11:09:40,
63.2,11:09:50,
63.2,11:10:00,
63.2,11:10:10,
63.2,11:10:20,
63.2,11:10:30,
63.2,11:10:40,
63.2,11:10:50,
63.2,11:11:00,
63.2,11:11:10,
63.2,11:11:20,
63.1,11:11:30,
63.1,11:11:40,
63.1,11:11:50,
63.1,11:12:00,
63.0,11:12:10,
63.0,11:12:20,
63.0,11:12:30,
63.0,11:12:40,
63.0,11:12:50,
63.1,11:13:00,
63.1,11:13:10,
63.1,11:13:20,
63.0,11:13:30,
63.0,11:13:40,
63.1,11:13:50,
63.1,11:14:00,
63.1,11:14:10,
63.1,11:14:20,
63.1,11:14:30,
63.1,11:14:40,
63.1,11:14:50,
63.0,11:15:00,
63.0,11:15:10,
63.0,11:15:20,

02_SECAVE2

63.0,11:15:30,
63.0,11:15:40,
63.0,11:15:50,

Noise Measurement 3

Date Time=01/23/13 11:18:00

Sampling Time=10

Record Num= 120

Leq Value=58.8

SEL Value=89.6

MAX Value=69.6

MIN Value=46.1

Freq Weighting=A

Time Weighting=Slow

57.0,11:18:00,
57.1,11:18:10,
57.0,11:18:20,
60.2,11:18:30,
60.2,11:18:40,
59.7,11:18:50,
59.5,11:19:00,
59.2,11:19:10,
59.1,11:19:20,
59.3,11:19:30,
59.1,11:19:40,
58.9,11:19:50,
58.7,11:20:00,
58.4,11:20:10,
58.3,11:20:20,
58.1,11:20:30,
57.9,11:20:40,
57.7,11:20:50,
57.5,11:21:00,
57.5,11:21:10,
57.4,11:21:20,
57.5,11:21:30,
57.4,11:21:40,
57.7,11:21:50,
57.9,11:22:00,
57.9,11:22:10,
58.0,11:22:20,
58.0,11:22:30,
58.0,11:22:40,
58.1,11:22:50,
58.2,11:23:00,
58.2,11:23:10,
58.2,11:23:20,
58.3,11:23:30,
58.2,11:23:40,
58.1,11:23:50,
58.1,11:24:00,
58.0,11:24:10,
57.9,11:24:20,
57.9,11:24:30,
57.9,11:24:40,
58.0,11:24:50,
58.0,11:25:00,
58.0,11:25:10,
58.0,11:25:20,
58.1,11:25:30,
58.0,11:25:40,
58.0,11:25:50,
57.9,11:26:00,
57.8,11:26:10,
57.8,11:26:20,
57.9,11:26:30,
57.9,11:26:40,
58.0,11:26:50,

03_SEC3VE3

58.0,11:27:00,
58.4,11:27:10,
58.5,11:27:20,
58.4,11:27:30,
58.4,11:27:40,
58.4,11:27:50,
58.4,11:28:00,
58.3,11:28:10,
58.3,11:28:20,
58.3,11:28:30,
58.3,11:28:40,
58.2,11:28:50,
58.2,11:29:00,
58.2,11:29:10,
58.2,11:29:20,
58.3,11:29:30,
58.4,11:29:40,
58.5,11:29:50,
58.5,11:30:00,
58.7,11:30:10,
58.7,11:30:20,
58.6,11:30:30,
58.6,11:30:40,
58.6,11:30:50,
58.6,11:31:00,
58.6,11:31:10,
58.5,11:31:20,
58.5,11:31:30,
58.5,11:31:40,
58.5,11:31:50,
58.6,11:32:00,
58.6,11:32:10,
58.6,11:32:20,
58.6,11:32:30,
58.7,11:32:40,
58.7,11:32:50,
58.6,11:33:00,
58.6,11:33:10,
58.7,11:33:20,
58.7,11:33:30,
58.6,11:33:40,
58.6,11:33:50,
58.6,11:34:00,
58.6,11:34:10,
58.6,11:34:20,
58.6,11:34:30,
58.6,11:34:40,
58.7,11:34:50,
58.7,11:35:00,
58.7,11:35:10,
58.7,11:35:20,
58.7,11:35:30,
58.7,11:35:40,
58.7,11:35:50,
58.6,11:36:00,
58.6,11:36:10,
58.6,11:36:20,
58.7,11:36:30,
58.7,11:36:40,
58.7,11:36:50,
58.6,11:37:00,
58.7,11:37:10,
58.6,11:37:20,

03_SECAVE3

58.7,11:37:30,
58.7,11:37:40,
58.8,11:37:50,

04_SECAVE4

Noise Measurement 4

Date Time=01/23/13 12:06:00
Sampling Time=10
Record Num= 120
Leq Value=52.2 SEL Value=83.0
MAX Value=64.8
MIN Value=43.5
Freq Weighting=A Time Weighting=slow
53.9,12:06:00,
52.6,12:06:10,
52.7,12:06:20,
53.0,12:06:30,
53.0,12:06:40,
53.3,12:06:50,
53.4,12:07:00,
53.3,12:07:10,
53.2,12:07:20,
53.0,12:07:30,
53.0,12:07:40,
52.9,12:07:50,
52.8,12:08:00,
52.8,12:08:10,
52.9,12:08:20,
53.0,12:08:30,
53.1,12:08:40,
53.2,12:08:50,
53.3,12:09:00,
53.3,12:09:10,
53.3,12:09:20,
53.3,12:09:30,
53.2,12:09:40,
53.2,12:09:50,
53.5,12:10:00,
53.5,12:10:10,
53.5,12:10:20,
53.5,12:10:30,
53.5,12:10:40,
53.4,12:10:50,
53.4,12:11:00,
53.3,12:11:10,
53.3,12:11:20,
53.3,12:11:30,
53.2,12:11:40,
53.3,12:11:50,
53.2,12:12:00,
53.2,12:12:10,
53.1,12:12:20,
53.1,12:12:30,
53.0,12:12:40,
53.0,12:12:50,
52.9,12:13:00,
52.9,12:13:10,
52.8,12:13:20,
52.7,12:13:30,
52.7,12:13:40,
52.7,12:13:50,
52.7,12:14:00,
52.6,12:14:10,
52.6,12:14:20,
52.7,12:14:30,
52.7,12:14:40,
52.6,12:14:50,

04_SECAVE4

52.6,12:15:00,
52.6,12:15:10,
52.6,12:15:20,
52.5,12:15:30,
52.5,12:15:40,
52.4,12:15:50,
52.4,12:16:00,
52.4,12:16:10,
52.4,12:16:20,
52.4,12:16:30,
52.3,12:16:40,
52.5,12:16:50,
52.7,12:17:00,
52.7,12:17:10,
52.7,12:17:20,
52.7,12:17:30,
52.6,12:17:40,
52.6,12:17:50,
52.6,12:18:00,
52.5,12:18:10,
52.5,12:18:20,
52.5,12:18:30,
52.5,12:18:40,
52.5,12:18:50,
52.4,12:19:00,
52.4,12:19:10,
52.4,12:19:20,
52.4,12:19:30,
52.4,12:19:40,
52.4,12:19:50,
52.4,12:20:00,
52.4,12:20:10,
52.4,12:20:20,
52.3,12:20:30,
52.3,12:20:40,
52.3,12:20:50,
52.3,12:21:00,
52.3,12:21:10,
52.3,12:21:20,
52.2,12:21:30,
52.2,12:21:40,
52.2,12:21:50,
52.2,12:22:00,
52.2,12:22:10,
52.2,12:22:20,
52.2,12:22:30,
52.2,12:22:40,
52.1,12:22:50,
52.1,12:23:00,
52.1,12:23:10,
52.1,12:23:20,
52.1,12:23:30,
52.0,12:23:40,
52.0,12:23:50,
52.0,12:24:00,
52.0,12:24:10,
52.0,12:24:20,
51.9,12:24:30,
51.9,12:24:40,
52.1,12:24:50,
52.2,12:25:00,
52.2,12:25:10,
52.2,12:25:20,

04_SECAVE4

52.2,12:25:30,
52.2,12:25:40,
52.2,12:25:50,

05_TNM Look-up 101 - 2011 soft
* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

2nd Ave Apts 2011: U.S. Highway 102 N of Buellton (soft)

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h):	1845.0
Average automobile speed (mph):	65.0
Medium truck volume (v/h):	102.5
Average medium truck speed (mph):	65.0
Heavy truck volume (v/h):	102.5
Average heavy truck speed (mph):	65.0
Bus volume (v/h):	0.0
Average bus speed (mph):	0.0
Motorcycle volume (v/h):	0.0
Average Motorcycle speed (mph):	0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: soft

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Reference Distance

Distance from center of 12-ft wide, single lane roadway (ft):	100.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	69.8

DESCRIPTION OF RECEIVER # 2

Noise Meas Loc 1

Distance from center of 12-ft wide, single lane roadway (ft):	155.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	65.7

DESCRIPTION OF RECEIVER # 3

Noise Meas Loc 2

Distance from center of 12-ft wide, single lane roadway (ft):	190.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	63.9

DESCRIPTION OF RECEIVER # 4

Noise Meas Loc 3

Distance from center of 12-ft wide, single lane roadway (ft):	255.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	61.1

DESCRIPTION OF RECEIVER # 5

Noise Meas Loc 4

Distance from center of 12-ft wide, single lane roadway (ft):	390.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	57.3

06_TNM Look-up 101 - 2011 hard
* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

2nd Ave Apts 2011: U.S. Highway 102 N of Buellton (hard)

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h):	1845.0
Average automobile speed (mph):	65.0
Medium truck volume (v/h):	102.5
Average medium truck speed (mph):	65.0
Heavy truck volume (v/h):	102.5
Average heavy truck speed (mph):	65.0
Bus volume (v/h):	0.0
Average bus speed (mph):	0.0
Motorcycle volume (v/h):	0.0
Average Motorcycle speed (mph):	0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Reference Distance

Distance from center of 12-ft wide, single lane roadway (ft):	100.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	74.1

DESCRIPTION OF RECEIVER # 2

Noise Meas Loc 1

Distance from center of 12-ft wide, single lane roadway (ft):	155.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	72.1

DESCRIPTION OF RECEIVER # 3

Noise Meas Loc 2

Distance from center of 12-ft wide, single lane roadway (ft):	190.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	71.2

DESCRIPTION OF RECEIVER # 4

Noise Meas Loc 3

Distance from center of 12-ft wide, single lane roadway (ft):	255.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	69.7

DESCRIPTION OF RECEIVER # 5

Noise Meas Loc 4

Distance from center of 12-ft wide, single lane roadway (ft):	390.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	67.6

07_TNM Look-up 101 - 2030 hard
* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

2nd Ave Apts 2030: U.S. Highway 102 N of Buellton (hard)

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h):	2028.6
Average automobile speed (mph):	65.0
Medium truck volume (v/h):	112.7
Average medium truck speed (mph):	65.0
Heavy truck volume (v/h):	112.7
Average heavy truck speed (mph):	65.0
Bus volume (v/h):	0.0
Average bus speed (mph):	0.0
Motorcycle volume (v/h):	0.0
Average Motorcycle speed (mph):	0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Reference Distance

Distance from center of 12-ft wide, single lane roadway (ft):	100.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	74.5

DESCRIPTION OF RECEIVER # 2

Noise Meas Loc 1

Distance from center of 12-ft wide, single lane roadway (ft):	155.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	72.5

DESCRIPTION OF RECEIVER # 3

Noise Meas Loc 2

Distance from center of 12-ft wide, single lane roadway (ft):	190.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	71.6

DESCRIPTION OF RECEIVER # 4

Noise Meas Loc 3

Distance from center of 12-ft wide, single lane roadway (ft):	255.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	70.1

DESCRIPTION OF RECEIVER # 5

Noise Meas Loc 4

Distance from center of 12-ft wide, single lane roadway (ft):	390.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	68.0

08_TNM Look-up 101 - 2011 hard - Loc3 barrier
* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

2nd Ave Apts 2011: U.S. Highway 102 N of Buellton (hard) Loc3 barrier

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h):	1845.0
Average automobile speed (mph):	65.0
Medium truck volume (v/h):	102.5
Average medium truck speed (mph):	65.0
Heavy truck volume (v/h):	102.5
Average heavy truck speed (mph):	65.0
Bus volume (v/h):	0.0
Average bus speed (mph):	0.0
Motorcycle volume (v/h):	0.0
Average Motorcycle speed (mph):	0.0

* * * * BARRIER INFORMATION * * * *

Distance from center of 12-ft wide, single lane roadway to barrier (ft):	98.4
Barrier height (ft):	23.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Noise Measurement Loc 3

Distance from center of 12-ft wide, single lane roadway (ft):	255.0
A-weighted Hourly Equivalent Sound Level with Barrier (dBA):	54.6
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	69.7
A-weighted Barrier Insertion Loss (dBA):	15.1

09_TNM Look-up 101 - 2030 hard - Loc3 barrier
* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

2nd Ave Apts 2030: U.S. Highway 102 N of Buellton (hard) Loc3 barrier

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h):	2028.6
Average automobile speed (mph):	65.0
Medium truck volume (v/h):	112.7
Average medium truck speed (mph):	65.0
Heavy truck volume (v/h):	112.7
Average heavy truck speed (mph):	65.0
Bus volume (v/h):	0.0
Average bus speed (mph):	0.0
Motorcycle volume (v/h):	0.0
Average Motorcycle speed (mph):	0.0

* * * * BARRIER INFORMATION * * * *

Distance from center of 12-ft wide, single lane roadway to barrier (ft):	98.4
Barrier height (ft):	23.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Noise Measurement Loc 3

Distance from center of 12-ft wide, single lane roadway (ft):	255.0
A-weighted Hourly Equivalent Sound Level with Barrier (dBA):	55.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA):	70.1
A-weighted Barrier Insertion Loss (dBA):	15.1

PLANNING COMMISSION RESOLUTION NO. 13-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE FINAL DEVELOPMENT PLAN (12-FDP-02) FOR THE DEVELOPMENT OF 62 APARTMENTS LOCATED AT 90 SECOND STREET, ASSESSOR'S PARCEL NUMBER'S 137-170-053 and 137-170-011, 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 the Santa Ynez Band of Chumash Indians, property owner, and Sid Goldstien, agent, hereinafter referred to as "Applicant", requesting approval to develop the Buellton Apartments, a 62 unit apartment complex located at 90 Second Street (APN's 137-170-053 and 137-170-011). The subject property is currently zoned CR (General Commercial) with an AHOZ designation (Affordable Housing Overlay Zone).

SECTION 2: The proposed Project consists of:

A. Final Development Plan (12-FDP-02): Approval of 62 apartment units (32 one-bedroom, 26 two-bedroom and 4 three-bedroom units) and 116 parking spaces on a 4.19 acre project site. The subject property is planned and zoned for General Commercial (CR) with an Affordable Housing Overlay (AHOZ). The AHOZ overlay allows residential projects at a density of 25 units per acre with a requirement that 20% of the units be affordable to target households. The proposed 62 units meet the 25 unit per acre requirement and 12 of the units will be affordable.

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 conducted by the Planning Commission on July 18, 2013 ("PC Public Hearing").
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 12-FDP-02 and the set of project plans dated April 9, 2013.
- b. The staff report dated July 18, 2013.
- c. The 2005 Final EIR for the City of Buellton General Plan Land Use Element and Circulation Element Update and July 2013 Addendum

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 PC Public Hearing was published in a newspaper of general circulation on July 4, 2013 (the "PC Public Notice"), a minimum of 10 days in advance of the PC Public Hearing conducted on July 18, 2013.
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 July 3, 2013, a minimum of 10 days in advance of the PC Public Hearing.
3. The PC Public Notice was posted in three public locations on July 3, 2013, a minimum of 10 days in advance of the PC Public Hearing.

C. Environmental Review. The proposed project is adequately addressed in the 2005 Final EIR for the City of Buellton General Plan Land Use Element and Circulation Element Update (Final EIR) and July 2013 Addendum and both documents have been prepared in accordance with the California Environmental Quality Act. The applicable mitigation measures from the Final EIR and Addendum have been included as conditions of approval. The Final EIR is available for review at the Buellton Planning Department and is hereby incorporated herein by reference. The Addendum was adopted by separate action on July 18, 2013, by Resolution No. 13-07.

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.

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 has been previously identified as an AHOZ site at 25 units per acre and the proposed site improvements and

conditions of approval allow for adequate circulation around and through the site.

- ii.** No adverse impacts have been identified with this project through the incorporation of the mitigation measures from the Final EIR and Addendum that have been made conditions of approval.
- iii.** That streets and highways are adequate and properly designed pursuant to the requirements of the City Engineer. Secondary access is provided to the Avenue of Flags. 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 commercial uses or for a residential project that meets the AHOZ criteria. The proposed project meets the density and affordable housing requirements of the AHOZ overlay. The surrounding land uses are commercial. The proposed Project is expected to be compatible with the surrounding area because the surrounding uses are not incompatible with a residential project as evidenced by the zoning of the property that envisions residential in the commercial area.
- 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).
- vii.** That the project will not conflict with any easements required for public access through, or use of, a portion of the property as none exist on this property.

- viii. That the proposed development is in conformance with the Agrarian architectural style as described in 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 recommends that the City Council approve the Final Development Plan 12-FDP-12 subject to the attached conditions.

PASSED, APPROVED and ADOPTED this 18th day of July 2013.

Art Mercado
Chair

ATTEST:

Clare Barcelona
Planning Commission Secretary

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. 13-07 was duly approved by the Planning Commission of the City of Buellton at a meeting held on the 18th day of July 2013, by the following vote, to wit.

AYES: (0)
 NOES: (0)
 ABSENT: (0)
 NOT VOTING: (0)

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of July, 2013.

Clare Barcelona
 Planning Commission Secretary

CONDITIONS OF APPROVAL

BUELLTON APARTMENTS FINAL DEVELOPMENT PLAN 12-FDP-02

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: A request by the Santa Ynez Band of Chumash Indians, property owner, and Sid Goldstien, agent (the "Applicant") for Final Development Plan 12-FDP-02 for the Buellton Apartments, a 62-unit apartment complex located on a 4.19 acre site (the "Project"). The Project is located at 90 Second Street, Assessor's Parcel Numbers 137-170-053 and 137-170-011 (the "Property"). The Project plans that are included in this approval are dated April 9, 2013. The approved color palette is on the color elevations date stamped April 10, 2013 and 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 the Santa Ynez Band of Chumash Indians, 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. **“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.
- f. **“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.
- g. **“Mitigation Measures”** means conditions and measures required to mitigate environmental effects of the Project as identified in General Plan Update EIR in connection with the Project under the provisions of the California Environmental Quality Act of 1970, as applicable.
- h. **“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.
- i. **“Project”** means and includes all of the actions described in the Project description above.
- j. **“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.

- k. **“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.
 - l. **“Property”** means the land and improvements identified in the Project Description.
 - m. **“Property Owner”** means the Santa Ynez Band of Chumash Indians, 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.
 - n. **“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.
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 60 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 shall record this document on title to the subject Property prior to or

concurrently with the filing of a Zoning Clearance. The Applicant, and all successors or assignees, 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. MITIGATION MEASURES

Noise

15. **N-1 Noise Reducing Building Construction Techniques.** Prior to issuance of the building permits, the property owner/project developer shall submit plans and specifications to the City Planning Department that include the following noise reduction measures:

a. All on-site residential structures facing U.S. Highway 101 shall include windows and exterior doors that have a minimum STC rating of 29 STC or higher. Exterior doors shall be solid core and be installed with weather stripping.

b. All on-site residential structures facing U.S. Highway 101 shall include exterior wall assemblies with a STC rating of 45 or higher. This can be accomplished using standard wall assemblies using 2 by 4 inch studs, batt insulation in the wall cavities, and a double-layer of half-inch drywall on each side, or using staggered 2 by 4 inch studs with 2 by 6 inch top and bottom plates and a single layer of half inch drywall on each side. Other methods of achieving STC 45 in exterior wall assemblies can be found at:

http://inspectapedia.com/bestpractices/sound_control3.htm

<http://www.stcratings.com/assemblies.html>

http://www.sae.edu/reference_material/pages/STC%20Chart.htm

c. All onsite residential structures facing U.S. Highway 101 shall be provided with forced-air mechanical ventilation, as required by the Uniform Building Code, to adequately ventilate the interior space of the units when windows are closed to control noise.

16. **N-1(b) Noise in Exterior Areas.** Exterior usable areas for residential units that border sources of unacceptable noise levels shall be located within an interior courtyard.

Aesthetics

17. **AES-2(a) Glare Prevention.** New structures shall utilize non-reflective exterior materials to prevent glare, as feasible.

Air Quality

18. **AQ-3(a) Standard Dust Control Procedures.** During clearing, grading, earth moving, or excavation operation, excessive fugitive dust emissions shall be controlled by regular watering, paving construction roads, or other dust preventive measures such as using the following procedures:
- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible.
 - Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
 - Gravel pads must be installed at all access points to prevent tracking of mud on to public roads.
 - If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
 - After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
 - 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 offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading for the structure.
 - Prior to land use clearance, the applicant shall include, as a note on a separate informational sheet to be recorded with map, these dust control requirements. All requirements shall be shown on grading and building plans.
19. **AQ-3(b) Application of Standard CBACT.** Best available control technology for construction equipment (CBACT) shall be applied to the piece of construction equipment estimated to cause the highest level of combustion emissions during any proposed construction, based on APCD standards. CBACT technology may include the following: fuel injection timing retard of 2 degrees; installation of high pressure injectors; coating of internal combustion surfaces (cylinder head, pistons, and valves); and/or use of reformulated diesel fuel.
20. **AQ-3(c) Standard Ozone Precursor Controls.** At all times, ozone precursor emissions shall be controlled not only through the routine maintenance of all

construction equipment, but construction activities shall also be required to utilize new technologies to control ozone precursor emissions including:

- Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) should be utilized wherever feasible.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction equipment shall be maintained in tune per the manufacturer's specifications.
- Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or precombustion chamber engines.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Biology

21. **B-1 Replacement Oak Trees.** Three replacement native Coast Live Oak trees shall be planted on the site to mitigate the loss of each Coast Live Oak tree that is removed. Two replacement California Sycamore trees shall be planted on the site to mitigate the loss of each California Sycamore tree that is removed. Based on the project plans, 27 oak trees and one sycamore tree are proposed to be removed. Therefore, 81 replacement oak trees and two replacement sycamore trees are required. Fifteen replacement oak trees and two replacement sycamore trees are proposed on the project site. Sixty-six replacement oak trees shall be planted at other locations within the City as determined by the Planning Director, or an in-lieu fee of \$300 per tree shall be paid prior to issuance of the building permit.

The replacement trees shall be five gallon in size and grown from native stock in the Santa Ynez valley. The planting locations shall be as shown on the Landscape Plan for the project and shall have a 100% survival rate. Newly planted replacement trees shall be maintained until successfully established as determined by a City qualified biologist or arborist. This shall include protection (e.g., tree shelters, caging from animals such as deer and rodents), regular weeding (minimum of once in early Fall and once in early Spring) of at least a three-foot radius out from plantings, and adequate watering (e.g., drip irrigation system).

Native trees shall be weaned of all supplemental irrigation after three years. A City-approved biologist or arborist shall provide photo-documentation and a written evaluation of the health of relocated and replacement trees to the City Planning Department annually for the first 5 years following replacement. The annual field survey shall occur in late spring to early summer with the written report due by August 1. Any trees determined not to survive during the initial 5 year monitoring period shall be replaced at a 1:1 ratio, and shall be monitored for an additional 5 years to ensure survival.

22. **B-2 Existing Oak Trees.** All remaining oak trees noted on the project plans shall be incorporated into the design of the project and shall not be removed. During construction, fencing shall be installed along the dripline of the trees and shall be staked six feet on center. No construction equipment or materials shall be stored within six feet of the dripline of the trees. Any roots encountered over one inch in diameter shall be properly cut and sealed under the direction of an approved biologist/arborist.
23. **B-6(a) Prohibition of Invasive Plants.** Plants considered to be invasive by the California Exotic Pest Plant Council shall be prohibited in new development adjacent to permanent open space/natural areas within the City. Wherever site development is proposed adjacent to a special-status plant habitat an appropriate buffer of fire retardant and native vegetation shall remain or be established between the sensitive area and the proposed development.
24. **B-7(a) Ground Disturbance Timing.** In order to avoid impacts to nesting birds including the ground-nesting northern harrier, or other birds protected under the Migratory Bird Treaty Act, all initial project specific ground disturbing activities and tree removal as a result of future development shall be limited to the time period between September 15 to March 1. If initial development project specific site disturbance, grading, and tree removal cannot be conducted during this time period, pre-construction surveys for active nests within the limits of proposed grading areas should be conducted by a qualified biologist two weeks prior to any construction activities. If active nests are located, then all construction work must be conducted outside a non-disturbance buffer zone at a distance established by the city in consultation with the CDFG. No disturbance to the nest shall occur until the adults and young are no longer reliant on the nest site.
25. **B-7(a) Pet Brochure.** Applicants of residential projects adjacent to open space or other habitat areas shall be required to prepare a brochure that informs prospective homebuyers about the impacts associated with non-native animals, especially cats and dogs, and other non-native animals, to sensitive habitat areas. The brochure shall also describe measures homeowners can take to minimize impacts of pets on wildlife. Similarly, the brochure shall inform potential homebuyers of the potential for coyotes or other wildlife to prey on domestic animals in areas where appropriate.

26. **B-7(a) Night Lighting Standards.** Night lighting of public areas near sensitive habitats shall be kept to the minimum necessary for safety purposes:
- (1) Exterior lighting within 100 feet of open space habitat shall be shielded and aimed as needed to avoid spillover into habitat areas. Decorative lighting shall be low intensity.
 - (2) Use of high-intensity floodlights on residential/ commercial lots shall be shielded and aimed as needed to avoid spillover into habitat areas including open space, vineyard, and agricultural areas.
27. **B-7(a) Wildlife Habitat Buffer.** Wherever site development is proposed adjacent to wildlife habitat an appropriate buffer for fire safety and native vegetation shall remain or be established between the habitat area and the proposed development.
28. **B-7(a) Migration Corridors.** Natural migration corridors including the Santa Ynez River, Zaca Creek, Thumbelina Creek, and the tributary drainages throughout the City shall be maintained in a manner designed to promote wildlife movement and protection and the safe and accessible passage of wildlife under busy roadways. New roadways that cross migration/movement corridors shall be designed to accommodate wildlife passage.

Cultural Resources

29. **CR-1(a) Halt Work Order for Archaeological Resources.** If archaeological resources are exposed during construction of individual projects pursuant to the Land Use or Circulation Elements, all earth disturbing work within the vicinity of the find must be temporarily suspended until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. A representative should monitor any mitigation excavation associated with Native American materials.

Geology

30. **G-4(a) Grading and Erosion Control Plan.** A grading and erosion control plan that minimizes erosion, sedimentation and unstable slopes shall be prepared and implemented by the applicants for development projects, prior to issuance of Grading Permits. It must include one or more of the following erosion reduction methods, as determined by the City Engineer:
- a. Methods such as retention basins, drainage diversion structures, spot grading, silt fencing/coordinated sediment trapping, straw bales, and sand bags shall be used to minimize erosion on slopes and siltation into Santa Ynez River, Zaca Creek and Thumbelina Creek during grading and construction activities.

- b. Graded areas shall be revegetated within 4 weeks of grading activities with deep-rooted, native, drought-tolerant species to minimize slope failure and erosion potential. If determined necessary by the Planning Department, irrigation shall be provided. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.
- c. After construction of tract improvements, exposed areas shall be stabilized to prevent wind and water erosion, using methods approved by the Planning Department and Air Pollution Control District. These methods may include importing of topsoil is to be imported and spread on the ground surface in areas having soils that can be transported by the wind, and/or the mixing of the highly erosive sand with finer-grained materials (silt or clay) in sufficient quantities to prevent its ability to be transported by wind. The topsoil or silt/clay mixture is to be used to stabilize the existing soil to prevent its ability to be transported by wind. As a minimum, six inches of topsoil or silt/clay/sand mixture is to be used to stabilize the wind-erodable soils.
- d. Where necessary, site preparation shall include the removal of all or a portion of the expansive soils at the building sites and replacement with compacted fill.
- e. Where necessary, construction on transitional lots shall include overexcavation to expose firm sub-grade, use of post tension slabs in future structures, or other geologically acceptable method.
- f. Landscaped areas adjacent to structures shall be graded so that drainage is away from structures.
- g. Irrigation shall be controlled so that overwatering does not occur. An irrigation schedule shall be reviewed and approved by Planning and Building prior to land use clearance for grading.
- h. Grading on slopes steeper than 5:1 shall be designed to minimize surface water runoff.
- i. Fills placed on slopes steeper than 5:1 shall be properly benched prior to placement of fill.
- j. Brow ditches and/or berms shall be constructed and maintained above all cut and fill slopes, respectively.
- k. Cut and fill benches shall be constructed at regular intervals.
- l. Retaining walls shall be installed to stabilize slopes where there is a 10-foot or greater difference in elevation between buildable lots.
- m. The applicant shall limit excavation and grading to the dry season of the year (typically April 15 to November 1, allowing for variations in weather) unless a Planning Department Building and Safety approved erosion control plan is in place and all measures therein are in effect.
- n. The applicant shall post a bond with the County and hire a Planning Department-approved geologist or soils engineer prior to land use clearance for grading, and to ensure that erosion is controlled and mitigation measures are properly implemented.

Hazardous Materials

31. **S-1(b) Previously Unidentified Hazardous Materials.** In the event that hazardous waste and/or materials, including chemical odors or stained soils, are encountered during construction of future development sites, the following actions shall be taken by the applicant or authorized agent thereof: (1) all work in the vicinity of the suspected contaminant will be halted; (2) all persons shall be removed from the area; (3) the site shall be secured under the direction of the County Fire Department; and (4) the City of Buellton Hazardous Waste/Materials Coordinator shall be notified. Work shall not recommence until such time as the find is evaluated and appropriate measures are implemented as necessary to the satisfaction of the California Department of Toxic Substances Control.

Drainage

32. **HWQ-3(b) Pervious Paving Material.** This project shall develop plans/practices for minimizing runoff rates and volumes of stormwater on-site to allow percolation to the underlying aquifer. Some methods that may be used to facilitate groundwater recharge and reduce surface water runoff may include, but are not limited to, the use of pervious paving material within parking lots and other paved areas to facilitate rainwater percolation.
33. **HWQ-4(a) Storm Water Quality Measures.** Best Management Practices (BMPs) shall be implemented to the project design in addition to construction activities. Water quality control devices shall be installed to intercept water flowing off of proposed parking lots and roadway surfaces for urban infill projects. Whenever feasible, the preferred approach to treating surface runoff will be the use of vegetated drainage swales. The chosen method for treating runoff will be a proven and documented pollution prevention technology that removes oil and sediment from stormwater runoff, and retains the contaminants for safe and easy removal. The chosen device shall possess design features to prevent resuspension of previously collected contaminants and materials, and contain a built-in diversion structure to divert intense runoff events and prevent scouring of the previously collected sediments. The filter devices shall be sized to capture all dry weather surface runoff and accommodate storm events as specified in the City's SWMP. The storm water quality system must be reviewed and approved by the City and Regional Water Quality Control Board (if applicable).
34. **HWQ-4(b) Stormwater BMP/LID Maintenance Plan.** All stormwater BMP/LID devices in new development shall be required to be cleaned and maintained in accordance with the manufacturer's maintenance specifications. The timing shall be at least twice per year: just prior to the onset of the rainy season (i.e., November 1st) and immediately after the end of the rainy season (i.e., May 1st). The maintenance plan must be submitted and approved by the City Engineer. Annual reporting documenting compliance shall be submitted to the City Engineer.

C. ENGINEERING CONDITIONS**PRIOR TO GRADING PERMIT ISSUANCE:**

35. **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.
36. **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.
37. **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.
38. **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.
39. **Hydrology Report.** 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. In addition, the report shall discuss the required stormwater management plan requirements and the LID proposed for compliance. CASQA Manuals and Guidelines shall be used for references.
40. **RWQCB.** 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.

Stormwater management shall be incorporated in the improvement plans (low impact development). Pre and post development hydrology shall be consistent, considering flow volume and discharge. Design measures that minimize storm water run-off shall be incorporated. When possible, grading and drainage shall be designed so that the Effective Impervious Area is minimized. Examples include curb openings integration to enable run-off direction towards landscaped areas and impervious surfaces for infiltration. A maintenance/water quality control plan shall be submitted and include an owner's statement that maintenance of facilities will occur regularly (at least twice 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.

41. **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.
42. **Standard Details.** 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.
43. **Mylars.** 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.
44. **Sureties.** A faithful performance and labor/material bond for the grading and utilities (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 the City has approved a Notice of Completion and after receipt/approval of the As-built Record Drawings.
45. **Geotechnical Engineer.** 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.

46. **CLOMR.** The applicant shall process a Conditional Letter of Map Revision (CLOMR) with FEMA to remove the project site from the flood zone. Reasonable progress shall be made prior to issuance of the grading permit, such that certainty to approval can be reached. CLOMR will need to be approved and accepted by FEMA prior to issuance of Certificate of Occupancy.

PRIOR TO BUILDING PERMIT ISSUANCE:

47. **Grading Permit.** The applicant shall obtain a grading permit from the City Engineer prior to obtaining a building permit.
48. **Rough Grading.** Rough grading certification by the geotechnical engineer shall be approved by the City Engineer prior to obtaining a building permit.
49. **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.

PRIOR TO OCCUPANCY CLEARANCE:

50. **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."
51. **Water and Sewer Fees.** The applicant shall pay water and sewer utilities fees from the Public Works Department prior to occupancy. In addition, all pretreatment and FOG compliance requirements must be in place prior to payment of water/sewer fees and occupancy.
52. **Access Agreement.** A cross-access agreement shall be made between APN 137-170-053 and APN 137-170-011 and shall be recorded.

GENERAL CONDITIONS:

53. **City Standards.** Unless superceded 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.
54. **Utility Easements.** Existing and proposed easements for all utilities shall be located and described on the engineering plans.
55. **Utility Locations.** All utilities shall be shown on the plans. Proposed water and sewer lines shall be highlighted. Lines on-site shall be maintained as private.

56. **Access.** Main access to the buildings shall be from Second Street. The driveway access to the north, from Avenue of Flags is secondary and shall be used primarily for emergency access.
57. **Walking Trail.** Pursuant to the City's Bicycle and Pedestrian Master Plan, a walking trail shall be incorporated on-site for a "creekside trail". The trail head, paths, fencing and educational signs, shall be developed adjacent to Zaca Creek, which will ultimately connect to a southerly trail. The trail area (width of 10', the length of the trail) shall be deeded to the City in fee or dedicated as an easement at the discretion of the City. The developed trail system shall be maintained by the property owner until such time that the entire trail route along Zaca Creek has been developed.

D. PLANNING CONDITIONS

58. **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.
59. **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 is 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 provided for, 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.
60. **Fire Department**. The Project is located within the jurisdiction of the County Fire Department and shall comply with all applicable standards of that agency.
 61. **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.
 62. **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.

63. **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.
64. **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.
65. **Community Design Guidelines.** The Project shall be in conformance with the Community Design Guidelines.
66. **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.
67. **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 required as part of the building permit plans, and open areas visible from public rights-of-way shall be landscaped and irrigated.
68. **Landscape Maintenance.** Following installation, all landscaping shall be continuously maintained thereafter for a period of not less than three (3) months 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 prerequisite to granting Final Building Inspection Clearance. A formal written request for such inspection shall be accompanied by a certification from the Project landscape architect as to the Project's conformity with the approved plans and specifications, together with a twelve (12) month warranty on all landscaping materials.

69. **Landscape Maintenance Agreement.** The Applicant shall acknowledge and sign the City's Landscape and Maintenance Agreement prior to issuance of the first 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.
70. **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.
71. **Approval.** Approval of 12-FDP-02 (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.
72. **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.
73. **Parking.** A total of 107 parking spaces are required for the Project. This includes two and a half spaces each for the 3-bedroom units (10 spaces), two spaces each for the 2-bedroom units (52 spaces), one space each for the 1-bedroom units (32 spaces), and 13 guest spaces. 116 parking spaces are proposed.
74. **Signage.** Signage for the project will require a separate Zoning Clearance from the Buellton Planning Department.

75. **Architectural Design.** The architectural design of the buildings shall conform to that shown on the architectural elevations and color boards for the project with a design style of Agrarian.
76. **Masonry Block.** All masonry walls shall be split face block.
77. **Bike Racks.** Bike racks to accommodate 6 bicycles shall be provided as shown on the project plans.
78. **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.
79. **Second Story Balconies.** A minimum of 50% of the upstairs units shall have usable balcony areas.
80. **Zaca Creek.** All flatwork within the 50 foot setback area shall require permits from the California Department of Fish and Game prior to the time of construction. This may require a biological survey of the Zaca Creek area in order to apply and obtain the permit.
81. **Enclosed Storage.** A minimum of 200 cubic feet of enclosed storage shall be provided for each unit.
82. **Tree Trimming.** All existing trees incorporated into the project that overhang parking spaces and drive aisles shall be trimmed by a certified arborist.
83. **Additional Open Space Amenities.** Additional open space amenities shall be provided in the areas behind and between Buildings 1, 2, and 3. At minimum this shall include a walking path and benches.

E. AFFORDABLE HOUSING OVERLAY ZONE

84. **Affordable Housing.** The AHOZ ordinance requires that 20% of the 62 units (12.4 units) be made affordable in the very low, low, and moderate income categories. Therefore, five very low income units, four low income units, and three moderate income units are required per the AHOZ Ordinance with the payment of an in-lieu fee for the 0.4 of a unit. One additional very low income unit may be substituted for two of the moderate income units. The housing in-lieu fee for 2012 is \$73,500, so the fee due would be \$29,400. Please note that the housing in-lieu fee for the Buellton Apartments will be based on the 2013 housing in-lieu fee. The 2013 fee is effective July 1, 2013, however it is currently being finalized by the County of Santa Barbara Housing and Community Development Department.

As a condition precedent to obtaining a building permit, the Applicant shall prepare and submit an Affordable Housing Agreement in City standard format for review and approval by City Council prior to execution. The purpose of the Affordable Housing Agreement is to create easements, conditions, covenants, restrictions, liens, servitudes, and charges upon and subject to which Affordable Units and each and every part and portion thereof shall be occupied, owned, maintained, held, leased, rented, sold, and conveyed. As a condition prerequisite to obtaining a Final Building Inspection Clearance, the Affordable Housing Agreement shall be recorded against the units having such Affordable Units. The form and content of the Affordable Housing Agreement shall be determined by the City and, among things, address: (i) the size, type and location of Affordable Units to be constructed on-site; (ii) affirmative marketing procedures and the City's right of first refusal to occupy Affordable Units with Target Households of its choosing; (iii) price and resale restrictions, with the City's right to recapture a share of equity for sales that occur prior to expiration of the affordability period; (iv) income verification, tenant screening, eligibility re-certification and inspection procedures, with the Applicant's obligation to pay an annual monitoring fee for the term of required affordability; and (v) tenant relocation requirements, rights of continued occupancy and tenant occupancy standards.

85. **Duration of Affordability.** All Affordable Units shall be completed and occupied concurrent with the non-restricted dwellings. Except to the extent a longer period of time may be required by other provisions of law, all Affordable Units required shall remain affordable, and occupied by, the Target Households for the longest feasible time, but for not less than the following: (i) 55 years for renter-occupied dwelling units; and (ii) 45 years for owner-occupied dwelling units.

86. **Operative Terms.** The determination of income, computation of affordable housing costs, definition of Target Households and all other operative terms bearing on the provision of the Affordable Units shall be governed by the provisions of the Affordable Housing Ordinance ("AHO") codified in Chapter 19.16 of the Buellton Municipal Code. Any in-lieu fees are based on the most current fee schedule for the Santa Ynez Housing Market Area as periodically updated by the County of Santa Barbara Housing and Community Development Department.

87. **Property Management.** The Property Owner shall adhere to the following Property management practices:
 - a. **Management Agent.** The Property Owner shall insure that the Property will be operated by an experienced management agent (the "Management Agent"), reasonably acceptable to the City. The Property Owner and Management Agent shall operate the Project, including the Affordable Units, in a manner that will provide decent, safe, and sanitary residential facilities to the occupants thereof. The Property Owner and Management

Agent shall insure that all nuisance issues and parking violations are taken care of and resolved in a timely manner. The Property Owner and Management Agent shall comply with the reporting requirements and inspection requirements stipulated in the Affordable Housing Agreement.

- b. Performance Review. Upon the City's request, but not more often than annually, the Property Owner and Management Agent shall cooperate with the City in the periodic review of management practices and conditions of the Property, and for compliance with the notification requirements of the Affordable Housing Agreement.
- c. Replacement of Management Agent. Any contract for the operation or management of the Property entered into by the Property Owner shall provide that the contract may be terminated upon thirty (30) days written notice. The Property Owner's failure to remove the Management Agent after written notice from the City requesting replacement of the Management Agent and setting forth the reasons for the request shall constitute a default under the Affordable Housing Agreement.

F. FIRE DEPARTMENT CONDITIONS

88. **Fire Protection Certificate.** A Fire Protection Certificate will be required for each new building.
89. **Hazardous Materials.** Stop work immediately and contact the Fire Department, Hazardous Materials Unit (HMU) at 805-686-8170 if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.
90. **Elevator.** If an elevator is required for any building, the elevator car shall be able to accommodate a 24-inch by 84-inch ambulance stretcher in the horizontal, open position.
 - Emergency medical services symbols shall be placed on both sides of the elevator car door frame.
 - The symbol shall be a minimum of 3 inches high.
91. **Building Height.** If a building or portion of a building exceeds 30 feet in height Section D 105 of the California Fire Code shall be followed.
92. **Access Ways.** All access ways (public and private, road and driveways) shall be installed, made serviceable and maintained for the life of the project.
 - Access shall be as shown on plans dated April 9, 2013, and received April 10, 2013.
 - Surface shall be paved.

- A minimum of 13 feet, 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.
93. **Temporary Addresses.** Temporary address posting is required during construction.
94. **Fire Hydrants.** New commercial fire hydrants shall be installed, number and locations shall be determined by the fire department.
- The Fire Department shall have on file a set of approved fire hydrant plans prior to any work being started.
 - Fire hydrants shall be located per Fire Department specifications and shall flow 1250 gallons per minute at 20 psi residual pressure.
 - Commercial fire hydrants shall consist of one 4-inch outlet and two 2-1/2-inch outlets.
 - A set of approved fire hydrant plans, stamped and dated by the Fire Department shall be kept at the job site and available on request.
 - Water systems shall be installed exactly as the approved fire hydrant plans dictate. No changes or modifications to these plans shall take place without prior Fire Department approval.
 - No work shall be covered or otherwise inaccessible or unviewable prior to inspection by a Fire Department representative.
95. **Fire Lanes.** Signs indicating “Fire Lane – No Stopping” shall be placed every 150 feet as required by the Fire Department. Refer to current adopted California Fire Code.
96. **Fire Sprinklers.** An automatic fire sprinkler system shall be installed.
- Fire sprinkler plans shall be approved by the Fire Department prior to installation.
 - A set of approved plans, stamped and dated by the Fire Department shall be kept at the job site and available upon request.
 - The Fire Department shall determine the location of any Fire Department connection (FDC) that may be required.
 - FDC shall be labeled per NFPA 13.
 - Water systems shall be installed exactly as the approved plans dictate. No changes or modifications to these plans shall take place without prior fire department approval.
 - No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by the Fire Department.
97. **Alarm Systems.** An automatic fire or emergency alarm system shall be installed.
- Automatic fire or emergency alarm system plans shall be approved by the fire department.

- Alarm panel locations and annunciator graphics shall be approved by the Fire Department prior to installation.
98. **Addresses.** Recorded addressing for the residential buildings and suites is required by the fire department.
99. **Address Numbers.** Address numbers shall be a minimum height of four inches for residential.
- Address number locations shall be approved by the Fire Department.
 - Address numbers shall be a color contrasting to the background color.
 - The address number shall be elevated at least three feet from the ground for clear visibility and easy directional identification.
 - The numbers shall be visible from the access road when traveling in either direction.
100. **Fees.** Payment of development impact fees is required when new additional square footage is built. The fees shall be computed on all new square footage, including non-habitable spaces. Fees will be calculated as follows:
- Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems.
101. **Condition Changes.** These conditions apply to the Project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

G. COUNTY OF SANTA BARBARA BUILDING DIVISION CONDITIONS

102. **California Codes.** Applications for building permit submitted on or after January 1, 2014, will be subject to the 2013 California Codes.
103. **Accessible Path.** Provide and detail an accessible path of travel throughout the site including the common area and playground equipment.
104. **Accessible Parking.** Provide accessible parking as required per chapter 11A of the current California Building Code.
105. **Accessible Units.** Fully detail and dimension all accessible features at all ground floor accessible and adaptable units.
106. **Caltrans Right-of-Way.** Plans will need to clearly identify the location of the Caltrans right-of-way.

107. **California Green Code.** Incorporate California Green Code compliance on the plans.
108. **Flood Conditions.** Specify on the plans any Flood Control/flood plain related conditions of approval.
109. **Egress Plan.** Two exits from the second and third floors may be required. Provide an egress plan in the building construction drawings which indicate compliance with the applicable code exiting requirements.

H. FINANCE DEPARTMENT CONDITIONS

110. **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.
111. **Impact Fees.** The project applicant shall pay the water, sewer, park, and traffic impact fees in accordance with City requirements.