CITY OF BUELLTON

CITY COUNCIL AGENDA
Regular Meeting of October 12, 2017 at 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 City Council after distribution of the agenda packet, are available for public inspection in the Office of the City Clerk, located at 107 West Highway 246, during normal business hours.

CALL TO ORDER

Mayor Holly Sierra

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Members Dave King, Art Mercado, Foster Reif, Vice Mayor Ed Andrisek, and Mayor Holly Sierra

REORDERING OF AGENDA

PUBLIC COMMENTS

Speaker Slip to be completed and turned in to the City Clerk prior to commencement of meeting. Any person may address the Council on any subject pertaining to City business, including all items on the agenda not listed as a Public Hearing, including the Consent Agenda and Closed Session. Limited to three (3) minutes per speaker. By law, no action may be taken at this meeting on matters raised during Public Comments not included on this agenda. Public Speakers using a translator are allotted a total of six (6) minutes to speak, unless simultaneous translation equipment is used.

CONSENT CALENDAR (ACTION)

The following items are considered routine and non-controversial and are scheduled for consideration as a group. Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion. Members of the Public may speak on Consent Agenda items during the Public Comment period.

1. Minutes of September 28, 2017 Regular City Council Meeting

2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2017-18

3. Monthly Treasurer's Report through August 31, 2017

- *(Staff Contact: Finance Director Shannel Zamora)*

4. Monthly Private Project Balance Report through August 31, 2017
- *(Staff Contact: Finance Director Shannel Zamora)*

PRESENTATIONS

PUBLIC HEARINGS (POSSIBLE ACTION)

5. Resolution No. 17-17 – "A Resolution of the City Council of the City of Buellton, California, Revising the Safety Element of the General Plan (17-GPA-01) by Adding Wording Regarding the 2017 Local Hazard Mitigation Plan"
- *(Staff Contact: City Manager Marc Bierdzinski)*

6. Resolution No. 17-19 – "A Resolution of the City Council of the City of Buellton, California, Approving a Mitigated Negative Declaration (17-MND-02) and Mitigation Monitoring and Reporting Program for the Avenue of Flags Specific Plan"

Ordinance No. 17-04 – "An Ordinance of the City Council of the City of Buellton, California, Adopting the Avenue of Flags Specific Plan (17-SP-01)" (Introduction and First Reading)
- *(Staff Contact: Contract Planner Irma Tucker)*

COUNCIL MEMBER COMMENTS/ITEMS

WRITTEN COMMUNICATIONS

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

COMMITTEE REPORTS

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

BUSINESS ITEMS

CITY MANAGER'S REPORT

ADJOURNMENT

The next meeting of the City Council will be held on Thursday, October 26, 2017 at 6:00 p.m.

City Manager Review: MPB
Council Agenda Item No.: 1

CITY OF BUELLTON

CITY COUNCIL MEETING MINUTES
Regular Meeting of September 28, 2017
City Council Chambers, 140 West Highway 246
Buellton, California

CALL TO ORDER

Mayor Holly Sierra called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Council Members Dave King, Art Mercado, Vice Mayor Ed Andrisek, and Mayor Holly Sierra

Excused Absence: Council Member Foster Reif

Staff: City Manager Marc Bierdzinski, Finance Director Shannel Zamora, Public Works Director Rose Hess, City Attorney Steve McEwen, Lt. Shawn O'Grady, and City Clerk Linda Reid

PUBLIC COMMENTS

Carol Gross, Buellton, spoke about how the Council should stand by the decisions they make and discussed her concern that changing Council decisions sets a bad precedent.

Richard Kusmitch, Buellton, asked how the City's Five Year Capital Improvement Program is processed and administered.

CONSENT CALENDAR

Mayor Sierra asked that Item 6 be pulled for discussion.

1. Minutes of August 24, 2017 Regular City Council Meeting

2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2017-18

3. Monthly Activity Report – Enterprise Funds through August 31, 2017

4. Revenue and Expenditure Reports through June 30, 2017

5. Revenue and Expenditure Reports through August 31, 2017

7. Quarterly Report for April 1, 2017 through June 30, 2017 from Visit Santa Ynez Valley (VisitSYV)

MOTION:
Motion by Vice Mayor Andrisek, seconded by Council Member Mercado approving Consent Calendar Items 1, 2, 3, 4, 5, and 7 as listed.

VOTE:
Motion passed by a roll call vote of 4-0.
Council Member King – Yes
Council Member Mercado – Yes
Vice Mayor Andrisek - Yes
Mayor Sierra – Yes

6. Financial Report for Fourth Quarter Ending June 30, 2017

Mayor Sierra questioned issues related to Item 6.

MOTION:
Motion by Mayor Sierra, seconded by Council Member Mercado approving Consent Calendar Item 6 as listed.

VOTE:
Motion passed by a roll call vote of 4-0.
Council Member King – Yes
Council Member Mercado – Yes
Vice Mayor Andrisek - Yes
Mayor Sierra – Yes

PRESENTATIONS

None

PUBLIC HEARINGS

None

COUNCIL MEMBER COMMENTS/ITEMS

Vice Mayor Andrisek asked when the lighting on Industrial Way will be brought back for Council consideration. Vice Mayor Andrisek asked about street sweeping options due to the lack of access to curbs as a result of long term parked vehicles.

Council Member King announced that he, Mayor Sierra, and Vice Mayor Andrisek attended the League of California Cities (LOCC) Annual Conference in Sacramento and that the conference provided worthwhile information.

Vice Mayor Andrisek complimented Buellton's local business Excelta on their growth and prosperity.

Mayor Sierra announced the ribbon cutting for new sidewalks along Highway 246 and Avenue of Flags and the honoring of resident Lew Adkins for his persistence in getting the sidewalks installed.

WRITTEN COMMUNICATIONS

None

COMMITTEE REPORTS

Council Member Mercado announced that he attended three ad hoc water and sewer rate committee meetings and that the meetings were very well received by the commercial participants.

Vice Mayor Andrisek announced that he attended the board meeting for Santa Barbara County Association of Governments (SBCAG) and provided an oral report regarding the meeting.

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

Mayor Sierra announced that she attended a meeting of the Central Coast Collaborative on Homelessness and provided an oral report for the record.

BUSINESS ITEMS

8. Santa Ynez Valley Union High School District Superintendent Scott Cory to Provide an Update Regarding the Measure K Bond Projects

Superintendent Cory provided the Council with an update regarding the Measure K Bond Projects. Gary Hall Jr. spoke about the new swimming pools at the high school.

9. Consideration of Appointment to the Planning Commission

RECOMMENDATION:
That the City Council make an appointment to the Planning Commission with the term of office expiring December 2018.

STAFF REPORT:
City Manager Bierdzinski presented the staff report and announced that Michael Pointer withdrew his Planning Commission application prior to the meeting.

DOCUMENTS:
Staff report with attachments as listed in the staff report.

DISCUSSION:
The Council requested that Marcilo Sarquilla discuss why he would like to serve on the Planning Commission.

DIRECTION:
The City Council agreed by consensus to appoint Marcilo Sarquilla to the Planning Commission with term expiring December 2018.

10. Resolution No. 17-18 - "A Resolution of the City Council of the City of Buellton, California, Approving the First Amendment of the Water Supply Agreement Between the City of Buellton and Central Coast Water Authority (CCWA) and Approving the First Amendment of the Joint Exercise of Powers Agreement Creating CCWA"

RECOMMENDATION:
That the City Council consider the adoption of Resolution No. 17-18.

STAFF REPORT:
City Attorney McEwen presented the staff report.

DOCUMENTS:
Staff report with attachments as listed in the staff report.

MOTION:
Motion by Vice Mayor Andrisek, seconded by Council Member King approving Resolution No. 17-18 – "A Resolution of the City Council of the City of Buellton, California, Approving the First Amendment of the Water Supply Agreement Between the City of Buellton and Central Coast Water Authority (CCWA) and Approving the First Amendment of the Joint Exercise of Powers Agreement Creating CCWA"

VOTE:
Motion passed by a roll call vote of 4-0.
Council Member King - Yes
Council Member Mercado - Yes
Vice Mayor Andrisek - Yes
Mayor Sierra - Yes

CITY MANAGER'S REPORT

City Manager Bierdzinski provided an informational report to the City Council.

CLOSED SESSION ITEMS

11. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9, subdivision (d)(4) (one case)

The City Council met in Closed Session to discuss Item No. 11. No reportable action was taken.

ADJOURNMENT

Mayor Sierra adjourned the regular meeting at 7:05 p.m. The next regular meeting of the City Council will be held on Thursday, October 12, 2017 at 6:00 p.m.

_____
Holly Sierra
Mayor

ATTEST:

_____
Linda Reid
City Clerk

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

The following is a list of claims to be ratified and approved for payment by the City Council at the **October 12, 2017** Council Meeting.

Listed below is a brief summary of the attached claims:

EXHIBIT A *	A/P Packet #APPKT00587	192,526.05	
	A/P Packet #APPKT00584	80,547.11	
	A/P Packet #APPKT00582	267,280.22	
	A/P Packet #APPKT00578	71,910.04	
	Total A/P Packets:	$612,263.42	(8 pages)
	Utility Packet #UBPKT00805	136.04	(1 page)
	Total Packets:	$612,399.46	
EXHIBIT B		$58,741.50	
CC Payroll	9/28/2017	1,887.22	
Staff Payroll	9/29/2017	42,201.16	
	Total Payroll:	$44,088.38	
TOTAL AMOUNT OF CLAIMS:		**$715,229.34**	

* The A/P Packets above will be approved on Council Agenda date of 10/12/2017
Checks to be signed on 10/12/17 tie to A/P Packet #APPKT00587
Checks previously signed by staff to avoid late fees relate to:
A/P Packets # APPKT00578, APPKT00582 and APPKT00584
Utility Packet # UBPKT00805

58
10/4/17

Payments via Electronic Fund Transfer (EFT):
From 09/19/2017 through 10/03/2017

Bank Fee	9/20/2017	12.00
Bank Fee	9/25/2017	24.00
Bank Fee	9/29/2017	94.10
Payroll Tax - EDD	9/29/2017	164.85
CalPERS - Classic	9/29/2017	146.08
CalPERS - PEPRA	9/29/2017	118.00
Payroll Tax - IRS	9/29/2017	96.42
CalPERS - Medical	10/2/2017	21,589.75
CalPERS - Classic	10/2/2017	5,919.32
Payroll Tax - EDD	10/2/2017	2,308.52
CalPERS - PEPRA	10/2/2017	2,004.20
Payroll Tax - IRS	10/2/2017	8,541.70
BOE	10/3/2017	48.00
DCP-AUL	10/3/2017	17,674.56
Total		**58,741.50**

Check Report - APPKT#'s 00578, 00582, 00584 and 00587

City of Buellton, CA

By Payment Number

Payment Dates 09/20/2017 - 10/04/2017

Payment Number	Payment Date / Payable Number	Vendor # / Description	Vendor Name	Account Number	Project Account Key	Payment Amount / Item Amount
35163	9/21/2017	001184	ALBERTSONS/SAFEWAY			122.39
	INV0008320	8/23-9/8/2017 Misc Supplies		001-410-61130		32.56
	INV0008320	8/23-9/8/2017 Misc Supplies		001-511-67140		12.99
	INV0008320	8/23-9/8/2017 Misc Supplies		005-701-61130		42.57
	INV0008320	8/23-9/8/2017 Misc Supplies		005-701-61140		34.27
35164	9/21/2017	001206	ALLIANT MEDIA GROUP, INC.			545.95
	34804	5/10-5/11/2017 PD Phone Install & S		001-558-67705		545.95
35165	9/21/2017	000028	ARAMARK UNIFORM SERVICES INC			434.66
	INV0008318	August 2017 Mats/Towels Service		001-558-60800		347.73
	INV0008318	August 2017 Mats/Towels Service		005-701-60800		86.93
35166	9/21/2017	001205	Bobcat Springs Mutual			100.00
	INV0008305	9/9/2017 REFUND - RVP Security Dep		001-22510		100.00
35167	9/21/2017	001159	BROTHERS' GLASS COMPANY INC			98.03
	1848	9/11/2017 Misc Maintenance/Repair		001-558-60250		98.03
35168	9/21/2017	000090	CalPERS LONG-TERM CARE PROGRAM			84.25
	11956898	Long Term Care		001-22166		84.25
35169	9/21/2017	000118	COASTAL COPY, INC.			22.19
	INV0008303	08/16-9/15/2017 CH Copier - Overag		001-410-61130		22.19
35170	9/21/2017	001089	GINA SIGMAN			90.00
	INV0008308	8/8-9/11/2017 Flow Yo-Yoga		001-511-67140		90.00
35171	9/21/2017	011244	HERMILA SANCHEZ			66.50
	INV0008315	8/9-9/11/2017 Zumba		001-511-67140		66.50
35172	9/21/2017	011300	KAREN PALMER			35.00
	INV0008310	8/9-9/11/2017 Kundalini Yoga		001-511-67140		35.00
35173	9/21/2017	000812	KOSMONT & ASSOCIATES, INC.			2,052.21
	1707.1-001	8/1-31/2017 ED Services 2017-2018		001-565-60800		2,052.21
35174	9/21/2017	000779	LASH CONSTRUCTION, INC.			3,721.31
	11807	9/5/2017 Repair Water Service		020-601-60250		3,721.31
35175	9/21/2017	011321	LAURA COGAN			15.00
	INV0008309	8/8-9/11/2017 Cycle Training		001-511-67140		15.00
35176	9/21/2017	011336	LAURA GARCIA dba			126.00
	INV0008312	8/9-9/11/2017 Flamenco Dance		001-511-67140		126.00
35177	9/21/2017	001132	MAILE INEMAN			372.60
	INV0008313	8/9-9/11/2017 Pilates		001-511-67140		372.60
35178	9/21/2017	011343	MARIANNE MADSEN			360.00
	INV0008314	8/9-9/11/2017 Yoga Class		001-511-67140		360.00
35179	9/21/2017	000669	O'CONNOR & SONS dba			105.00
	30174089	9/5/2017 PO Monthly Pest Control Se		001-558-60800		105.00
35180	9/21/2017	000350	OLIVERA'S REPAIR, INC			70.87
	116068	8/24/2017 Vehicle Maint - 2012 Chev		005-701-60270		70.87

Payment Number	Payment Date / Payable Number	Vendor # / Description	Vendor Name	Account Number	Project Account Key	Payment Amount / Item Amount
35181	9/21/2017	000352	P G & E			35,158.71
	INV0008322	8/4-9/5/2017 Electric Service		001-410-61241		992.49
	INV0008322	8/4-9/5/2017 Electric Service		001-501-61241		630.64
	INV0008322	8/4-9/5/2017 Electric Service		001-510-61241		411.31
	INV0008322	8/4-9/5/2017 Electric Service		001-550-61241		5,204.24
	INV0008322	8/4-9/5/2017 Electric Service		001-552-61241		537.08
	INV0008322	8/4-9/5/2017 Electric Service		001-556-61241		91.66
	INV0008322	8/4-9/5/2017 Electric Service		001-565-61241		279.54
	INV0008322	8/4-9/5/2017 Electric Service		005-701-61241		9,898.24
	INV0008322	8/4-9/5/2017 Electric Service		020-601-61241		17,113.51
35182	9/21/2017	000861	POLYDYNE INC.			1,144.31
	1170673	9/13/2017 BL# 6506530 Chemicals		005-701-61111		1,144.31
35183	9/21/2017	000989	SANDEE KESSLER			288.00
	INV0008316	8/9-9/11/2017 Vinyasa & Mommy&		001-511-67140		288.00
35184	9/21/2017	001116	SANTA YNEZ VALLEY STAR			1,024.00
	1212	912/2017 REC Advertisement		001-511-60510		1,024.00
35185	9/21/2017	000441	SB CO - PUBLIC WORKS DEPT			743.00
	IRWMP 16-17	Services -> 6/30/2017 IRWM Progra		001-551-67575		743.00
35186	9/21/2017	000465	SP MAINTENANCE SERVICES, INC.			2,821.00
	63219	August 2017 - Street Sweeping per C		001-558-60800		2,821.00
35187	9/21/2017	001111	TETRA TECH, INC.			18,780.00
	51218028	Services-> 8/25/2017 Crossroads		001-22416	90010-070	18,530.00
	51218029	Services-> 8/25/2017 - Townhomes		001-22416	90021-070	250.00
35188	9/21/2017	000979	THADDEUS JECKELL			98.00
	INV0008311	6/14-9/11/2017 Wrestling		001-511-67140		98.00
35189	9/21/2017	000543	USA BLUEBOOK INC			397.06
	358595	9/5/2017 Misc Supplies		005-701-61140		397.06
35190	9/21/2017	000782	WAGE WORKS			134.00
	299453	August 2017 FSA/AFLAC Administrati		001-401-50400		21.69
	299453	August 2017 FSA/AFLAC Administrati		001-402-50400		10.85
	299453	August 2017 FSA/AFLAC Administrati		001-403-50400		10.85
	299453	August 2017 FSA/AFLAC Administrati		001-420-50400		18.52
	299453	August 2017 FSA/AFLAC Administrati		001-511-50400		12.25
	299453	August 2017 FSA/AFLAC Administrati		001-558-50400		17.35
	299453	August 2017 FSA/AFLAC Administrati		001-565-50400		9.45
	299453	August 2017 FSA/AFLAC Administrati		005-701-50400		16.52
	299453	August 2017 FSA/AFLAC Administrati		020-601-50400		16.52
35191	9/21/2017	001009	WATER CONSULTANCY INC,			2,900.00
	278	Services -> 9/1/2017 per Agreement (		020-601-60800		2,900.00
35195	9/27/2017	000019	AMERICAN INDUSTRIAL PIPE & SUPPLY			273.98
	0067382-IN	9/11/2017 Misc Supplies		005-701-60250		157.32
	0310760-IN	9/11/2017 Misc Supplies		005-701-60250		116.66
35196	9/27/2017	000868	BRIAN DUNSTAN			100.00
	INV0008338	9/7&21/2017 Planning Commission		001-565-50010		100.00
35197	9/27/2017	000105	CITY OF BUELLTON			1,955.61
	INV0008366	8/25-9/25/2017 Irrigation 595 2nd/O		001-552-61211		1,955.61
35198	9/27/2017	000655	COAST NETWORX, INC.			1,307.01
	19523	9/25/2017 Planning Dept - Workstati		001-565-60210		1,307.01

Payment Number	Payment Date / Payable Number	Vendor # / Description	Vendor Name	Account Number	Project Account Key	Payment Amount / Item Amount
35199	9/27/2017	000118	COASTAL COPY, INC.			388.59
	750702	8/18-9/17/2017 - Revenue Spec - Ov		001-410-61130		10.05
	750702	8/18-9/17/2017 - CH-Main - Overage		001-410-61130		342.96
	750702	8/18-9/17/2017 - Fin Dir - Overage P		001-410-61130		35.58
35200	9/27/2017	000122	COMCAST CABLE			129.39
	INV0008324	9/18-10/17/2017 CC Chambers Inter		001-410-61292		129.39
35201	9/27/2017	000140	DAN HEEDY			100.00
	INV0008340	9/7&21/2017 Planning Commission		001-565-50010		100.00
35202	9/27/2017	000629	ED ANDRISEK			387.28
	INV0008323	9/13-9/15/2017 LOCC ANNUAL CONF		001-401-60710		387.28
35203	9/27/2017	000193	FIRST NATIONAL BANK OF OMAHA			5,192.47
	INV0008355	KAbello - CC thru 9/18/2017		001-511-60252		683.13
	INV0008355	KAbello - CC thru 9/18/2017		001-511-60800		50.77
	INV0008355	KAbello - CC thru 9/18/2017		001-511-61130		39.31
	INV0008356	EAndrisek - CC thru 9/18/2017		001-401-60710		611.83
	INV0008357	MBierdzinski - CC thru 9/18/2017		001-410-60900		26.00
	INV0008357	MBierdzinski - CC thru 9/18/2017		001-565-60650		27.00
	INV0008357	MBierdzinski - CC thru 9/18/2017		001-565-60710		150.00
	INV0008358	RHess - CC thru 9/18/2017		001-551-60650		160.00
	INV0008358	RHess - CC thru 9/18/2017		001-558-60900		14.42
	INV0008358	RHess - CC thru 9/18/2017		001-558-61140		49.40
	INV0008358	RHess - CC thru 9/18/2017		005-701-61130		30.16
	INV0008358	RHess - CC thru 9/18/2017		005-701-61140		49.40
	INV0008358	RHess - CC thru 9/18/2017		020-601-61127		38.00
	INV0008358	RHess - CC thru 9/18/2017		020-601-61140		49.40
	INV0008359	DKing - CC thru 9/18/2017		001-401-60710		919.59
	INV0008360	BKnecht - CC thru 9/18/2017		001-511-60250		11.83
	INV0008360	BKnecht - CC thru 9/18/2017		001-511-60800		83.87
	INV0008360	BKnecht - CC thru 9/18/2017		001-511-67135		512.51
	INV0008360	BKnecht - CC thru 9/18/2017		001-511-67140		256.71
	INV0008362	LReid - CC thru 9/18/2017		001-401-60900		85.41
	INV0008362	LReid - CC thru 9/18/2017		001-401-61130		94.78
	INV0008362	LReid - CC thru 9/18/2017		001-403-60900		3.18
	INV0008362	LReid - CC thru 9/18/2017		001-403-61130		35.89
	INV0008362	LReid - CC thru 9/18/2017		001-410-60910		10.78
	INV0008362	LReid - CC thru 9/18/2017		001-565-60900		7.08
	INV0008362	LReid - CC thru 9/18/2017		001-565-61130		19.40
	INV0008363	HSierra - CC thru 9/18/2017		001-401-60710		851.91
	INV0008363	HSierra - CC thru 9/18/2017		001-410-60900		39.00
	INV0008364	SZamora - CC thru 9/18/2017		001-410-61130		281.71
35205	9/27/2017	001040	FRONTIER COMMUNICATIONS			1,749.63
	INV0008365	9/19-10/18/2017 Phone Summary Bil		001-410-67705		321.61
	INV0008365	9/19-10/18/2017 Phone Summary Bil		001-565-67705		404.04
	INV0008365	9/19-10/18/2017 Phone Summary Bil		005-701-67705		541.58
	INV0008365	9/19-10/18/2017 Phone Summary Bil		020-601-67705		482.40
35206	9/27/2017	000891	GLR CONSTRUCTION, INC.			253,581.53
	217005-2	8/31/2017 Progressive Billing# 2		092-313-74100		253,581.53
35207	9/27/2017	000252	JIM VREELAND FORD			389.40
	C12177	9/15/2017 Vehicle Maint - 2010 Ford		001-511-60270		389.40
35208	9/27/2017	000869	JOE PADILLA			50.00
	INV0008342	9/7/2017 Planning Commission Meet		001-565-50010		50.00
35209	9/27/2017	000280	LEE CENTRAL COAST NEWSPAPERS			147.54
	111127	9/7/2017 Notice Public Hearing - Res		001-565-60520		147.54

Payment Number	Payment Date / Payable Number	Vendor # / Description	Vendor Name	Account Number	Project Account Key	Payment Amount / Item Amount
35210	9/27/2017	001187	PATTY J HAMMEL			100.00
	INV0008341	9/7&21/2017 Planning Commission		001-565-50010		100.00
35211	9/27/2017	000978	Staples Credit Plan			387.31
	INV0008367	8/13-9/15/2017 Misc Office Supplies		001-410-61130		75.25
	INV0008367	8/13-9/15/2017 Misc Office Supplies		001-511-61130		28.00
	INV0008367	8/13-9/15/2017 Misc Office Supplies		001-558-61127		37.38
	INV0008367	8/13-9/15/2017 Misc Office Supplies		001-558-61130		31.24
	INV0008367	8/13-9/15/2017 Misc Office Supplies		001-565-61130		126.84
	INV0008367	8/13-9/15/2017 Misc Office Supplies		005-701-61130		88.60
35212	9/27/2017	000521	TODD PIPE & SUPPLY			17.62
	INV0008368	9/8/2017 #346780 - MISC MAINT/RE		001-558-60250		4.19
	INV0008368	9/8/17 #346693 - MISC MAINT/REPAI		001-558-60250		9.08
	INV0008368	9/14/17 #347137 - MISC MAINT/REP		001-558-60250		4.35
35213	9/27/2017	001102	TRI COUNTY OFFICE FURNITURE			180.74
	128975	9/12/2017 Planning Dept - Office Equ		001-565-72200		180.74
35214	9/27/2017	000556	VERIZON WIRELESS			692.35
	9792350325	9/9-10/8/2017 PW/CM Wireless Serv		001-410-67705		81.85
	9792350325	9/9-10/8/2017 PW/CM Wireless Serv		001-511-61290		41.84
	9792350325	9/9-10/8/2017 PW/CM Wireless Serv		001-558-67705		133.74
	9792350325	9/9-10/8/2017 PW/CM Wireless Serv		005-701-67705		221.37
	9792350325	9/9-10/8/2017 PW/CM Wireless Serv		020-601-67705		213.55
35215	9/27/2017	001063	Wells Fargo Vendor Fin Serv			149.77
	67530210	11/1-11/30/2017 REC Copier Lease		001-511-60310		149.77
35216	9/28/2017	000065	BURKE, WILLIAMS & SORENSEN, LLP			10,284.29
	217877	August 2017 - Legal Services - Retain		001-404-60840		10,284.29
35217	9/28/2017	000121	COC/BBA/VISITORS INFORMATION			33,333.33
	INV0008370	September 2017 - TOT Allocation		001-410-67790		33,333.33
35218	9/28/2017	000848	RAVATT, ALBRECHT & ASSOC, INC.			375.00
	0817-533	Archtct Srvcs thru 8/31/2017 Private		001-22416	90049-070	375.00
35219	9/28/2017	000894	VISITSYV			36,554.49
	CM0000060	August 2017 SYVTBID - Admin Fees		001-44250		-746.01
	INV0008369	August 2017 SYVTBID Fees		001-22160		37,300.50
35220	10/4/2017	000107	CITY OF LOMPOC			1,666.66
	098726	October 2017 Monthly Transit Billing		027-559-67445		1,666.66
35221	10/4/2017	000176	EXCLUSIVE ALARMS INC			222.00
	06876	Oct-Dec 2017 CH Alarm Services		001-558-60800		120.00
	06877	Oct-Dec 2017 Planning - Alarm Servic		001-558-60800		102.00
35222	10/4/2017	000248	JCI JONES CHEMICALS, INC.			3,121.59
	735631	9/26/2017 BOL# 537024 Chemicals		020-601-61111		3,632.84
	735634	9/26/2017 BOL# 540631 Chemicals		020-601-61111		688.74
	CM735687	9/26/2017 INV 735631 BOL 537024		020-601-61111		-1,199.99
35223	10/4/2017	000825	JWC ENVIRONMENTAL, LLC			2,892.46
	88374	9/20/2017 MISC MAINT/REPAIR ITEM		005-701-60250		2,892.46
35224	10/4/2017	000353	MICHAEL J. BOGGESS dba			120.00
	3817	10/2/2017 WEBSITE UPDATES - CITY		001-410-61292		120.00
35225	10/4/2017	000326	MNS ENGINEERS, INC.			38,365.00
	69150	8/1-31/2017 City/Engineer Public Wo		025-554-60800		3,777.50
	69151	8/1-8/31/2017 City/Transportation Pl		029-557-60800		2,012.50
	69152	8/1-31/2017 City Storm Water Mgmn		001-551-60800		3,235.00

Payment Number	Payment Date / Payable Number	Vendor # / Description	Vendor Name	Account Number	Project Account Key	Payment Amount / Item Amount
	69153	8/1-31/2017 City/Update Water		020-601-60830		482.50
	69154	8/1-31/2017 Crossroads Cntr @ Villa		001-22416	90010-070	360.00
	69155	8/1-8/31/2017 Nghbrhd Park @ Villa		001-22416	90017-070	210.00
	69156	8/1-8/31/2017 Hampton Inn		001-22416	90019-070	1,585.00
	69157	8/1-8/31/2017 Flying Flags RV Resort		001-22416	90040-070	1,197.50
	69158	8/1-8/31/2017 Backflow Prevention		020-601-60830		4,312.50
	69159	8/1-8/31/2017 Village Townhomes		001-22416	90021-070	240.00
	69160	8/1-31/2017 Hwy 246 Pedestrian Lig		092-312-74100		1,312.50
	69161	8/1-31/2017 Fig Mtn Brewery Expans		001-22416	90037-070	175.00
	69162	8/1-31/2017 Rd Mntnce Proj (2015/2		092-313-74100		15,412.50
	69163	8/1-31/2017 Calor ADA Sidewalk		092-312-74100		4,052.50
35226	10/4/2017	000379	POSTMASTER			560.00
	INV0008373	October 2017 Postage - Water/Sewer		005-701-61131		280.00
	INV0008373	October 2017 Postage - Water/Sewer		020-601-61131		280.00
35227	10/4/2017	000450	SB CO SHERIFF'S DEPARTMENT			141,616.00
	18-067	October 2017 - Contract Services FY2		001-501-60800		141,616.00
35228	10/4/2017	001211	TUNNELL ROOFING CO., INC.			3,000.00
	7572	9/21/2017 SR ASSISTANCE - 330 W H		023-580-67470		3,000.00
35229	10/4/2017	000862	TYLER TECHNOLOGIES, INC.			480.00
	025-201826	11/1/2017-10/31/2018 Annual Maint		005-701-60210		240.00
	025-201826	11/1/2017-10/31/2018 Annual Maint		020-601-60210		240.00
35230	10/4/2017	000904	US BANK EQUIPMENT FINANCE			482.34
	340538016	9/20-10/20/2017 Copier Lease - Plan		001-565-60310		482.34
					Payment Total:	612,263.42

Report Summary

Fund Summary

Fund	Payment Amount
001 - General Fund	278,168.13
005 - Sewer Fund	16,308.32
020 - Water Fund	32,971.28
023 - Housing Fees	3,000.00
025 - Gas Tax Fund	3,777.50
027 - Local Transportation Fund	1,666.66
029 - Transportation Planning	2,012.50
092 - Capital Improvement Proj Fund	274,359.03
Grand Total:	**612,263.42**

Account Summary

Account Number	Account Name	Payment Amount
001-22160	SYVTBID Payable	37,300.50
001-22166	Long-Term Care Deducti	84.25
001-22416	Developer Deposit	22,922.50
001-22510	Park/Damage Charge	100.00
001-401-50400	Medical Benefit	21.69
001-401-60710	Travel & Training	2,770.61
001-401-60900	Miscellaneous	85.41
001-401-61130	Office Supplies	94.78
001-402-50400	Medical Benefit	10.85
001-403-50400	Medical Benefit	10.85
001-403-60900	Miscellaneous	3.18
001-403-61130	Office Supplies	35.89
001-404-60840	Contract Services-Legal	10,284.29
001-410-60900	Miscellaneous/CalPERS	65.00
001-410-60910	Misc Recognition Items	10.78
001-410-61130	Office Supplies	800.30
001-410-61241	Utilities - Electric	992.49
001-410-61292	Internet Access/ Websit	249.39
001-410-67705	Telephone	403.46
001-410-67790	Visitors Bureau	33,333.33
001-420-50400	Medical Benefit	18.52
001-44250	Miscellaneous	-746.01
001-501-60800	Contract Services	141,616.00
001-501-61241	Utilities - Electric	630.64
001-510-61241	Utilities - Electric	411.31
001-511-50400	Medical Benefit	12.25
001-511-60250	Maintenance/Repair	11.83
001-511-60252	Maintenance/Repair-Joi	683.13
001-511-60270	Maintenance-Vehicles	389.40
001-511-60310	Equipment Rental	149.77
001-511-60510	Advertising	1,024.00
001-511-60800	Contract Services	134.64
001-511-61130	Office Supplies	67.31
001-511-61290	Telephone/Internet	41.84
001-511-67135	Buellton Rec Program Tr	512.51
001-511-67140	Buellton Recreation Pro	1,720.80
001-550-61241	Utilities - Electric	5,204.24
001-551-60650	Memberships & Publicat	160.00
001-551-60800	Contract Services	3,235.00
001-551-67575	Regulatory Compliance	743.00
001-552-61211	Utilities - Water	1,955.61
001-552-61241	Utilities - Electric	537.08
001-556-61241	Utilities - Electric	91.66
001-558-50400	Medical Benefit	17.35
001-558-60250	Maintenance / Repair	115.65

Account Summary

Account Number	Account Name	Payment Amount
001-558-60800	Contract Services	3,495.73
001-558-60900	Miscellaneous	14.42
001-558-61127	Tools	37.38
001-558-61130	Office Supplies	31.24
001-558-61140	Operational Supplies	49.40
001-558-67705	Telephone	679.69
001-565-50010	Planning Commission Sal	350.00
001-565-50400	Medical Benefit	9.45
001-565-60210	Computer Maintenance	1,307.01
001-565-60310	Equipment Rental	482.34
001-565-60520	Advertising - Legal	147.54
001-565-60650	Membership & Publicati	27.00
001-565-60710	Travel & Training	150.00
001-565-60800	Contract Services	2,052.21
001-565-60900	Miscellaneous	7.08
001-565-61130	Office Supplies	146.24
001-565-61241	Utilities - Electric	279.54
001-565-67705	Telephone	404.04
001-565-72200	Office Furniture	180.74
005-701-50400	Medical Benefit	16.52
005-701-60210	Computer Maintenance	240.00
005-701-60250	Maintenance / Repair	3,166.44
005-701-60270	Maintenance - Vehicles	70.87
005-701-60800	Contract Services	86.93
005-701-61111	Chemicals / Analysis	1,144.31
005-701-61130	Office Supplies	161.33
005-701-61131	Postage	280.00
005-701-61140	Operational Supplies	480.73
005-701-61241	Utilities - Electric	9,898.24
005-701-67705	Telephone	762.95
020-601-50400	Medical Benefit	16.52
020-601-60210	Computer Maintenance	240.00
020-601-60250	Maintenance / Repair	3,721.31
020-601-60800	Contract Services	2,900.00
020-601-60830	Contract Services-Engine	4,795.00
020-601-61111	Chemicals / Analysis	3,121.59
020-601-61127	Tools	38.00
020-601-61131	Postage	280.00
020-601-61140	Operational Supplies	49.40
020-601-61241	Utilities - Electric	17,113.51
020-601-67705	Telephone	695.95
023-580-67470	Mobile Home Repair	3,000.00
025-554-60800	Contract Services	3,777.50
027-559-67445	Lompoc- Wine Country	1,666.66
029-557-60800	Contract Services	2,012.50
092-312-74100	Hwy 246 Sidewalk (CalTr	5,365.00
092-313-74100	Road Maintenance Proje	268,994.03
	Grand Total:	**612,263.42**

Project Account Summary

Project Account Key	Payment Amount
None	589,340.92
90010-070	18,890.00
90017-070	210.00
90019-070	1,585.00
90021-070	490.00
90037-070	175.00
90040-070	1,197.50

Project Account Summary

Project Account Key		Payment Amount
90049-070		375.00
	Grand Total:	**612,263.42**

City of Buellton, CA

Refund Check Register

Refund Check Detail

UBPKT00806 - Refunds 01 UBPKT00805 Regular

Account	Name	Date	Check #	Amount	Code	Receipt	Amount	Type
08-01400-006	URIBE, LINDA	9/27/2017	35192	52.83			52.83	Generated From Billing
08-06100-006	DEORNELLAS, JEFF	9/27/2017	35193	75.15			75.15	Generated From Billing
09-18300-003	EDWARDS, DIANE	9/27/2017	35194	8.06			8.06	Deposit
Total Refunds: 3			**Total Refunded Amount:**	136.04				

Revenue Code Summary

Revenue Code	Amount
996 - UNAPPLIED CREDITS	136.04
Revenue Total:	136.04

General Ledger Distribution

Posting Date: 09/27/2017

	Account Number	Account Name	Posting Amount	IFT
Fund: 020 - WATER FUND				
	020-10000	Claim On Pooled Cash	-136.04	Yes
	020-22420	Unapplied Credits	136.04	
		020 Total:	0.00	
Fund: 999 - POOLED CASH				
	999-10001	Pooled Cash - General Checking	-136.04	
	999-27000	Due To Other Funds	136.04	Yes
		999 Total:	0.00	
		Distribution Total:	0.00	

CITY OF BUELLTON

City Council Agenda Staff Report

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

To: The Honorable Mayor and City Council

From: Shannel Zamora, Finance Director

Meeting Date: October 12, 2017

Subject: Monthly Treasurer's Report through August 31, 2017

BACKGROUND

California Government Code Section 53646(b)(3) provides mandatory investment reporting requirements for California public agencies. The attached Treasurer's Report complies with the State's reporting requirement.

On June 8, 2017, Council adopted the current Investment Policy per Resolution 17-10 which states the City Finance Director, as the investment officer, must submit monthly reports to City Council to demonstrate that sufficient cash flow liquidity is available to meet the succeeding month's estimated expenditures.

This Treasurer's Report is for August 31, 2017. Treasurer's Reports are presented on a monthly basis.

FISCAL IMPACT

There is no fiscal impact; this report is intended to show the City Council the financial performance of the City's investment portfolio of idle funds.

RECOMMENDATION

That the City Council receive and file the Treasurer's Report for the month ending August 31, 2017.

ATTACHMENTS

Attachment 1 – Monthly Treasurer's Report through August 31, 2017

City of Buellton

City of Buellton
Monthly Treasurer's Report
As of August 31, 2017

October 12, 2017

This report presents the City's cash activity and investment portfolio as of August 31, 2017. The report includes:

1) Cash and investments at August 31, 2017 compared to the prior month;

2) A reconciliation of cash and investments to City ledger balances;

3) All investments managed by the City on its own behalf;

4) Beginning of year fund balance, revenues, expenditures and ending fund balance for each fund at August 31, 2017

The following schedule is a summary of the City's cash and investments based on recorded value as of August 31, 2017 compared with the prior month.

	August 31, 2017	July 31, 2017
Cash	$ 2,082,274.12	$ 1,898,119.90
Investments held by the City	8,813,463.41	9,062,914.02
TOTAL CASH AND INVESTMENTS	$ 10,895,737.53	$ 10,961,033.92

Summary of activity for the Month and Future Liquidity: The decrease of about $65,300 in cash in August is mainly due to the timing of the Sherriff's Department's contract payment for July and August services. One payment was made in the beginning of August and the other at the end of August. The decrease of about $249,600 in investments held by the City reflects the $249,617.01 cash-out from the First Empire Holdings Accounts. The amount was deposited in the General Checking Account in Mid-August. The portfolio is sufficiently liquid to meet expected expenditures for the coming six months.

The following schedule is a reconciliation of Cash and Investments to City ledger:

Pooled Cash Report

City of Buellton, CA

For the Period Ending 8/31/2017

ACCOUNT #	ACCOUNT NAME	JULY 2017 BALANCE	CURRENT ACTIVITY	AUGUST 2017 BALANCE
CLAIM ON CASH				
001-10000	Claim On Pooled Cash	6,175,043.62	(154,334.70)	6,020,708.92
005-10000	Claim On Pooled Cash	1,430,379.53	(4,168.43)	1,426,211.10
006-10000	Claim on Pooled Cash	67,183.29	22,015.50	89,198.79
020-10000	Claim On Pooled Cash	1,528,929.71	125,841.79	1,654,771.50
021-10000	Claim on Pooled Cash	117,494.51	37,050.00	154,544.51
023-10000	Claim On Pooled Cash	476,537.26	-	476,537.26
024-10000	Claim On Pooled Cash	12,648.71	3,614.00	16,262.71
025-10000	Claim On Pooled Cash	413,950.43	20,373.61	434,324.04
027-10000	Claim On Pooled Cash	50,322.43	(2,843.42)	47,479.01
029-10000	Claim On Pooled Cash	(43,876.00)	-	(43,876.00)
031-10000	Claim On Pooled Cash	505,207.58	29,929.54	535,137.12
072-10000	Claim on Pooled Cash	-	-	-
075-10000	Claim On Pooled Cash	228,868.26	50.00	228,918.26
090-10000	Claim On Pooled Cash	-	-	-
091-10000	Claim On Pooled Cash			
092-10000	Claim On Pooled Cash	-	(144,479.69)	(144,479.69)
TOTAL CLAIM ON CASH		10,962,689.33	(66,951.80)	10,895,737.53
CASH IN BANK				
Cash in Bank				
999-10001	Pooled Cash - General Checking	1,884,717.71	184,154.22	2,068,871.93
999-10002	Pooled Cash - Money Market	205,578.37	34.92	205,613.29
999-10003	Pooled Cash - FSA*	13,402.19	-	13,402.19
999-10004	Pooled Cash - Brokerage	498,937.57	(249,611.38)	249,326.19
999-10005	Pooled Cash - LAIF	8,109,398.08	-	8,109,398.08
999-10006	Pooled Cash - Morgan Stanley	249,000.00	125.85	249,125.85
TOTAL: Cash in Bank		10,961,033.92	(65,296.39)	10,895,737.53

***Unreconciled balance**

Per Statements:	**8/31/2017**
Rabobank	2,283,980.97
LAIF	8,109,398.19
Rabobank MM	205,613.29
First Empire/Pershing.	249,326.19
FSA	12,656.48
Morgan Stanley	249,125.85
Total Cash per Statements:	**11,110,100.86**

Claim on Cash vs. Total Cash Per Statements:	214,363.33
Outstanding items per System Reconciliation:	214,363.33
Difference:	***0***

City of Buellton
Investment Summary
August 31, 2017

Investment Portfolio	Interest Rate	Type	Market Value	Maturity Term	Maturity Date
Local Agency Investment Fund - LAIF	1.084%	Government - State Pool	$ 8,109,398.08	NA	NA
Berkshire Bank*	1.35%	Negotiable Certificate of Deposit	249,326.19	5 years	4/30/2018
Rabobank Money Market	0.20%	Public Investment Money Market	205,613.29	NA	NA
Wells Fargo Bank**	2.25%	Certificate of Deposit	249,125.85	5 Years	8/16/2022
Total Invested:			**$ 8,813,463.41**		

*Held by First Empire
**Held by Morgan Stanley

Currently, short-term excess cash is primarily invested in the Local Agency Investment Fund (LAIF) administered by the State Treasurer. This is a high quality investment available in terms of safety, liquidity, and yield. Due to fluctuations in the marketplace, the City may have some investments with a current market value that is greater or less than the recorded value. This difference has no effect on investment yield as the City intends to hold the securities to maturity. However, generally accepted accounting principles require that market gains and losses be reported as interest earnings or losses at year-end.

The following is a fund balance schedule showing beginning fund balance at August 1, 2017 plus revenues minus expenditures for the period, resulting in ending fund balance at August 31, 2017. Fund balance includes total assets and liabilities of the City.

City of Buellton, CA

Fund Balance Report

As Of 08/31/2017

Fund	August 1, 2017	Total Revenues	Total Expenses	August 31, 2017
001 - General Fund	6,874,539.16	834,184.85	1,270,982.36	6,437,741.65
005 - Sewer Fund	3,444,548.28	176,371.23	134,733.85	3,486,185.66
006 - Wastewater Capital	81,915.55	22,015.50	-	103,931.05
020 - Water Fund	5,625,559.20	433,656.92	134,924.38	5,924,291.74
021 - Water Capital	-	37,050.00	-	37,050.00
023 - Housing Fees	476,537.26	-	-	476,537.26
024 - Traffic Mitigation Fund	12,648.71	3,614.00	-	16,262.71
025 - Gas Tax Fund	353,635.43	20,373.61	4,950.00	369,059.04
027 - Local Transportation Fund	53,413.33	565.66	4,833.32	49,145.67
029 - Transportation Planning	(132,106.10)	-	2,250.00	(134,356.10)
031 - Measure A	210,042.53	53,917.59	-	263,960.12
072 - Landscape Maintenance Fund	-	-	-	-
075 - Trust & Agency Fund	2,145.00	-	-	2,145.00
090 - Long Term Debt	(1,261,835.00)	-	-	(1,261,835.00)
091 - General Fixed Assets	17,240,627.54	-	-	17,240,627.54
092 - Capital Improvement Proj Fund	-	-	419,875.22	(419,875.22)
Report Total:	**32,981,670.89**	**1,581,749.36**	**1,972,549.13**	**32,590,871.12**

As required by Government Code Section 5346 (b)(3), the chief officer for the City declares that there is sufficient funds to meet all obligations for the next six months.

Shannel Zamora

Shannel Zamora
Finance Director

CITY OF BUELLTON

City Council Agenda Staff Report

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

To: The Honorable Mayor and City Council

From: Shannel Zamora, Finance Director

Meeting Date: October 12, 2017

Subject: Monthly Private Project Balance Report through August 31, 2017

BACKGROUND

Resolution No. 01-24 requires all developers to submit a required deposit and sign a Processing Payment Agreement at the time of the filling application. The deposit includes the cost of processing an application. The deposit creates an account against which processing charges will be drawn automatically.

The City invoices all charges for services on a monthly basis. The invoice is sent with a statement that includes a description of services rendered during the billing period. A copy of paid invoices from the vendor is also included with the Billing Statement.

If a developer has a balance due, the developer must pay the amount. This may result in the need to collect additional deposits to maintain a positive account balance. If a completed project has a positive balance, the balance is refunded.

The attached report shows all (active and inactive) private project balances through August 31, 2017.

FISCAL IMPACT

The Monthly Private Project Balance Report will provide the council with an understanding of the current Private Project Balances.

RECOMMENDATION

That the City Council receive and file the attached report.

ATTACHMENTS

Attachment 1 – Monthly Private Project Balance Report through August 31, 2017

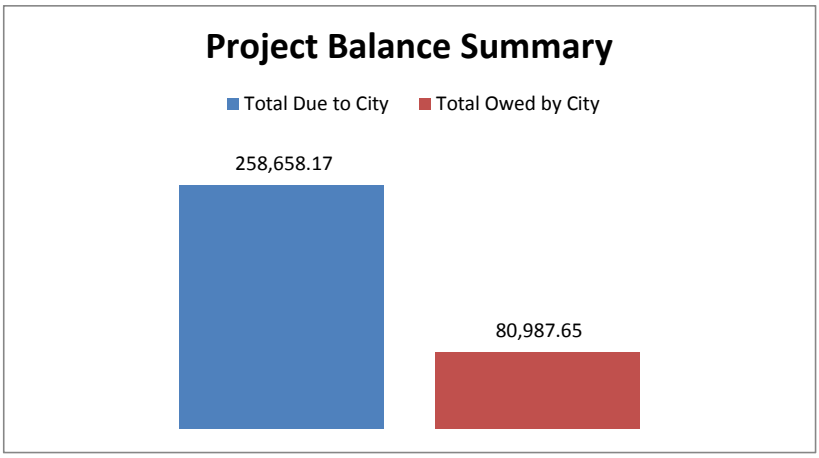
ATTACHMENT 1

Project Activity Report

Report Dates: - 08/31/2017

Summary

Project Number	Project Name	Total Revenue	Total Expense	Credit On Account/(Developer Balance Due)
1	Customer 1: Bach Hotel	-	-	-
2	Customer 2: Burgundy Hills	1,492.85	1,492.85	-
29	Customer 29: Vintage Walk	343.00	343.00	-
57	Customer 57: Brian Asselstine	292.40	292.40	-
72	Customer 72: Bill Mowry	299.80	-	299.80
74	Customer 74: Pete Hauber	0.60	-	0.60
90001	Meritage Senior Living	5,482.34	5,482.34	-
90002	Ranch Club Condo Conversion TTM 31048	364.75	-	364.75
90003	Bach Hotel Lot Line Adjustment 06-LLA-03	-	-	-
90008	Flying Flags RV Sales 08-MUP-01	196.00	196.00	-
90010	Crossroads Ctr at The Village 11-FDP-02,11-CUP-02	212,996.20	382,623.58	(169,627.38)
90013	Buellton Apartments 12-FDP-02	92,533.30	92,533.30	-
90014	Bach Hotel 13-FDP-01 (new)	511.25	511.25	-
90015	Live Oak Bowling Alley 13-FDP-03, 13-LLA-02	18,934.80	42,655.55	(23,720.75)
90016	Flying Flags Expansion	32,232.41	33,088.75	(856.34)
90017	Village Park	6,020.00	33,660.00	(27,640.00)
90019	Hampton Inn & Suites 14-FDP-01, 14-MND-01	101,171.49	99,102.49	2,069.00
90020	Village Senior Apartments 14-FDP-02	4,500.00	3,664.69	835.31
90021	Village Capital Pacific Townhomes TTM 31057	226,869.83	258,431.01	(31,561.18)
90022	Sky River RV Sales 14-MUP-01	401.75	401.75	-
90023	Figueroa Mtn Brewery Tank 14-DPM-01	234.00	234.00	-
90024	Tilton Racing 14-FDP-04	53,876.11	53,876.11	-
90025	Harry Poor-63,65, & 67 Ind Way Vacation of Easemnt	21,187.50	21,187.50	-
90026	Terravant Annex 14-FDP-05	2,188.75	2,188.75	-
90027	Ave of Flags Mixed Use Project-Armenta	4,500.00	3,590.05	909.95
90029	Appeal Bowling Alley - 15-AP-03	660.00	660.00	-
90030	Appeal Short-term Rental - B Kuykendall #15-AP-02	2,889.20	2,889.20	-
90031	Appeal Bowling Alley - (15-AP-04)	660.00	660.00	-
90032	Figueroa Mountain Brewing LLC	-	-	-
90033	Figueroa Mountain Brewing, LLC - 16-DPM-01	3,633.60	3,633.60	-
90034	Secondary Dwelling	970.00	970.00	-
90035	Gonzales - Multifamily Units on McMurray	3,190.00	3,190.00	-
90036	Reconstruct Brick Wall; 16-MUP-01	1,474.78	1,474.78	-
90037	Fig Mountain Brewing Final Development Plan	37,103.55	41,708.07	(4,604.52)
90038	Live Oak Settlement	-	-	-
90039	Family Bowling Center	26,195.00	25,542.61	652.39
90040	Flying Flags 16-FDP-04	40,230.00	5,855.78	34,374.22
90041	Multi-Tenant Commercial Development 16-FDP-05	40,556.74	41,204.74	(648.00)
90042	SYV People Helping People - 16-CUP-03	3,900.00	562.30	3,337.70
90043	The Buellton Hub - 16-FDP-06, TPM-31061	25,490.00	12,449.71	13,040.29
90044	The Industrial Network - 16-FDP-07, 17-LLA-03	23,400.00	10,244.75	13,155.25
90045	410 Central - 17-FDP-01, TTM-31059	1,187.00	1,187.00	-
90046	Ballard Canyon Sewer Connection	942.50	942.50	-
90047	Flying Flags - Occupy 28 RV Spaces; Modify 16-FDP-	1,532.97	532.97	1,000.00
90048	Vineyard Village Lot Line Adjustment	3,000.00	344.61	2,655.39
90049	410 Central Homes- 17-FDP-02, TTM-31060	9,100.00	807.00	8,293.00
90050	35 Zaca St, 2 Story Addition (17-LLA-02)	187.02	187.02	-
90051	350 River View Drive- Appeal	-	-	-
	Project Totals:	**$ 1,012,931.49**	**$ 1,190,602.01**	**$ (177,670.52)**



CITY OF BUELLTON

City Council Agenda Staff Report

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

To: The Honorable Mayor and City Council

From: Marc Bierdzinski, City Manager

Date: October 12, 2017

Subject: Resolution No. 17-17 – "A Resolution of the City Council of the City of Buellton, California, Revising the Safety Element of the General Plan (17-GPA-01) by Adding Wording Regarding the 2017 Local Hazard Mitigation Plan"

BACKGROUND

California Government Code sections 65302, 65302.6 and 8685.9 require that the City's Local Hazard Mitigation Plan (LHMP) be integrated into the City's Safety Element of the General Plan. The Buellton 2017 Local Hazard Mitigation Plan was adopted by the Buellton City Council on July 27, 2017, by City Council Resolution No. 17-13. The Federal Emergency Management Agency (FEMA) has approved the City's 2017 Local Hazard Mitigation Plan. The LHMP is required in order for the City to apply for Federal disaster grants and to obtain reimbursements for damage caused by a disaster. The Safety Element is one of the State-mandated elements of a General Plan.

Therefore, in accordance with the aforementioned Government Code sections, the following wording should be added to the Safety Element:

New Wording

2017 Local Hazard Mitigation Plan

The City's Multi-Hazard Local Hazard Mitigation Plan (LHMP) was adopted by the Buellton City Council on July 27, 2017, by City Council Resolution No. 17-13. The Federal Emergency Management Agency (FEMA) has approved the LHMP. The LHMP identifies the hazards applicable to the jurisdiction and allows the jurisdiction to apply for Federal disaster grants and to obtain reimbursements for damage caused by a disaster.

Revise Goal 1

> *Identify hazardous areas and to discourage to the maximum extent feasible development of areas subject to hazards. The LHMP shall be used to assist in determining hazards and hazardous areas.*

The Planning Commission at their September 21, 2017, public hearing, adopted Resolution No. 17-13 (Attachment 1) recommending that the City Council adopt the proposed revisions to the Safety Element of the General Plan.

ENVIRONMENTAL REVIEW

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

RECOMMENDATION

That the City Council consider adoption of Resolution No. 17-17 - "A Resolution of the City Council of the City of Buellton, California, Revising the Safety Element of the General Plan (17-GPA-01) by Adding Wording Regarding the 2017 Local Hazard Mitigation Plan"

ATTACHMENTS

Resolution No. 17-17
Attachment 1 – Planning Commission Resolution No. 17-13

RESOLUTION NO. 17-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, REVISING THE SAFETY ELEMENT OF THE GENERAL PLAN (17-GPA-01) BY ADDING WORDING REGARDING THE 2017 LOCAL HAZARD MITIGATION PLAN

BE IT RESOLVED by the City Council of the City of Buellton as follows:

SECTION 1: California Government Code sections 65302, 65302.6 and 8685.9 require that the City's Local Hazard Mitigation Plan be integrated into the City's Safety Element of the General Plan. The Buellton 2017 Local Hazard Mitigation Plan was adopted by the Buellton City Council on July 27, 2017, by City Council Resolution No. 17-13. The Federal Emergency Management Agency (FEMA) has approved the City's 2017 Local Hazard Mitigation Plan.

SECTION 2: The proposed project (the "Project"), for purposes of the California Environmental Quality Act of 1970, as amended ("CEQA"), consists of the following revisions to the Safety Element of the General Plan:

1. Adding the following wording:

   2017 Local Hazard Mitigation Plan

   The City's Multi-Hazard Local Hazard Mitigation Plan (LHMP) was adopted by the Buellton City Council on July 27, 2017, by City Council Resolution No. 17-13. The Federal Emergency Management Agency (FEMA) has approved the LHMP. The LHMP identifies the hazards applicable to the jurisdiction and allows the jurisdiction to apply for Federal disaster grants and to obtain reimbursements for damage caused by a disaster.

2. Revise Goal 1 as follows:

   Identify hazardous areas and to discourage to the maximum extent feasible development of areas subject to hazards. The LHMP shall be used to assist in determining hazards and hazardous areas.

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

A. **Record.** Prior to rendering a decision on any aspect of the Project, the City Council considered the following:

1. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the City Council on October 12, 2017 (the "Public Hearing").

2. All oral, written and visual materials presented by City staff and consultants in conjunction with the Public Hearing.

3. The following informational documents which, by this reference, are incorporated herein.

   a. The staff report dated October 12, 2017 (the "Staff Report").
   b. The recommendations from the Planning Commission as contained in Planning Commission Resolution No. 17-13, adopted September 21, 2017.

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

1. A notice was published in a legal section of a newspaper on September 28, 2017, (the "Public Notice"), a minimum of ten (10) days in advance of the Public Hearing conducted by the City Council on September 21, 2017, and posted at two permanent and conspicuous locations within the City.

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

SECTION 4: Based upon the forgoing findings, facts and conclusions, including, but not limited to, the review of the information provided in the Staff Report, consideration of the testimony given at the City Council Public Hearing, as well as other pertinent information, the City Council hereby revises the Safety Element of the General Plan as described in Section 2.

SECTION 5: The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 12th day of October, 2017.

_____
Holly Sierra
Mayor

ATTEST:

_____
Linda Reid
City Clerk

PLANNING COMMISSION RESOLUTION NO. 17-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, CONSIDERING RECOMMENDATIONS TO THE CITY COUNCIL ON REVISIONS TO THE SAFETY ELEMENT OF THE GENERAL PLAN (17-GPA-01) THAT ADDS WORDING REGARDING THE 2017 LOCAL HAZARD MITIGATION PLAN

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

SECTION 1: California Government Code sections 65302, 65302.6 and 8685.9 require that the City's Local Hazard Mitigation Plan be integrated into the City's Safety Element of the General Plan. The Buellton 2017 Local Hazard Mitigation Plan was adopted by the Buellton City Council on July 27, 2017, by City Council Resolution No. 17-13. The Federal Emergency Management Agency (FEMA) has approved the City's 2017 Local Hazard Mitigation Plan.

SECTION 2: The proposed project (the "Project"), for purposes of the California Environmental Quality Act of 1970, as amended ("CEQA"), consists of the following revisions to the Safety Element of the General Plan:

1. Adding the following wording:

   2017 Local Hazard Mitigation Plan

   The City's Multi-Hazard Local Hazard Mitigation Plan (LHMP) was adopted by the Buellton City Council on July 27, 2017, by City Council Resolution No. 17-13. The Federal Emergency Management Agency (FEMA) has approved the LHMP. The LHMP identifies the hazards applicable to the jurisdiction and allows the jurisdiction to apply for Federal disaster grants and to obtain reimbursements for damage caused by a disaster.

2. Revise Goal 1 as follows:

   Identify hazardous areas and to discourage to the maximum extent feasible development of areas subject to hazards. The LHMP shall be used to assist in determining hazards and hazardous areas.

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

A. **Record.** Prior to rendering a decision on any aspect of the Project, the Planning Commission considered the following:

1. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the Planning Commission on September 21, 2017 (the "Public Hearing").

2. All oral, written and visual materials presented by City staff and consultants in conjunction with the Public Hearing.

3. The following informational documents which, by this reference, are incorporated herein.

   a. The staff report dated September 21, 2017 (the "Staff Report").

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

1. A notice was published in a legal section of a newspaper on September 7, 2017, (the "Public Notice"), a minimum of ten (10) days in advance of the Public Hearing conducted by the Planning Commission on September 21, 2017, and posted at two permanent and conspicuous locations within the City.

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

SECTION 4: Based upon the forgoing findings, facts and conclusions, including, but not limited to, the review of the information provided in the Staff Report, consideration of the testimony given at the Planning Commission Public Hearing, as well as other pertinent information, the Planning Commission hereby recommends that the City Council approve the aforementioned revisions to the Safety Element of the General Plan.

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

PASSED, APPROVED and ADOPTED this 21st day of September 2017.

Brian Dunstan
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. 17-13 was duly approved by the Planning Commission of the City of Buellton at a meeting held on the 21st day of September 2017, by the following vote, to wit.

AYES: (4) Commissioners Hammell, Heedy, Vice Chair Padilla and Chair Dunstan

NOES: (0)

ABSENT: (0)

NOT VOTING: (0)

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of September, 2017.

Clare Barcelona

Clare Barcelona
Planning Commission Secretary

CITY OF BUELLTON

City Council Agenda Staff Report

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

To:	Honorable Mayor and Council Members
From:	Irma Tucker, Contract City Planner
Meeting Date:	October 12, 2017
Subject:	Resolution No. 17-19 – "A Resolution of the City Council of the City of Buellton, California, Approving a Mitigated Negative Declaration (17-MND-02) and Mitigation Monitoring and Reporting Program for the Avenue of Flags Specific Plan" Ordinance No. 17-04 – "An Ordinance of the City Council of the City of Buellton, California, Adopting the Avenue of Flags Specific Plan (17-SP-01)" (Introduction and First Reading)

BACKGROUND

At the meeting of September 7, 2017, the Planning Commission adopted the following two resolutions pertaining to the Avenue of Flags Specific Plan:

1) Resolution No. 17-11 – Recommending Approval of the Initial Study/Mitigated Negative Declaration ("IS/MND") for the Avenue of Flags Specific Plan (Attachment 1); and
2) Resolution No. 17-12 – Recommending Approval of the Avenue of Flags Specific Plan (Attachment 2)

Prior to adopting the resolutions, the Commission considered the Staff report dated September 7, 2017 ("PC Staff Report", Attachment 3) and related presentation, as well as public testimony, including oral and written comments, regarding both the Avenue of Flags Specific Plan ("Specific Plan", Attachment 4) and the draft Initial Study/Mitigated Negative Declaration ("IS/MND", Attachment 5). The complete text of the Specific Plan is available for on-line viewing (Attachment 4), and hard copies have been previously distributed to the City Council.

Summary of City Council Changes (*Requested January 12, 2017****)***

The version of the Specific Plan that was considered by the Planning Commission included many of the changes which had been requested by the City Council at its meeting of January 12, 2017; these changes are detailed in the attached PC Staff Report (Attachment 3) and are summarized below.

1. The Urban Design Vision Plan (Figure 2-1) and Development Code (Chapter 3) have been revised to remove most of the conceptual structures shown on the medians. A separate section, Appendix F of the Specific Plan, shows concepts of optional structures, additional building types and facilities that may be considered in the future for the medians, subject to community desire and further review.

2. Changes implemented for Medians:
    a. Median 2 – show as a cobble stone paved area with flex space to be used for diagonal parking and event areas. Include rolled curb, trees in pots and post holes for removable shade structures.

    b. Median 3 – show the town plaza and amphitheater with grassy areas, trees and shade in-between; include conceptual location for public restroom building.

    c. Median 4 – keep the flag areas to the north and south; identify balance of median as flex space in the initial stages of the Specific Plan.

    d. Infrastructure stub-outs for fiber optics on Medians 2, 3 and 4.

    e. No Changes to Medians 1, 5, 6.

3. The previously proposed new diagonal parking on the business frontage side of Avenue of Flags has been eliminated and replaced with parallel parking spaces where they can safely be accommodated.

4. Ranch and Traditional Downtown architectural design styles have both been eliminated. The recommended styles are Agrarian, Craftsman/Bungalow and Art Moderne/50's Diner, with the latter encouraged in Districts 1, 3, 4, and 6. (Note: The Agrarian design style has been subsequently recommended for elimination in the Specific Plan area, as discussed under Planning Commission revisions below.)

5. Staff reviewed mid-block crosswalk locations; and that the crosswalks as shown are adequate in number and in locations best suited to promote pedestrian safety.

6. The CFD has been eliminated as a potential financing mechanism. However, it is recommended that the EIFD be included as an important financing tool for the Specific Plan. Kosmont Companies provided reasons to support EIFD's and to allay City Council concerns about increased property taxes City-wide; the rationale behind an EIFD is set forth in Specific Plan Chapter 5, with some important points highlighted below:

a) EIFD is **not** a new or increased tax on City-wide property owners

b) EIFD is a voluntary dedication of all or only a portion of property tax increment from new future development by participating taxing entities that must consent (e.g. City, County), and provides opportunity to tap into potential funding share from other entities that could not otherwise be accessed following dissolution of redevelopment agencies

c) An EIFD can be established to leverage increased property tax increment financing (or "TIF") from only new future development projects in the Specific Plan area to fund necessary infrastructure improvements

d) The governing board of an EIFD (Public Financing Authority) is comprised of local agency leaders (e.g. City Council) and members of the public who live or work in the area; this means local control

e) Establishment of an EIFD signals the importance of infrastructure as a City priority to both the private sector and to public grant sources; it provides potential partnership opportunities with other government entities (e.g. Santa Barbara County) and capacity to elevate the City's eligibility for grants and other funding sources.

f) Preliminary analysis of potential tax increment financing (TIF) funding capacity of an EIFD for the Specific Plan area is an estimated $1.5 million (present value basis); projection assumes only half of future potential TIF pledged from major non-school entities

7. A Development Agreement for individual projects is recommended to be the appropriate mechanism to implement the Development Opportunity Reserve (DOR), with program terms and potential financial incentives/benefits to be negotiated between the City and future development permit applicants on a project-specific basis.

Planning Commission Revisions

As part of Resolution 17-12, the Planning Commission recommended approval of the Specific Plan with the following revisions:

1. Delete the Agrarian architectural design style
2. Eliminate the large vehicle parking area along Median 1
3. Provide lighted, flashing crosswalk signs as an option to four-way stop signs (if deemed appropriate, at suitable locations)
4. Prohibit drive-through lanes (eliminating the potential for drive-thru sales – this is already in the Specific Plan)
5. Add a policy encouraging local and regional uses as opposed to national chains
6. Continue to monitor the traffic counts along Central Avenue as the plan is implemented

(Note: these changes are not yet reflected in the Specific Plan document and will be made in the event City Council agrees with these recommended changes.)

Staff Comments - Design Style Revisions & Median Widths

Subsequent to the September 7, 2017, Planning Commission meeting which recommended deletion of the Agrarian design style, Staff conducted a review of the remaining two design styles (Art Moderne/50's Diner and Craftsman) and determined that clarification of intent as well as the inclusion of a third style merits consideration in order to provide an architecturally cohesive aesthetic for the Specific Plan area. It is therefore recommended that the City Council consider revisions to the Architectural Design Styles as described below.

1. Change the title and broaden the intent of the design style "Art Moderne/50's Diner" to "Art Deco", as depicted in Attachment 6. In order to result in a cohesive and attractive aesthetic within the Specific Plan area, Art Deco is considered a broader style which encompasses the Art Moderne/50's Diner and allows for greater flexibility, adaptation to Buellton's culture and character, and thematic compatibility with existing buildings and the other recommended design styles (Craftsman and Monterey Revival).

2. Insert additional design style "Monterey Revival", as depicted in Attachment 6. The Monterey Revival style, which originated in California and is prevalent in Santa Barbara County, exhibits clean lines and design features that tie in well with both of the other recommended design styles (Craftsman and Art Deco) as well as the existing buildings within the Specific Plan area. The Monterey style provides unifying and transitional elements that are compatible with Buellton's heritage are essential to an architecturally-cohesive downtown area.

The proposed widths of Medians 1 through 6 are described in Chapter 4 of the Specific Plan. Given the potential changes that may be occurring to some of the medians, it is recommended that, for clarity, the existing and proposed Median widths be summarized in a table and included in the Specific Plan, as depicted in Attachment 7.

Next Steps

The Planning Commission revisions have not yet been incorporated into the Specific Plan version represented in Attachment 4; the changes will be made subsequent to the City Council meeting of October 12, 2017, and will incorporate any additional revisions requested by Council in its first reading of Ordinance No. 17-04. The final version of the Specific Plan will be presented to City Council at its second reading of Ordinance No. 17-04 adopting the Final Specific Plan. In the event that the Staff recommended Design Style Revisions are approved by City Council, architectural design guidelines as well as signage and lighting standards would be brought back before the Planning Commission and City Council as an amendment to the Specific Plan.

ENVIRONMENTAL REVIEW

A draft Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for the environmental review of the project in accordance with the California Environmental Quality Act (CEQA). The 30-day public review period for the draft IS/MND was from July 18, 2017 through August 16, 2017; written comments were received during this time period.

The IS/MND concluded that implementation of the Project could result in a number of potentially significant effects on the environment and identified mitigation measures that would reduce the significant impacts to a less-than-significant level. The issues requiring mitigation are: air quality, cultural resources, noise, and traffic. The mitigation measures have been incorporated as conditions of approval for the Project, along with monitoring requirements. The Mitigation Monitoring and Reporting Program is included as Exhibit A to City Council Resolution 17-19.

On September 7, 2017, the Planning Commission conducted a duly noticed public meeting in connection with the Project and the IS/MND; considered all evidence, oral and written; and approved Resolution 17-11 recommending approval of a Mitigated Negative Declaration (17-MND-02) and Mitigation Monitoring and Reporting Program for the Avenue of Flags Specific Plan.

Summary of CEQA Comments

The City received four comment letters during the CEQA public review period which were considered by the Planning Commission as part of its action on September 7, 2017. The letters are summarized below along with Staff response for each. Copies of the comment letters are included in the IS/MND (Attachment 5).

1. E-mail correspondence dated July 24, 2017, from Matt van der Linden, City of Solvang, conveying comments from Santa Ynez Valley Transit that future bus stops may be needed in the Buellton downtown area along Avenue of Flags.

> ***Staff Response****: There is an existing SYVT bus stop within the Specific Plan area at Avenue of Flags and Second Street. Potential future bus stop locations would be evaluated as needed.*

2. Letter dated August 2, 2017, from Gayle Totten on behalf of the Native American Heritage Commission, commenting on: (a) the need for documentation that "government-to-government consultation by the lead agency has begun or concluded under AB 52 with Native American Tribes traditionally affiliated to the project area"; and (b) the need for "mitigation measures specifically addressing Tribal Cultural Resources separately and distinctly from Archaeological Resources.

> ***Staff Response:***
> *a) A Consultation Opportunity Notice –AB52 dated July 14, 2017(included in Attachment 5) was transmitted to Mr. Freddy Romero, Cultural Resources Coordinator of the Santa Ynez Band of Chumash Indians Elders Council*

(Chumash), designated as tribal representative for coordination with the City (lead agency) on environmental matters. In addition, Mr. Romero received copies of the Notice of Availability of Environmental Document dated July 13, 2017 and the Notice of Public Hearing dated August 3, 2017. No requests for consultation or comments have been received to date from the Chumash tribe concerning the subject Project.

b) The Chumash have provided standard language to the City for a mitigation measure to be included as part of the Cultural Resources section of applicable CEQA documents; this language is reflected in the Project's IS/MND dated July 14, 2017. No request for additional mitigation was received from the Chumash tribe for the subject Project.

3. Letter dated August 16, 2017, from Santa Barbara County Air Pollution Control District, commenting on: (a) version of Clean Air Plan used in analysis; and (b) location of, and assessment of risks to, sensitive receptors within 500 feet of Highway 101.

Staff Response:

a) The City's air quality consultant (Rincon) states analysis is consistent with both the 2013 Clean Air Plan <u>and</u> the 2016 Ozone Plan, with the latter not introducing any new control measures that would be applicable to the Project.

b) The Specific Plan does not change or add new sensitive uses to the Project area, thus no additional mitigation is technically required. The City is going beyond technical compliance with CEQA to ensure public health is protected, and Rincon states that the Health Risk Assessment (HRA) methodology is the most appropriate tool currently available to assess potential health hazard.

4. Letter dated August 15, 2017, from the California State Department of Transportation (Caltrans), commenting on: trip diversion estimates, vehicle queuing analysis for SR 246 and US 101, and proposed mitigation.

Staff Response:

a) Caltrans has not cited any evidence to support their conclusions

b) The City's traffic consultant (Associated Transportation Engineers, "ATE") prepared the Traffic and Circulation Study (July 10, 2017) in consideration of assumptions, analysis methodology and mitigation measures which are the most appropriate for the Project. ATE has prepared a response to Caltrans' comment letter; the ATE response is included in Attachment 5.

<u>CONDITIONS OF APPROVAL</u>

The complete list of conditions is included within Ordinance No. 17-04.

RECOMMENDATION

That the City Council conduct a public hearing and consider separate adoption of the following items:

- Resolution No. 17-19 – "A Resolution of the City Council of the City of Buellton, California, Approving a Mitigated Negative Declaration (17-MND-02) and Mitigation Monitoring and Reporting Program for the Avenue of Flags Specific Plan"; and

- Ordinance No. 17-04– "An Ordinance of the City Council of the City of Buellton, California, Adopting the Avenue of Flags Specific Plan (17-SP-01)" (Introduction and First Reading) by title only and waive further reading with additional changes as listed below:

    - The recommendations from the Planning Commission contained in Planning Commission Resolution No. 17-12; and
    - Changing the architectural styles by changing Art Moderne/50s Diner to Art Deco and adding the Monterey Revival style.
    - Including a Summary of Existing and Proposed Median Widths.

ATTACHMENTS

Resolution No. 17-19 (Exhibit A)
Ordinance No. 17-04 (Exhibits A and B)
Attachment 1 – Planning Commission Resolution 17-11 (recommending approval of the MND and Mitigation Monitoring and Reporting Program)
Attachment 2 – Planning Commission Resolution 17-12 (recommending approval of the Specific Plan)
Attachment 3 – Planning Commission Staff Report of September 7, 2017
Attachment 4 – (via link to City website) Draft Avenue of Flags Specific Plan and Appendices
Attachment 5 – Initial Study / Mitigated Negative Declaration (including comment letters)
Attachment 6 – Proposed Architectural Design Styles
Attachment 7 – Existing and Proposed Median Widths

RESOLUTION NO. 17-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING A MITIGATED NEGATIVE DECLARATION (17-MND-02) AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE AVENUE OF FLAGS SPECIFIC PLAN

BE IT RESOLVED by the City Council of the City of Buellton as follows:

WHEREAS, the City Council of the City of Buellton initiated the preparation of the Avenue of Flags Specific Plan (17-SP-01) (the "Project"), a regulatory tool that implements the City's General Plan, and provides detailed planning direction and development standards for the "Project" area, which has an underlying zoning designation of CR-General Commercial, with a corresponding General Plan Land Use designation of GC-General Commercial; and

WHEREAS, the Project also functions as the Zoning Code and guides future development within the Project area by: defining land uses; creating an integrated circulation system; establishing development standards through Form-Based Code; providing for infrastructure needs; and identifying funding sources and economic development tools, including incentives/public benefits through the Development Opportunity Reserve (DOR) Program; and

WHEREAS, in accordance with the requirements of the California Environmental Quality Act, California Public Resources Code section 21000 *et seq.,* the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections 15000 *et seq.,* and the Environmental Procedures of the City of Buellton (collectively, "CEQA"), the Planning Director of the City of Buellton has prepared an Initial Study and approved for circulation a Mitigated Negative Declaration for the Project (the "Initial Study/Mitigated Negative Declaration"); and

WHEREAS, the Initial Study/Mitigated Negative Declaration dated July 14, 2017, and hereby incorporated by reference in this Resolution, was circulated for public and agency review and comment from July 18, 2017 through and including August 16, 2017. Copies of the Initial Study/Mitigated Negative Declaration were made available to the public at the Planning Department on July 18, 2017, and the Initial Study/Mitigated Negative Declaration was distributed to interested parties and agencies. On July 13, 2017, a Notice of Availability of the Initial Study/Mitigated Negative Declaration was published in the local newspaper and posted in two public locations; and

WHEREAS, four comment letters, from Santa Ynez Valley Transit, the Native American Heritage Commission, Santa Barbara County Air Pollution Control District, and California State Department of Transportation (Caltrans) were received during the circulation period from July 18, 2017 through August 16, 2017; the comment letters are addressed in the Staff Report for the project dated October 12, 2017; and

WHEREAS, the Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level; and

WHEREAS, in accordance with the requirements of CEQA, a mitigation monitoring and reporting program (Exhibit A - "Mitigation Monitoring and Reporting Program) has been prepared for the Project for consideration by the City Council; and

WHEREAS, the Initial Study/Mitigated Negative Declaration (Attachment 5 to City Council Staff Report dated October 12, 2017) and related Mitigation Monitoring and Reporting Program for the Project (Exhibit A to this Resolution) are, by this reference, incorporated into this Resolution as if fully set forth herein; and

WHEREAS, the Initial Study/Mitigated Negative Declaration and all related environmental documents forming the basis for the Initial Study/Mitigated Negative Declaration and Resolution are located in, and in the custody of, the Planning Department, City of Buellton; and

WHEREAS, on September 7, 2017, the Planning Commission of the City of Buellton conducted a duly noticed public meeting in connection with the Project and the Initial Study/Mitigated Negative Declaration and considered all evidence, oral and written; and

WHEREAS, on September 7, 2017, the Planning Commission of the City of Buellton approved Resolution 17-11 recommending approval of a Mitigated Negative Declaration (17-MND-02) and Mitigation Monitoring and Reporting Program for the Avenue of Flags Specific Plan and making related findings under the California Environmental Quality Act"; and

WHEREAS, on October 12, 2017, the City Council of the City of Buellton conducted a duly noticed public meeting in connection with the Project and the Initial Study/Mitigated Negative Declaration and considered all evidence, oral and written; and

WHEREAS, all legal prerequisites have occurred prior to the adoption of this Resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUELLTON DOES RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1: The City Council hereby finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

SECTION 2: The City Council does hereby make the following findings: (1) it has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting upon the Project; (2) the Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA; (3) the Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City Council.

SECTION 3: Based on the findings set forth in Sections 1 and 2, the City Council hereby approves the Initial Study/Mitigated Negative Declaration and adopts the related Mitigation Monitoring and Reporting Program prepared for the Avenue of Flags Specific Plan (17-SP-01) and incorporates the mitigation measures from the Initial Study/Mitigated Negative Declaration into conditions of approval for any applicable future development permit applications in the Project area.

SECTION 4: The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 12th day of October, 2017.

_____
Holly Sierra
Mayor

ATTEST:

_____
Linda Reid
City Clerk

Avenue of Flags Specific Plan
Mitigation Monitoring and Reporting Program

The Mitigation Measures set forth below are expressly derived from the environmental analysis performed under the provisions of the California Environmental Quality Act of 1970, as amended ("CEQA"), in connection with the approved Project per Planning Commission Resolution 17-11, dated September 7, 2017. In the event that the scope, nature, extent, method, timing or location of construction changes from that set forth in the Project as conditionally approved, such construction shall not proceed until or unless: (i) the change is evaluated for environmental impacts; and (ii) appropriate measures are instituted to the Project that mitigate the impacts (if any) to a level of insignificance. Such determinations shall be made in the manner and subject to the limits prescribed in the Project Description.

The following describes the monitoring and timing requirements of the mitigation measures, which are to be incorporated into applicable Conditions of Approval for any potential future land use development permit applications within the Project area.

AIR QUALITY

1. AQ – 1: Location-specific Health Risk Assessments

For future land use development permit applications within the Project area, a location-specific health risk assessment (HRA) shall be required if the development would place sensitive receptors, such as residences, within 500 feet of Highway 101. If the HRA indicates that the proposed development would expose sensitive receptors to an unacceptable health risk resulting from its proximity to Highway 101, then additional mitigation that reduces health risk below standards recommended by SBCAPCD, such as MERV filtration, shall be incorporated into the development prior to permit issuance.

Monitoring:

Planning Department will verify at the time of future land use development permit approval and Zoning Clearance issuance that Mitigation Measure AQ-1 has been incorporated into the individual project/permit approval, as applicable.

CULTURAL RESOURCES

2. CR – 1: Halt Work Order for Archaeological Resources

If unanticipated cultural resources are exposed during potential future developments within the Project area, 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.

Monitoring:

Planning Department will verify at the time of future land use development permit approval and Zoning Clearance issuance that Mitigation Measure CR-1 has been incorporated into the individual project/permit approval, as applicable.

NOISE

3. N – 1: Construction Noise Attenuation

For all demolition and construction activity within the Project Area, noise attenuation techniques shall be employed as needed to ensure that noise remains within levels allowed by the City of Buellton construction noise standards (Section 8.04.030(G)(4)(d); 75 dBA Leq). Construction noise attenuation measures shall include:

- All construction equipment shall have properly maintained sound-control devices.
- No equipment shall have an unmuffled exhaust.
- All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
- Unnecessary idling of internal combustion engines shall be prohibited.

As necessary to achieve the construction noise standard, contractors shall implement appropriate additional noise mitigation measures including, but not limited to, siting the stationary construction equipment away from residential areas to the extent possible, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, and installing temporary acoustic barriers around stationary construction noise sources.

Monitoring:

Planning Department will verify at the time of future land use development permit approval and Zoning Clearance issuance that Mitigation Measure N-1 has been incorporated into the individual project/permit approval, as applicable.

TRANSPORTATION / TRAFFIC

4. T – 1: Traffic Mitigation Fee Program

Developments within the Project area would be required to contribute to the City's traffic mitigation fee program to fund long-term programmatic improvements.

Monitoring:

Planning Department will verify at the time of future land use development permit approval and Zoning Clearance issuance that Mitigation Measure T-1 has been incorporated into the individual project/permit approval, as applicable.

ORDINANCE NO. 17-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, ADOPTING THE AVENUE OF FLAGS SPECIFIC PLAN (17-SP-01)

The City Council of the City of Buellton does ordain as follows:

SECTION 1: Pursuant to the Zoning Ordinance of the City of Buellton, the City Council of the City of Buellton initiated the preparation of the Avenue of Flags ("AOF") Specific Plan (17-SP-01) (the "Project"), a regulatory tool that implements the City's General Plan, and provides detailed planning direction and development standards for the "Project" area (Exhibit A), which has an underlying zoning designation of CR-General Commercial, with a corresponding General Plan Land Use designation of GC-General Commercial.

The Specific Plan also functions as the Zoning Code and guides future development within the Project area by: defining land uses; creating an integrated circulation system; establishing development standards through Form-Based Code; providing for infrastructure needs; and identifying funding sources and economic development tools, including incentives/public benefits through the Development Opportunity Reserve (DOR) Program.

SECTION 2: The proposed Project consists of a **Specific Plan (17-SP-01):** the overall goal of the Specific Plan is to revitalize downtown Buellton by transforming the AOF corridor from an aging automobile-oriented thorough-fare to a vibrant, pedestrian-friendly "main street" downtown destination. Traffic-calming, safety measures and new street standards along the AOF roadways will be implemented in order to accommodate additional parking spaces, local traffic, deliveries, pedestrians, and bicyclists, including slowing traffic exiting US 101 to a speed appropriate for a downtown district. Other infrastructure improvements include: the Zaca Creek Trail; parks and open space within the medians; and local/regional connectivity enhancements to pedestrian paths and bikeways. The Specific Plan document is hereby incorporated by reference to this Ordinance.

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

A. Record. Prior to rendering a decision on the Project, the City Council considered the following:

1. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the City Council on October 12, 2017 ("CC Public Hearing").

2. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the Planning Commission on September 7, 2017 ("PC Public Hearing").

3. All oral, written and visual materials presented in conjunction with the above referenced CC and PC Public Hearings.

4. The following informational documents, which by reference, are incorporated herein:
   a. The Initial Study and Mitigated Negative Declaration for the project (17-MND-02), dated July 14, 2017
   b. The project file for the Draft Avenue of Flags Specific Plan (17-SP-01)
   c. Planning Commission Resolutions: No. 17-11 Recommending Approval of a Mitigated Negative Declaration (17-MND-02) and Mitigation Monitoring and Reporting Program for the Avenue of Flags Specific Plan; and No. 17-12 Recommending Approval of the Avenue of Flags Specific Plan (17-SP-01)
   d. The staff report dated October 12, 2017

B. <u>Public Review</u>. 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 CC Public Hearing was published in a newspaper of general circulation on September 28, 2017 (the "PC Public Notice"), more than 10 days in advance of the CC Public Hearing conducted on October 12, 2017.

2. The CC Public Notice was mailed to affected public agencies, persons owning property within 300 feet of the Project site and others known to be interested in the matter on September 28, 2017, more than 10 days in advance of the CC Public Hearing.

3. The CC Public Notice was posted in two public locations on September 28, 2017, more than 10 days in advance of the CC Public Hearing.

C. <u>Environmental Review</u>.

1. Pursuant to the California Environmental Quality Act (CEQA), the Initial Study/Mitigated Negative Declaration ("IS/MND") dated July 14, 2017 was circulated for public and agency review and comment from July 18, 2017 through August 16, 2017. Copies of the IS/MND were made available to the public at the Planning Department on July 18, 2017, and the IS/MND was distributed to interested parties and agencies. On July 13, 2017, a Notice of Availability of the IS/MND, including the time and place of the Planning Commission meeting to review the IS/MND was published in the local newspaper and posted in three public locations. On September 7, 2017, the Planning Commission reviewed the IS/MND and related staff report, conducted a public hearing, considered written comments and oral testimony, and adopted Resolution No. 17-11 recommending approval of the MND and Mitigation Monitoring and Reporting Program, including findings under CEQA.

2. CEQA findings for the IS/MND are included in City Council Resolution 17-19. City Council Resolution 17-19 was adopted prior to the consideration of City Council Ordinance 17-04.

D. <u>Consistency Declarations</u>. 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 CC Public Hearing, the City Council does hereby declare as follows:

1. <u>Specific Plan (17-SP-01)</u>

a. <u>Findings</u>:

i. That the form and substance of the Specific Plan, as well as the process used in its preparation and adoption, are consistent with the requirements set forth in the Buellton Municipal Code Section 19.08.140.C.

ii. That the Specific Plan is in conformance with all applicable policies and implementation programs set forth in the 2025 Buellton General Plan. Policy direction for the Avenue of Flags is included in several elements of the General Plan, including the Land Use, Circulation, Economic Development, Housing, and Parks and Recreation Elements. A discussion of applicable General Plan policies and programs that are implemented by the Specific Plan is set forth in the Avenue of Flags Specific Plan Chapter One, Section B.4., and are incorporated herein by this reference.

iii. That the Specific Plan will not be detrimental to the health, safety, comfort, convenience, property values and general welfare of the community. The vision and guiding principles for the Avenue of Flags Specific Plan are to create an architecturally distinctive and economically robust downtown district that is attractive, vibrant, pedestrian friendly, community-oriented, environmentally sustainable, and promotes public safety.

iv. That the Specific Plan will not adversely affect such necessary community services as traffic circulation, sewage disposal, fire protection, police protection, and water supply. Future development of the Project area has been anticipated as part of the City's General Plan. The Traffic & Circulation Study prepared for the Specific Plan concluded that traffic circulation resulting from the Specific Plan is substantially consistent with the General Plan Circulation Element. The Public Works Department is able to provide water and sewage disposal services to the Project. Fire and Police services are provided by the County of Santa Barbara with stations located in close proximity to the Project area.

v. That the proposed development in the Specific Plan is in conformance with the community design guidelines. While the community design guidelines serve as the basic standard, distinct architectural design styles and form-based development code have been developed uniquely for the Specific Plan and will apply to future development in the area. The Specific Plan design styles and form-based code, based on the community vision for the Project area, are intended to showcase Buellton's historic and cultural elements and to promote a distinct identity and differentiating brand for the downtown area.

SECTION 4: Based on the findings set forth in Section 3, the City Council hereby incorporates the mitigation measures set forth in Exhibit B as conditions of approval for the Project.

SECTION 5: Based upon the forgoing findings, facts and conclusions, including, but not limited to, the review of the information provided in the Staff Report, consideration of the testimony given at the City Council Public Hearing, as well as other pertinent information, the City Council hereby adopts, by ordinance, the Avenue of Flags Specific Plan (17-SP-01) as recommended by Planning Commission Resolution 17-12, with the following revisions:

1. Change the title of the design style "Art Moderne/50's Diner" to "Art Deco" and clarify intent, as described in Attachment 6 to the Staff Report dated October 12, 2017;
2. Insert additional design style "Monterey Revival", as described in Attachment 6 to the Staff Report dated October 12, 2017.

PASSED, APPROVED and ADOPTED this _____ day of October 2017.

_____
Holly Sierra
Mayor

ATTEST:

_____
Linda Reid
City Clerk

Exhibits:
A – Avenue of Flags Specific Plan Boundary
B – Conditions of Approval - Avenue of Flags Specific Plan Mitigation Measures

Exhibit A

Avenue of Flags Specific Plan Boundary

Exhibit B

CONDITIONS OF APPROVAL

Avenue of Flags Specific Plan
Mitigation Measures

The Mitigation Measures set forth below are expressly derived from the environmental analysis performed under the provisions of the California Environmental Quality Act of 1970, as amended ("CEQA"), in connection with the approved Project per Planning Commission Resolution 17-11, dated September 7, 2017. In the event that the scope, nature, extent, method, timing or location of construction changes from that set forth in the Project as conditionally approved, such construction shall not proceed until or unless: (i) the change is evaluated for environmental impacts; and (ii) appropriate measures are instituted to the Project that mitigate the impacts (if any) to a level of insignificance. Such determinations shall be made in the manner and subject to the limits prescribed in the Project Description.

The following describes the mitigation measures, which are to be incorporated into applicable Conditions of Approval for any potential future land use development permit applications within the Project area.

AIR QUALITY

1. AQ – 1: Location-specific Health Risk Assessments

For future land use development permit applications within the Project area, a location-specific health risk assessment (HRA) shall be required if the development would place sensitive receptors, such as residences, within 500 feet of Highway 101. If the HRA indicates that the proposed development would expose sensitive receptors to an unacceptable health risk resulting from its proximity to Highway 101, then additional mitigation that reduces health risk below standards recommended by SBCAPCD, such as MERV filtration, shall be incorporated into the development prior to permit issuance..

CULTURAL RESOURCES

2. CR – 1: Halt Work Order for Archaeological Resources

If unanticipated cultural resources are exposed during potential future developments within the Project area, 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.

NOISE

1. **3. N – 1: Construction Noise Attenuation**

2. For all demolition and construction activity within the Project Area, noise attenuation techniques shall be employed as needed to ensure that noise remains within levels allowed by

the City of Buellton construction noise standards (Section 8.04.030(G)(4)(d); 75 dBA Leq). Construction noise attenuation measures shall include:

- All construction equipment shall have properly maintained sound-control devices.
- No equipment shall have an unmuffled exhaust.
- All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
- Unnecessary idling of internal combustion engines shall be prohibited.

As necessary to achieve the construction noise standard, contractors shall implement appropriate additional noise mitigation measures including, but not limited to, siting the stationary construction equipment away from residential areas to the extent possible, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, and installing temporary acoustic barriers around stationary construction noise sources.

TRANSPORTATION / TRAFFIC

4. T – 1: Traffic Mitigation Fee Program

Developments within the Project area would be required to contribute to the City's traffic mitigation fee program to fund long-term programmatic improvements.

PLANNING COMMISSION RESOLUTION NO. 17-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, RECOMMENDING APPROVAL OF A MITIGATED NEGATIVE DECLARATION (17-MND-02) AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE AVENUE OF FLAGS SPECIFIC PLAN AND MAKING RELATED FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

WHEREAS, the City Council of the City of Buellton initiated the preparation of the Avenue of Flags Specific Plan (17-SP-01) (the "Project"), a regulatory tool that implements the City's General Plan, and provides detailed planning direction and development standards for the "Project" area, which has an underlying zoning designation of CR-General Commercial, with a corresponding General Plan Land Use designation of GC-General Commercial; and,

WHEREAS, the Project also functions as the Zoning Code and guides future development within the Project area by: defining land uses; creating an integrated circulation system; establishing development standards through Form-Based Code; providing for infrastructure needs; and identifying funding sources and economic development tools, including incentives/public benefits through the Development Opportunity Reserve (DOR) Program; and,

WHEREAS, in accordance with the requirements of the California Environmental Quality Act, California Public Resources Code section 21000 *et seq.,* the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections 15000 *et seq.,* and the Environmental Procedures of the City of Buellton (collectively, "CEQA"), the Planning Director of the City of Buellton has prepared an Initial Study and approved for circulation a Mitigated Negative Declaration for the Project (the "Initial Study/Mitigated Negative Declaration"); and,

WHEREAS, the Initial Study/Mitigated Negative Declaration dated July 14, 2017, and hereby incorporated by reference in this Resolution, was circulated for public and agency review and comment from July 18, 2017 through and including August 16, 2017. Copies of the Initial Study/Mitigated Negative Declaration were made available to the public at the Planning Department on July 18, 2017, and the Initial Study/Mitigated Negative Declaration was distributed to interested parties and agencies. On July 13, 2017, a Notice of Availability of the Initial Study/Mitigated Negative Declaration, including the time and place of the Planning Commission meeting to review the Application and Initial Study/Mitigated Negative Declaration was published in the local newspaper and posted in two public locations; and,

WHEREAS, two comment letters, from Santa Ynez Valley Transit and the Native American Heritage Commission, were received during the circulation period from July 18, 2017 through August 16, 2017; the comment letters are addressed in the Staff Report for the project dated September 7, 2017; and,

WHEREAS, the Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level; and,

WHEREAS, in accordance with the requirements of CEQA, a mitigation monitoring and reporting program (Exhibit A - "Mitigation Monitoring and Reporting Program) has been prepared for the Project for consideration by the Planning Commission; and,

WHEREAS, the Initial Study/Mitigated Negative Declaration (Attachment 2 to Planning Commission Staff Report dated September 7, 2017) and related Mitigation Monitoring and Reporting Program for the Project (Exhibit A to this Resolution) are, by this reference, incorporated into this Resolution as if fully set forth herein; and,

WHEREAS, the Initial Study/Mitigated Negative Declaration and all related environmental documents forming the basis for the Initial Study/Mitigated Negative Declaration and Resolution are located in, and in the custody of, the Planning Department, City of Buellton; and,

WHEREAS, on September 7, 2017, the Planning Commission of the City of Buellton conducted a duly noticed public meeting in connection with the Project and the Initial Study/Mitigated Negative Declaration and considered all evidence, oral and written; and,

WHEREAS, all legal prerequisites have occurred prior to the adoption of this Resolution.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF BUELLTON DOES RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The Planning Commission hereby finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

SECTION 2. The Planning Commission does hereby make the following findings: (1) it has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting upon the Project; (2) the Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA; (3) the Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the Planning Commission.

SECTION 3. Based on the findings set forth in Sections 1 and 2, the Planning Commission hereby recommends that the City Council approve the Initial Study/Mitigated Negative Declaration and adopt the related Mitigation Monitoring and Reporting Program prepared for the Avenue of Flags Specific Plan (17-SP-01) and incorporate the mitigation measures from the Initial Study/Mitigated Negative Declaration into conditions of approval for any applicable future development permit applications in the Project area.

SECTION 4. The Planning Commission Secretary shall certify to the adoption of this Resolution and shall cause the same to be transmitted to the City Clerk for consideration by the City Council.

PASSED AND ADOPTED this 7th day of September, 2017

Brian Dunstan
Planning Commission Chair

Clare Barcelona
Planning Commission Secretary

Exhibit
A – Mitigation Monitoring and Reporting Program

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 above and foregoing Resolution No. 17-11 was duly passed and adopted by the Planning Commission of said City at a regular meeting thereof, held on the 7th day of September, 2017, by the following vote, to wit.

AYES: (4) Commissioners Hammell, Heedy, Vice Chair Padilla and Chair Dunstan

NOES: (0)

ABSENT: (0)

NOT VOTING: (0)

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of September, 2017.

Clare Barcelona
Planning Commission Secretary

Exhibit A

Avenue of Flags Specific Plan
Mitigation Monitoring and Reporting Program

The Mitigation Measures set forth below are expressly derived from the environmental analysis performed under the provisions of the California Environmental Quality Act of 1970, as amended ("CEQA"), in connection with the approved Project per Planning Commission Resolution 17-11, dated September 7, 2017. In the event that the scope, nature, extent, method, timing or location of construction changes from that set forth in the Project as conditionally approved, such construction shall not proceed until or unless: (i) the change is evaluated for environmental impacts; and (ii) appropriate measures are instituted to the Project that mitigate the impacts (if any) to a level of insignificance. Such determinations shall be made in the manner and subject to the limits prescribed in the Project Description.

The following describes the monitoring and timing requirements of the mitigation measures, which are to be incorporated into applicable Conditions of Approval for any potential future land use development permit applications within the Project area.

AIR QUALITY

1. **AQ – 1: Location-specific Health Risk Assessments**
   For future land use development permit applications within the Project area, a location-specific health risk assessment (HRA) shall be required if the development would place sensitive receptors, such as residences, within 500 feet of Highway 101. If the HRA indicates that the proposed development would expose sensitive receptors to an unacceptable health risk resulting from its proximity to Highway 101, then additional mitigation that reduces health risk below standards recommended by SBCAPCD, such as MERV filtration, shall be incorporated into the development prior to permit issuance.

   Monitoring:
   Planning Department will verify at the time of future land use development permit approval and Zoning Clearance issuance that Mitigation Measure AQ-1 has been incorporated into the individual project/permit approval, as applicable.

CULTURAL RESOURCES

2. **CR – 1: Halt Work Order for Archaeological Resources**
   If unanticipated cultural resources are exposed during potential future developments within the Project area, 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.

Monitoring:

Planning Department will verify at the time of future land use development permit approval and Zoning Clearance issuance that Mitigation Measure CR-1 has been incorporated into the individual project/permit approval, as applicable.

NOISE

3. N – 1: Construction Noise Attenuation

For all demolition and construction activity within the Project Area, noise attenuation techniques shall be employed as needed to ensure that noise remains within levels allowed by the City of Buellton construction noise standards (Section 8.04.030(G)(4)(d); 75 dBA Leq). Construction noise attenuation measures shall include:

- All construction equipment shall have properly maintained sound-control devices.
- No equipment shall have an unmuffled exhaust.
- All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
- Unnecessary idling of internal combustion engines shall be prohibited.

As necessary to achieve the construction noise standard, contractors shall implement appropriate additional noise mitigation measures including, but not limited to, siting the stationary construction equipment away from residential areas to the extent possible, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, and installing temporary acoustic barriers around stationary construction noise sources.

Monitoring:

Planning Department will verify at the time of future land use development permit approval and Zoning Clearance issuance that Mitigation Measure N-1 has been incorporated into the individual project/permit approval, as applicable.

TRANSPORTATION / TRAFFIC

4. T – 1: Traffic Mitigation Fee Program

Developments within the Project area would be required to contribute to the City's traffic mitigation fee program to fund long-term programmatic improvements.

Monitoring:

Planning Department will verify at the time of future land use development permit approval and Zoning Clearance issuance that Mitigation Measure T-1 has been incorporated into the individual project/permit approval, as applicable.

ATTACHMENT 2

PLANNING COMMISSION RESOLUTION NO. 17-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, RECOMMENDING APPROVAL OF THE AVENUE OF FLAGS SPECIFIC PLAN (17-SP-01), 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, the City Council of the City of Buellton initiated the preparation of the Avenue of Flags ("AOF") Specific Plan (17-SP-01) (the "Project"), a regulatory tool that implements the City's General Plan, and provides detailed planning direction and development standards for the "Project" area (Exhibit A), which has an underlying zoning designation of CR-General Commercial, with a corresponding General Plan Land Use designation of GC-General Commercial.

The Specific Plan also functions as the Zoning Code and guides future development within the Project area by: defining land uses; creating an integrated circulation system; establishing development standards through Form-Based Code; providing for infrastructure needs; and identifying funding sources and economic development tools, including incentives/public benefits through the Development Opportunity Reserve (DOR) Program

SECTION 2: The proposed Project consists of the following: **Specific Plan (17-SP-01):** The overall goal of the Specific Plan is to revitalize downtown Buellton by transforming the AOF corridor from an aging automobile-oriented thorough-fare to a vibrant, pedestrian-friendly "main street" downtown destination. Traffic-calming, safety measures and new street standards along the AOF roadways will be implemented in order to accommodate additional parking spaces, local traffic, deliveries, pedestrians, and bicyclists, including slowing traffic exiting US 101 to a speed appropriate for a downtown district. Other infrastructure improvements include: the Zaca Creek Trail; parks and open space within the medians; and local/regional connectivity enhancements to pedestrian paths and bikeways. The Specific Plan document is hereby incorporated by reference to this Resolution.

As a regulatory document, the Specific Plan does not require or proposed the construction of any new development projects but rather establishes policies, standards and programs that will allow for and support future land use entitlements in fulfillment of Specific Plan goals. Private development would occur primarily on the ten Opportunity Site areas which are either vacant or underutilized privately-owned parcels. The Development Opportunity Reserve (DOR) program incentives are an economic cornerstone for revitalization efforts in the Specific Plan area.

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 September 7, 2017 ("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 17-SP-01
   b. The staff report dated September 7, 2017
   c. The Initial Study and Mitigated Negative Declaration for the project (17-MND-02), dated July 14, 2017
   d. The Draft Avenue of Flags Specific Plan

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 August 3, 2017 (the "PC Public Notice"), a minimum of 10 days in advance of the PC Public Hearing conducted on September 7, 2017.

2. The PC Public Notice was mailed to affected public agencies, persons owning property within 300 feet of the Project site and others known to be interested in the matter on August 4, 2017, a minimum of 10 days in advance of the PC Public Hearing.

3. The PC Public Notice was posted in two public locations on August 4, 2017, a minimum of 10 days in advance of the PC Public Hearing.

C. Environmental Review. Pursuant to the California Environmental Quality Act (CEQA), the Initial Study/Mitigated Negative Declaration dated July 14, 2017 was circulated for public and agency review and comment from July 18, 2017 through August 16, 2017. Copies of the Initial Study/Mitigated Negative Declaration were made available to the public at the Planning Department on July 18, 2017, and the Initial Study/Mitigated Negative Declaration was distributed to interested parties and agencies. On July 13, 2017, a Notice of Availability of the Initial Study/Mitigated Negative Declaration, including the time and place of the Planning Commission meeting to review the Application and Initial Study/Mitigated Negative Declaration was published in the local newspaper and posted in three public locations. Findings for the CEQA document are included in Planning Commission Resolution 17-11.

Planning Commission Resolution 17-11 was adopted prior to the consideration of Planning Commission Resolution 17-12.

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. Specific Plan (17-SP-01)

a. Findings:

i. That the form and substance of the Specific Plan, as well as the process used in its preparation and adoption, are consistent with the requirements set forth in the Buellton Municipal Code Section 19.08.140.C.

ii. That the Specific Plan is in conformance with all applicable policies and implementation programs set forth in the 2025 Buellton General Plan. Policy direction for the Avenue of Flags is included in several elements of the General Plan, including the Land Use, Circulation, Economic Development, Housing, and Parks and Recreation Elements. A discussion of applicable General Plan policies and programs that are implemented by the Specific Plan is set forth in the Avenue of Flags Specific Plan Chapter One, Section B.4., and are incorporated herein by this reference.

iii. That the Specific Plan will not be detrimental to the health, safety, comfort, convenience, property values and general welfare of the community. The vision and guiding principles for the Avenue of Flags Specific Plan are to create an architecturally distinctive and economically robust downtown district that is attractive, vibrant, pedestrian friendly, community-oriented, environmentally sustainable, and promotes public safety.

iv. That the Specific Plan will not adversely affect such necessary community services as traffic circulation, sewage disposal, fire protection, police protection, and water supply. Future development of the Project area has been anticipated as part of the City's General Plan. The Traffic & Circulation Study prepared for the Specific Plan concluded that traffic circulation resulting from the Specific Plan is substantially consistent with the General Plan Circulation Element. The Public Works Department is able to provide water and sewage disposal services to the Project. Fire and Police services are provided by the County of Santa Barbara with stations located in close proximity to the Project area.

v. That the proposed development in the Specific Plan is in conformance with the community design guidelines. While the community design guidelines serve as the basic standard, distinct architectural design styles and form-based development code have been developed uniquely for the Specific Plan and will apply to future development in the area. The Specific Plan design styles and form-based code, based on the community vision for the Project area, are intended to showcase Buellton's historic and cultural elements and to promote a distinct identity and differentiating brand for the downtown area.

SECTION 4. Based on the findings set forth in Section 3, the Planning Commission hereby recommends that the City Council incorporate the mitigation measures set forth in Exhibit B as conditions of approval for the Project.

SECTION 5: Based upon the forgoing findings, facts and conclusions, including, but not limited to, the review of the information provided in the Staff Report, consideration of the testimony given at the Planning Commission Public Hearing, as well as other pertinent information, the Planning Commission hereby recommends that the City Council adopt, by ordinance, the Avenue of Flags Specific Plan (17-SP-01), with the following revisions:

1. Delete the Agrarian architectural style
2. Eliminate the large vehicle parking area along Median 1
3. Provide lighted, flashing crosswalk signs as an option to 4-way stop signs
4. Prohibit drive-through lanes
5. Add a policy encouraging local and regional uses as opposed to national chains
6. Continue to monitor the traffic counts along Central Avenue

SECTION 6: The Planning Commission Secretary shall certify as to the adoption of this Resolution and shall cause the same to be transmitted to the City Clerk for consideration by the City Council.

PASSED, APPROVED and ADOPTED this 7th day of September 2017.

Brian Dunstan
Chair

ATTEST:

Clare Barcelona
Planning Commission Secretary

Exhibits
A - Avenue of Flags Specific Plan Boundary
B - Avenue of Flags Specific Plan Mitigation Measures

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. 17-12 was duly approved by the Planning Commission of the City of Buellton at a meeting held on the 7th day of September 2017, by the following vote, to wit.

AYES: (4) Commissioners Hammell, Heedy, Vice Chair Padilla and Chair Dunstan

NOES: (0)

ABSENT: (0)

NOT VOTING: (0)

IN WITNESS WHEREOF, I have hereunto set my hand this 7h day of September, 2017.

Clare Barcelona
Planning Commission Secretary

Exhibit A

Avenue of Flags Specific Plan Boundary

Exhibit B

Avenue of Flags Specific Plan
Mitigation Measures

The Mitigation Measures set forth below are expressly derived from the environmental analysis performed under the provisions of the California Environmental Quality Act of 1970, as amended ("CEQA"), in connection with the approved Project per Planning Commission Resolution 17-11, dated September 7, 2017. In the event that the scope, nature, extent, method, timing or location of construction changes from that set forth in the Project as conditionally approved, such construction shall not proceed until or unless: (i) the change is evaluated for environmental impacts; and (ii) appropriate measures are instituted to the Project that mitigate the impacts (if any) to a level of insignificance. Such determinations shall be made in the manner and subject to the limits prescribed in the Project Description.

The following describes the mitigation measures, which are to be incorporated into applicable Conditions of Approval for any potential future land use development permit applications within the Project area.

AIR QUALITY

1. **AQ – 1: Location-specific Health Risk Assessments**
   For future land use development permit applications within the Project area, a location-specific health risk assessment (HRA) shall be required if the development would place sensitive receptors, such as residences, within 500 feet of Highway 101. If the HRA indicates that the proposed development would expose sensitive receptors to an unacceptable health risk resulting from its proximity to Highway 101, then additional mitigation that reduces health risk below standards recommended by SBCAPCD, such as MERV filtration, shall be incorporated into the development prior to permit issuance..

CULTURAL RESOURCES

2. **CR – 1: Halt Work Order for Archaeological Resources**
   If unanticipated cultural resources are exposed during potential future developments within the Project area, 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.

NOISE

1. **3. N – 1: Construction Noise Attenuation**
   2. For all demolition and construction activity within the Project Area, noise attenuation techniques shall be employed as needed to ensure that noise remains within levels allowed by the City of Buellton construction noise standards (Section 8.04.030(G)(4)(d); 75 dBA Leq). Construction noise attenuation measures shall include:

- All construction equipment shall have properly maintained sound-control devices.
- No equipment shall have an unmuffled exhaust.
- All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
- Unnecessary idling of internal combustion engines shall be prohibited.

As necessary to achieve the construction noise standard, contractors shall implement appropriate additional noise mitigation measures including, but not limited to, siting the stationary construction equipment away from residential areas to the extent possible, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, and installing temporary acoustic barriers around stationary construction noise sources.

TRANSPORTATION / TRAFFIC

4. T – 1: Traffic Mitigation Fee Program

Developments within the Project area would be required to contribute to the City's traffic mitigation fee program to fund long-term programmatic improvements.

ATTACHMENT 3

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: Irma Tucker, Contract City Planner

Meeting Date: September 7, 2017

Subject: **Avenue of Flags Specific Plan:**

Resolution No. 17-11 – "A Resolution of the Planning Commission of the City of Buellton, California, Recommending Approval of a Mitigated Negative Declaration (17-MND-02) and Mitigation Monitoring and Reporting Program for the Avenue of Flags Specific Plan and Making Related Findings Under the California Environmental Quality Act"; and

Resolution No. 17-12 – "A Resolution of the Planning Commission of the City of Buellton, California, Recommending Approval of the Avenue of Flags Specific Plan (17-SP-01) and Making Findings In Support Thereof"

BACKGROUND

At the City Council meeting on January 12, 2017, an updated working draft of the Avenue of Flags Specific Plan was presented for review and comment by City Council. Incorporated into the Specific Plan were many of the changes that had been requested by the City Council, Planning Commission and general public during prior meetings and workshops. During the meeting, the City Council discussed the following items: how to implement the development opportunity reserve (DOR) program; whether current projects on the Avenue of Flags are looking into the benefits from DOR; potential economic development programs to help fund improvements; preparing a CEQA master document for the Specific Plan and how that will help developers with future environmental review of projects.

The City Council agreed by consensus to direct staff to proceed with the preparation of a final Draft Avenue of Flags Specific Plan and the required environmental studies/CEQA review. The Council requested the following changes, which have been addressed (*as shown in italics below*) in the version of the Specific Plan that is currently being considered:

1. Remove from the Urban Design Vision Plan and Development Code the conceptual structures shown on the medians; and in a separate section of the Specific Plan, show the optional structures, building types and facilities that could be installed on the medians.

   The Urban Design Vision Plan (Figure 2-1) and the Development Code (Chapter 3) have been updated as requested. There were no changes to Medians 1 and 5. Changes to other medians include: designating Medians 2 and 4 as flex space; and showing the public restroom building and amphitheater on Median 3; see items 3, 4 and 5 below for additional detail on the medians. Conceptual examples of optional building types potentially allowed are described in Chapter 3; conceptual renderings and additional building types are set forth in Appendix F.

2. Median 2 – show as a cobble stone paved area with flex space to be used for diagonal parking and event areas. Include rolled curb, trees in pots and post holes for removable shade structures.

   Included in the "Intended Character" (Chapter 2, Section C.2) and "Public Space & Features" (Chapter 3, Section D.2) descriptions for Median 2.

3. Median 3 – show the town plaza and amphitheater with grassy areas, trees and shade in-between; include conceptual location for public restroom building.

   Included in the "Intended Character" (Chapter 2, Section C.3) and "Public Space & Features" (Chapter 3, Section D.3) descriptions for Median 3.

4. Median 4 – keep the flag areas to the north and south; identify balance of median as flex space in the initial stages of the Specific Plan.

   Included in the "Intended Character" (Chapter 2, Section C.4) and "Public Space - Features" (Chapter 3, Section D.4) descriptions for Median 4.

5. Review and possibly eliminate proposed new diagonal parking on the business frontage side of the Avenue of Flags roadway and show parallel parking in these locations where feasible.

   The previously proposed new diagonal parking on the business frontage side of Avenue of Flags has been eliminated and replaced with parallel parking spaces where they can safely be accommodated.

6. Delete the Ranch style architecture and include the Art Deco style with additional details on its use.

   Ranch and Traditional Downtown architectural design styles have both been eliminated. The recommended styles are Agrarian, Craftsman/Bungalow and Art Moderne/50's Diner. These styles are intended to showcase Buellton's historic agrarian, "service-town" and car culture elements and to promote a distinct identity and differentiating brand for the downtown area. The Art Moderne/50's Diner style will be encouraged in Districts 1, 3, 4, and 6, and proposed buildings will be reviewed for appropriate design aesthetics and strategic placement.

7. Include infrastructure stub-outs for fiber optics on Medians 2, 3 and 4.
   The Planning District Descriptions (Chapter 2, Section C) and Development Standards by District (Chapter 3, Section D) describe infrastructure stub-outs for fiber optics on Medians 2, 3, and 4.

8. Review mid-block crosswalk locations; determine if additional crosswalks are needed.
   Staff has determined that the crosswalks shown are adequate in number and in locations best suited to promote pedestrian safety. (Chapter 4, Figure 4-1)

9. Remove the CFD, and possibly the EIFD, as potential financing mechanisms, voicing concerns about increased property taxes City-wide.
   The CFD has been eliminated. However, it is recommended that the EIFD be considered as an important financing tool well-suited for the Specific Plan. The following rational in support of EIFD's was prepared with the assistance of Kosmont Companies, the City's Economic Development consultants (excerpted and summarized from Specific Plan Chapter 5).

   a) What is an Enhanced Infrastructure Financing District (EIFD)?:
      - EIFD is **not** a new or increased tax on City-wide property owners
      - EIFD is a voluntary dedication of all or only a portion of property tax increment from new future development by participating taxing entities that must consent (e.g. City, County), and provides opportunity to tap into potential funding share from other entities that could not otherwise be accessed following dissolution of redevelopment agencies
      - An EIFD can be established to leverage increased property tax increment financing (or "TIF") from only new future development projects in the Specific Plan area to fund necessary infrastructure improvements and/or maintenance/services
      - The governing board of an EIFD (Public Financing Authority) is comprised of local agency leaders (e.g. City Council) and members of the public who live or work in the area; this means local control

   b) Establishment of an EIFD signals the prioritization of infrastructure as a City priority (versus just a budget dedication as an example) to both the private sector looking to come in and invest and also to public grant sources (e.g. U.S. EDA, CA Dept. of Water Resources, etc.); it provides potential partnership opportunities with other government entities (e.g. Santa Barbara County) and capacity to elevate the City's eligibility for grants and other funding sources.

   c) Preliminary analysis of potential tax increment financing (TIF) funding capacity of an EIFD for the Specific Plan area is an estimated $1.5 million (present value basis); projection assumes only half of future potential TIF pledged from major non-school entities

   d) Buellton is well-positioned to take advantage of the new EIFD tool for multiple reasons, including significant new development potential (particularly as a result of application of the DOR program), high rate of property tax capture among taxing entities from parcels along the

Avenue, lack of long-term outstanding redevelopment agency obligations, and alignment of AOF infrastructure needs with EIFD-eligible expenditures.

10. Provide an implementation mechanism for the DOR, with the suggestion that Development Agreements would be the appropriate mechanism.
    DOR program terms and potential financial incentives/benefits will be negotiated through individual development agreement between the City and future development permit applicants (Chapter 5, Section C.9).

The complete text of the Specific Plan is available on-line for viewing (**Attachment 1**), and hard copies are available for review at the Planning Department.

We have three potential projects already moving forward within the Specific Plan area. All three applicants are willing to work with the City to implement some design elements contained in the Specific Plan even before the plan is officially adopted.

Next Steps

Comments and potential revisions received from the Planning Commission public hearing will be incorporated into the final draft Specific Plan document, to be recommended for approval by the City Council during a public hearing anticipated to occur in fall of 2017.

ENVIRONMENTAL REVIEW (CEQA)

Environmental Record

In accordance with the requirements of the California Environmental Quality Act, California Public Resources Code section 21000 *et seq.*, the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections 15000 *et seq.*, and the Environmental Impact Report Guidelines of the City of Buellton (collectively, "CEQA"), the City prepared an Initial Study and Mitigated Negative Declaration (IS/MND) for the project (**Attachment 2**).

On July 13, 2017, a Notice of Availability of the Initial Study/Mitigated Negative Declaration, including the time and place of the Planning Commission meeting to review the Application and IS/MND, was published in the local newspaper and posted in two public locations.

The IS/MND dated July 14, 2017 was circulated for public and agency review and comment from July 18, 2017 through August 16, 2017. Copies of the IS/MND were made available to the public at the Planning Department on July 18, 2017, and the IS/MND was distributed to interested parties and agencies.

The IS/MND concluded that implementation of the Project could result in a number of potentially significant effects on the environment and identified mitigation measures that would reduce the significant impacts to a less-than-significant level. The issues requiring

mitigation are: air quality, cultural resources, noise, and traffic. The mitigation measures have been incorporated as conditions of approval for the Project, along with monitoring requirements. The Mitigation Monitoring and Reporting Program is included as Exhibit A to Resolution 17-11.

CEQA Comments

The City received four comment letters during the public review period (**Attachment 3**), as of the date of this staff report. Any comment letters received after this date will be transmitted to the Planning Commission under separate cover.

1. E-mail correspondence dated July 24, 2017, from Matt van der Linden, City of Solvang, conveying comments from Santa Ynez Valley Transit that future bus stops may be needed in the Buellton downtown area along Avenue of Flags.

Staff Response*: There is an existing SYVT bus stop within the Specific Plan area at Avenue of Flags and Second Street. Potential future bus stop locations would be evaluated as needed.*

2. Letter dated August 2, 2017, from Gayle Totten on behalf of the Native American Heritage Commission, commenting on: a) the need for documentation that "government-to-government consultation by the lead agency has begun or concluded under AB 52 with Native American Tribes traditionally affiliated to the project area"; and b) the need for "mitigation measures specifically addressing Tribal Cultural Resources separately and distinctly from Archaeological Resources.

Staff Response:

a) A Consultation Opportunity Notice –AB52 dated July 14, 2017(included in Attachment 3) was transmitted via both e-mail (recipient's preferred method) and USPS mail to Mr. Freddy Romero, Cultural Resources Coordinator of the Santa Ynez Band of Chumash Indians Elders Council (Chumash), who has been designated by the Chumash tribe as its representative for coordination with the City (lead agency) on environmental matters. In addition, Mr. Romero received copies of the Notice of Availability of Environmental Document dated July 13, 2017 and the Notice of Public Hearing dated August 3, 2017. The City has an on-going working relationship with Mr. Romero, who routinely submits comments as needed regarding proposed projects and environmental documents that have been circulated for public review within the City. No request for consultation or comments have been received to date from the Chumash tribe concerning the subject Project.

b) The Chumash have provided standard language to the City for a mitigation measure to be included as part of the Cultural Resources section of applicable CEQA documents; this language is reflected in the Project's IS/MND dated July 14, 2017. In past cases where additional mitigation may potentially be required, the Chumash have provided the City with appropriate language. No request for additional mitigation has been received to date from the Chumash tribe for the subject Project; in the event that additional mitigation is requested from the tribe prior to the public hearing, it will be evaluated for potential inclusion in the Project's IS/MND, as applicable.

3. Letter dated August 16, 2017 from Santa Barbara County Air Pollution Control District, commenting on: a) version of Clean Air Plan used in analysis; and b) location of, and assessment of risks to, sensitive receptors within 500 feet of Highway 101.

   Staff Response:

   a) *The City's air quality consultant (Rincon) states analysis is consistent with both the 2013 Clean Air Plan <u>and</u> the 2016 Ozone Plan, with the latter not introducing any new control measures that would be applicable to the Project.*

   b) *The Specific Plan does not change or add new sensitive uses to the Project area, thus no additional mitigation is technically required. The City is going beyond technical compliance with CEQA to ensure public health is protected, and Rincon states that the Health Risk Assessment (HRA) methodology is the most appropriate tool currently available to assess potential health hazard.*

4. Letter dated August 15, 2017, from the California State Department of Transportation (Caltrans), commenting on: trip diversion estimates, vehicle queuing analysis for SR 246 and US 101, and proposed mitigation.

   Staff Response:

   a) Caltrans has not cited any evidence to support their conclusions

   b) The City's traffic consultant (Associated Transportation Engineers, "ATE") prepared the Traffic and Circulation Study (July 10, 2017) in consideration of assumptions, analysis methodology and mitigation measures which are the most appropriate for the Project. ATE has prepared a response to Caltrans' comment letter; the ATE response is included in Attachment 3.

CONDITIONS OF APPROVAL

The project is subject to the conditions of approval listed below:

- Mitigation Measures from the IS/MND for the project;

The complete list of conditions is included within Planning Commission Resolution No. 17-12.

RECOMMENDATION

That the Planning Commission consider the adoption of Resolutions No. 17-11 and No. 17-12, recommending approval of the Initial Study/Mitigated Negative Declaration and related Avenue of Flags Specific Plan project. Specifically, the recommendation is to adopt:

Resolution No. 17-11 – "A Resolution of the Planning Commission of the City of Buellton, California, Recommending Approval of a Mitigated Negative Declaration (17-

MND-02) and Mitigation Monitoring and Reporting Program for the Avenue of Flags Specific Plan and Making Related Findings Under the California Environmental Quality Act"; and

Resolution No. 17-12 – "A Resolution of the Planning Commission of the City of Buellton, California, Recommending Approval of the Avenue of Flags Specific Plan (17-SP-01) and Making Findings In Support Thereof"

ATTACHMENTS

Planning Commission Resolution 17-11 (recommending approval of the IS/MND, including Mitigation Monitoring and Reporting Program)
Planning Commission Resolution 17-12 (recommending approval of the Project with conditions of approval)
Attachment 1 – (via link to City website) Draft Avenue of Flags Specific Plan (complete text)
Attachment 2 - Initial Study / Mitigated Negative Declaration
Attachment 3 – CEQA Comment Letters, including supporting documentation for Staff response

Draft

Initial Study/ Mitigated Negative Declaration

for the

Avenue of Flags Specific Plan

17-MND-02

July 14, 2017

TABLE OF CONTENTS

Page

Introduction

Legal Authority 1
Impact Analysis and Significance Classification 1

Initial Study

Project Title 2
Lead Agency and Contact Person 2
Project Proponent 2
Project Site Characteristics 2
Project Description 6
Public Agencies Whose Approval May Be Required For Subsequent Actions 10
References 10

Environmental Determination 13
Evaluation of Environmental Impacts 14
I. Aesthetics 14
II. Agriculture and Forestry Resources 15
III. Air Quality 15
IV. Biological Resources 23
V. Cultural Resources 24
VI. Geology and Soils 26
VII. Greenhouse Gas Emissions 28
VIII. Hazards and Hazardous Materials 34
IX. Hydrology and Water Quality 36
X. Land Use and Planning 38
XI. Mineral Resources 44
XII. Noise 44
XIII. Population and Housing 56
XIV. Public Services 57
XV. Recreation 58
XVI. Transportation/Traffic 59
XVII. Tribal Cultural Resources 70
XVIII. Utilities and Service Systems 71
XIX. Mandatory Findings of Significance 73

Tables

Table 1 Specific Plan Buildout Estimated Annual Construction Air Pollutant Emissions 19
Table 2 Specific Plan Buildout Operational Emissions 20
Table 3 Specific Plan versus General Plan Buildout Operational Emissions 21
Table 4 SLOAPCD GHG Significance Determination Criteria 29
Table 5 Service Population Estimates 30
Table 6 Specific Plan Buildout Estimated Construction Emissions of Greenhouse Gases 31
Table 7 Combined Annual Emissions of Greenhouse Gases 32
Table 8 Specific Plan vs. General Plan Buildout Combined Annual Emissions of GHGs 33
Table 9 Human Response to Different Levels of Groundborne Vibration 46
Table 10 Land Use Compatibility for Community Noise Exposure 47
Table 11 Standards for Changes in Operational Roadway Noise Exposure 47
Table 12 Noise Measurement Results 50
Table 13 Noise Measurement Results at Offsite Farmer's Market 50
Table 14 Near-Term and Cumulative Roadway Noise Impacts 53

Table 15 Construction Noise Levels by Phase....54
Table 16 Vibration Source Level for Construction Equipment....55
Table 17 Levels of Service – Existing Conditions and Traffic Diversion....62
Table 18 Levels of Service – Near-Term Conditions....63
Table 19 Specific Plan – 5-Year Trip Generation....64
Table 20 Levels of Service – Near-Term + Specific Plan (5-Year)....64
Table 21 Specific Plan Trip Generation....66
Table 22 Levels of Service – General Plan Buildout....67

Figures

Figure 1 Regional Location.... .4
Figure 2 Specific Plan Boundary.... 5
Figure 3 Noise Measurement Locations....49
Figure 4 Specific Plan Area Circulation Map.... 60

Appendices

Appendix A - Draft Avenue of Flags Specific Plan

INTRODUCTION

LEGAL AUTHORITY

This Initial Study (IS) has been prepared in accordance with the *CEQA Guidelines* and relevant provisions of the California Environmental Quality Act (CEQA) of 1970, as amended.

Initial Study. Section 15063(c) of the *CEQA Guidelines* defines an Initial Study as the proper preliminary method of analyzing the potential environmental consequences of a project. The purposes of an Initial Study are:

(1) To provide the Lead Agency with the necessary information to decide whether to prepare an Environmental Impact Report (EIR) or a Mitigated Negative Declaration;

(2) To enable the Lead Agency to modify a project, mitigating adverse impacts, thus avoiding the need to prepare an EIR; and

(3) To provide sufficient technical analysis of the environmental effects of a project to permit a judgment based on the record as a whole, that the environmental effects of a project have been adequately mitigated.

IMPACT ANALYSIS AND SIGNIFICANCE CLASSIFICATION

The following sections of this IS provide discussions of the possible environmental effects of the proposed project for specific issue areas that have been identified on the CEQA Initial Study Checklist. For each issue area, potential effects are isolated.

A "significant effect" is defined by Section 15382 of the *CEQA Guidelines* as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by a project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance." According to the *CEQA Guidelines*, "an economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant."

INITIAL STUDY

PROJECT TITLE: Avenue of Flags Specific Plan

LEAD AGENCY and CONTACT PERSON

City of Buellton, Planning Department
P.O. Box 1819
Buellton, CA 93427
Contact: Irma Tucker, Contract City Planner, (805) 688-7474

PROJECT PROPONENT

City of Buellton
P.O. Box 1819
Buellton, CA 93427

PROJECT SITE CHARACTERISTICS

Location and Surrounding Land Uses: The City of Buellton is located along U.S. Highway 101 in Santa Barbara County, the western gateway to the Santa Ynez Valley. It is midway between Santa Maria and Santa Barbara, as shown in Figure 1, Regional Location Map. Buellton is located within a tri-County region encompassing the counties of San Luis Obispo, Santa Barbara, and Ventura. Buellton has an estimated population of 4,957. The Avenue of Flags Specific Plan ("Specific Plan", "Project") area encompasses one distinct area located in the center of the City and historically considered its downtown. The Specific Plan Boundary is depicted in Figure 2.

The boundaries of the Specific Plan area generally include Zaca Creek and the northerly property line of Flying Flags RV Resort to the south, Highway 101 to the east, the alleyway between Avenue of Flags ("AOF") and Central Avenue to the west, and the Highway 101 soutbound off-ramp intersection at the northern end of AOF. As of Baseline Year 2016, all of the properties within the Specific Plan area have an underlying zoning designation of CR – General Commercial, with a corresponding General Plan Land Use designation of GC – General Commercial.

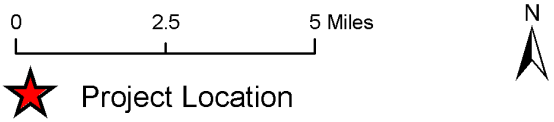
As the City's historic downtown, the land (including topography, cultural and natural resources, drainage courses) within the Specific Plan area has been highly disturbed by prior grading, development and highway construction activites. The divided Highway 101, route of the north-south Coast Highway between Los Angeles and San Francisco, was paved through the center of Buellton in 1922 and formed an intersection with the east-west Highway 246. Given its convenient location at the intersection of two major highways, Buellton experienced increased automoble traffic and became known as "Service Town USA".

The present day AOF was the original alignment of Highway 101 before it was re-aligned in 1965 to its current, limited-access freeway location along the eastern boundary of the Specific Plan. Construction of the Highway 101 freeway included two interchanges (Damassa Road, Highway 246) and one south-bound off-ramp (Avenue of Flags) that serve the Specific Plan area. The grading required as part of the freeway and interchange construction in 1965 represented a significant disruption of the cultural and biologic resources and topography of the area.

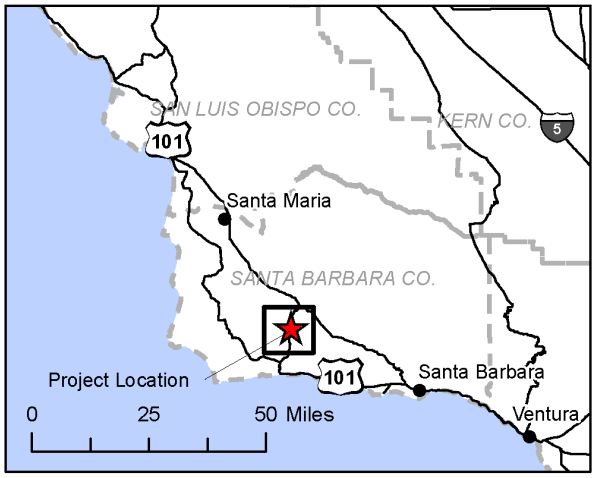
The Zaca Creek drainage was channelized and enclosed in underground culverts beneath the Highway 101 freeway and at several locations within the eastern portion of the Specific Plan area. The eastern half of the AOF roadway south of Second Street is within the 100-year flood zone. Natural vegetation along the remaining limited open sections of Zaca Creek has been significantly altered by decades of primarily commercial land use.

The re-routing of Highway 101 to its current freeway location resulted with a wide roadway and several underutilized grassy median strips through the heart of Buellton's downtown and a diversion of primary automobile traffic, all of which has contributed to the gradual decline of the commercial businesses along AOF. The present roadway retains elements of being a high-speed divided highway along with fast-paced traffic exiting the current southbound freeway off-ramp directly onto the Avenue of Flags. The result is a downtown core that lacks the essential aesthetic, safety, infrastructure, and public amenity components that are essential to a vibrant downtown core with a thriving mix of land uses and public activity, an overall goal for the Specific Plan area.

Figure 1 Regional Location Map



AVENUE OF FLAGS SPECIFIC PLAN
CITY OF BUELLTON



Base map sources: U.S. Bureau of the Census Tiger 2000 data and ESRI, 2002.

Figure 2 Specific Plan Boundary

PROJECT DESCRIPTION

Background and Policy Framework

The Specific Plan is a regulatory tool that implements the City's General Plan, and provides more detailed planning direction and development standards for the AOF Project area than are included in the General Plan. Consistent with the General Plan, the Specific Plan also functions as the Zoning Code and guides future development within the Project area by defining land uses, creating an integrated circulation system, establishing development standards through Form-Based Code, providing for infrastructure needs, and identifying funding sources and economic development tools, including the Development Opportunity Reserve (DOR) program.

Derived from the Buellton Vision Plan adopted in February 2012, the following sets forth the overall vision statement for the Specific Plan area:

> ***Vision Statement – Avenue of Flags Downtown District***
>
> *An architecturally distinctive and economically robust downtown district that integrates commercial, mixed-use and high-density residential units fostering an attractive, vibrant and pedestrian friendly downtown village environment.*
>
> *Featuring a central plaza, refined traffic pattern, ample parking, and walking paths/bikeways, Buellton provides a "Signature destination experience" and promotes a "Village Style" commercial/residential district offering an exciting place to live, work and attract tourists.*
>
> *"Special District" zoning allows for development opportunities including: hospitality-lodging, retail shops, art studios and galleries, professional offices, restaurants and cafes, entertainment venues, high density residential units and mixed-use projects.*

On March 12, 2015, City Council authorized Staff and the City's Consultant Team to proceed with the preparation of a Specific Plan for The Avenue of Flags.

Between June 2015 and January 2016, a series of meetings and public workshops, including three Planning Commission workshops, two City Council workshops and several meetings with property/business owners, were held to obtain community input regarding, first, the draft Urban Design Concept for the AOF, and subsequently the preliminary draft Avenue of Flags Specific Plan. Comments received from the community, Planning Commission and City Council have been incorporated into the formal draft Avenue of Flags Specific Plan document which is the Project being considered in this Initial Study.

Consistent with the General Plan and AOF Vision Statement, the Specific Plan has been developed with the following guiding principles:

- The Plan must be economically and visually attractive
- The Plan must be realistic, flexible, and implementable
- The Plan must be community oriented
- The Plan must be environmentally sustainable
- The Plan must promote public safety

Form & Character

The fundamental strategy in revitalizing downtown Buellton is the transformation of the AOF corridor from an aging automobile-oriented thorough-fare to a vibrant, pedestrian-friendly "main street", with a welcoming village atmosphere that preserves Buellton's history, captures the character of the Community.

The Avenue of Flags current "pass-through" traffic status will be changed to a condition of being a major destination for community residents and travelers alike. This will be accomplished by: activating the medians, calming traffic, enhancing safety for pedestrian via crosswalks and pathways, strategic building massing, providing park-like improvements, and creating destination places on the medians and along the adjacent roadway frontages. Parking is addressed through new and reconfigured on-street parking, parking on/along the medians, as well as strategically located future parking lot(s).

The Specific Plan is broken down into six district planning areas, six median planning areas to be used as public spaces, and several private development opportunity site that have development or revitalization potential. The following is a brief description of the six district planning areas.

District 1 – Gateway North: This is a travelers' service district, with an existing and proposed mix of auto-oriented commercial services and lodging along with open space, landscaping and additional parking on Median 1.

District 2 – Public Events and Mixed Use: This district is primarily for mixed-use development and the location of multi-purpose parking and public event uses (such as farmers markets and car shows) on Median 2.

District 3 – Civic Junction: This one of two districts that are the center of the Specific Plan and where retail and mixed-use development along with public gathering spaces and civic functions are envisioned. Median 3 will include Buellton's landmark town plaza and would have open space and a park-like atmosphere.

District 4 – Civic Gallery: This second district at the center of the Specific Plan is where additional retail and civic functions are envisioned, along with an arts and food village character. The existing flags, public art, veterans' memorial, and the monument honoring a fallen Buellton resident would be part of the final design of Median 4.

District 5 – Gateway South: This is also a traveler-oriented district, with various existing and potential retail and restaurant uses, along with potential enhanced parking (including large vehicles) and secondary circulation opportunities. The existing Median 5 would continue to provide opens space, landscaping and signage.

District 6 – Zaca Corridor: This district south of Highway 246 has the potential for additional retail growth to support the existing uses, and will provide services to both residents and visitors alike. No upgrades to Median 6 are proposed

Proposed improvements to the medians and the establishment of an urban design framework with complementary design styles for private development and public improvements would not only result with enhanced aesthetics but would also provide for an architecturally distinctive, pedestrian friendly and economically robust downtown district. The three architectural styles defined for the Specific Plan area are:

- Agrarian
- Craftsman/Bungalow
- Art Moderne/50s Diner

Development Standards & Projections

As a regulatory document, the Specific Plan does not require or proposed the construction of any new development projects but rather establishes policies, standards and programs that will allow for and support future land use entitlements in fulfillment of Specific Plan goals. Future development within the Specific Plan area would be regulated under Form-Based Development Code regulations, parking requirements, architecture, signage standards, and allowable land uses for the Specific Plan area. Unlike conventional zoning which focuses on land use that tends to create homogenous zoning areas, Form-Based Code encourages diversity through a mixture of uses, form, architectural styles, and scale. A mixture of building types and uses is encouraged: residential above commercial, a live-work unit, and offices above mercantile can all be next to each other on the same street, block, or even parcel of land.

Private development would occur primarily on the ten Opportunity Site areas (Opp Sites), which are either vacant or underutilized privately-owned parcels. The Opp Sites, as well as any other proposed development as applicable, would be entitled on a project-specific basis according to the development and building standards defined by the Specific Plan. The Opp Sites are all under 5 acres in size and may potentially qualify for a Categorical Exemption (Class 32 In-Fill Development Projects) under the California Environmental Quality Act (CEQA) guidelines.

The Development Opportunity Reserve (DOR) program incentives are an economic cornerstone for revitalization efforts in the Specific Plan area. In order for the incentive program to work, a baseline threshold was established, beyond which incentives may be considered in return for public benefits under the DOR program.

Buildout potential for the Specific Plan area was analyzed utilizing the existing General Plan land use and Zoning Code regulations as a baseline. This baseline buildout potential is an estimated 163+/- residential units and 222,208+/- square feet of commercial uses. The Specific Plan projects that a maximum cap of 163 additional residential units and 75,000 SF of additional commercial space above the baseline could potentially be accommodated in the Specific Plan area, achievable through DOR incentives; any potential densities above this cap are subject to Planning Commission and City Council consideration and may require a Specific Plan Amendment.

Infrastructure

The circulation system that serves the Specific Plan is comprised of regional highways, arterials and collector streets. Regional access is provided by US Highway 101 and State Route 246. Local access to the Specific Plan area is provided by Avenue of Flags, State Route 246, Damassa Road, Second Street, and Central Avenue. Santa Ynez Valley Transit provides bus service within the plan area.

The circulation goal is to create a downtown village along The Avenue that facilitates multiple modes of circulation, including vehicles, transit riders, pedestrians and bicyclists. In order to provide a more welcoming and effective pedestrian environment, the Specific Plan proposes enhancement and/or introduction of sidewalks, promenades, plaza, outdoor dining areas, and street trees (where non-currently exist).

Traffic-calming and safety measures along the AOF roadways will be implemented in order to accommodate local traffic, deliveries, pedestrians, and bicyclists, including slowing traffic exiting US 101 to a speed appropriate for a downtown district. New street design standards are proposed that provide one travel lane in each direction with a combination of parallel and angled parking in different locations along the Avenue along with traffic calming measures (e.g. reduce speed limit, install four-way stops including signage and pavement markings, painted crosswalks, sidewalks, and parking improvements).

Other infrastructure improvements include: the Zaca Creek Trail; parks and open space within the medians; and local/regional connectivity enhancements to pedestrian paths and bikeways.

In order to meet future parking demand, strategies such as enhanced parking on and along several medians, creation of a parking district, construction of City parking lots/structures, shared private lots, secondary parking behind businesses, and combination parking structure/private development (with allowable uses) will be considered.

Additional parking is being proposed along with various parking strategies including a parking district. Based on the plan, 185 public parking spaces exist along the Avenue. With implementation of the Specific Plan, an additional 142 public parking spaces can be realized.

Overall phasing of the median improvements is described, and will guide developers who may use the DOR incentive program to install public improvements. As a start to future improvements, the initial City funded improvements (Infrastructure Phase 1) include street network changes, traffic calming and safety, parking within the medians, sidewalk construction, water and sewer line stub-outs.

Implementation

Marketing and outreach would be used to brand the "Avenue" as well as to actively engage the private sector, promote the Opportunity Sites and leverage community strengths to attract quality tenants.

Potential financing mechanisms, funding sources, incentive programs, and other economic development tools are outlined to facilitate development on a project-specific and area-wide basis. The potential primary economic tools include:

- Use of City-Owned Medians
- Land Use and Zoning – Specific Plan & Development Opportunity Reserve (DOR)
- Special Districts – Parking District, Community Facilities District (CFD), Enhanced Infrastructure Financing District (EIFD)
- Grants/State/Federal Programs – SBA/EDA/CDBG

Implementation of the Specific Plan is projected to result with positive fiscal revenue impacts and economic benefits to the community, including potential additional property tax and sales tax revenues along with new job opportunities.

Project would require the following entitlements from the City:

- This is a policy and regulatory document and does not grant specific development entitlements, which would be secured by individual land use permit applicants on a project-specific basis.

PUBLIC AGENCIES WHOSE APPROVAL MAY BE REQUIRED FOR SUBSEQUENT ACTIONS (e.g. permits, financing approval, or participation agreement):

- None identified.

REFERENCES

This Initial Study was prepared using the following information sources:

- Field Reconnaissance
- Buellton General Plan
- Buellton General Plan EIR
- Buellton Municipal Code
- Buellton Zoning Ordinance
- Departmental and Public Agency Consultations
- Air Quality Analysis; Rincon Consultants, June 2, 2017
- Greenhouse Gas Emissions Study; Rincon Consultants, June 2, 2017
- Noise Analysis; Rincon Consultants, June 2, 2017
- Traffic and Circulation Study; Associated Transportation Engineers, July 10, 2017
  This document is available on the City of Buellton Planning Department webpage, under Environmental Documents, or by pasting the following URL into your browser: http://www.cityofbuellton.com/files/Environmental%20Documents/Revised%20Traffic%20Study%20ATE%20-%20July%2010%202017.pdf
- Highway Capacity Manual, Transportation Research Board, 2010
- Traffic Analysis for Buellton General Plan Update, Associated Transportation Engineers, 2004
- Trip Generation, Institute of Transportation Engineers, 9th Edition, 2012
- Bicycle and Pedestrian Master Plan Final, City of Buellton, 2012

The Air Quality analysis in the Initial Study was prepared by Rincon Consultants, and was based on the following reference materials:

- Associated Transportation Engineers. Avenue of Flag Specific Plan Traffic and Circulation Study. May 2017.

- California Air Resources Board. 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Accessed at https://www.arb.ca.gov/ch/handbook.pdf

- California Department of Finance. 2017. E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2011-2017, with 2010 Benchmark. http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/

- County of Santa Barbara Planning and Development. Environmental Thresholds and Guidelines Manual. Revised July 2015. http://www.sbcountyplanning.org/permitting/ldpp/auth_reg/documents/Environmental%20Thresholds%20October%202008%20(Amended%20July%202015).pdf

- Santa Barbara County Air Pollution Control District (SBCAPCD). *Clean Air Plan.* March 2015. Available at: https://www.ourair.org/clean-air/plans/

- SBCAPCD. *Environmental Review Guidelines.* April 2015a. https://www.ourair.org/wp-content/uploads/APCDCEQAGuidelinesApr2015.pdf

- SBCAPCD. Scope and Content of Air Quality Sections in Environmental Documents. April 2015b. https://www.ourair.org/wp-content/uploads/ScopeContentApril2015.pdf

- SBCAPCD. Meeting Air Quality Standards. Accessed April 12, 2017. N.D. https://www.ourair.org/air-quality-standards/

- U.S. Climate Data. 2017. Climate Santa Ynez – California. Accessed April 26, 2017. http://www.usclimatedata.com/climate/santa-ynez/california/united-states/usca1526

The Greenhouse Gas Emissions analysis in the Initial Study was prepared by Rincon Consultants, and was based on the following reference materials:

- Association of Environmental Professionals (AEP). Beyond 2020: The Challenge of Greenhouse Gas Reduction Planning by Local Governments in California. March 2015.

- Associated Transportation Engineers. Avenue of Flag Specific Plan Traffic and Circulation Study. May 2017.

- California Air Pollution Control Officers Association (CAPCOA). Quantifying Greenhouse Gas Mitigation Measures. August 2010.

- CAPCOA. CEQA & Climate Change. January 2008.

- CAPCOA. CalEEMod User's Guide. September 2016.

- California Air Resources Board. October 2011. Greenhouse Gas Inventory Data – 2000 to 2009. Available: http://www.arb.ca.gov/cc/inventory/data/data.htm

- California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, Version 3.1, January 2009.

- California Environmental Protection Agency (CalEPA). Climate Action Team Biennial Report. Final Report. April 2010.

- California Environmental Protection Agency (CalEPA), March 2006. Climate Action Team Report to Governor Schwarzenegger and the Legislature. http://www.climatechange.ca.gov/climate_action_team/reports/2006-04-03_FINAL_CAT_REPORT_EXECSUMMARY.PDF

- California Department of Finance. 2017. E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2011-2017, with 2010 Benchmark. http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/

- County of Santa Barbara Planning and Development. Environmental Thresholds and Guidelines Manual. July 2015. http://www.sbcapcd.org/cap/2013cap20130611.pdf

- Intergovernmental Panel on Climate Change [IPCC], 2007: Summary for Policymakers. In: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M.Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA.

- San Luis Obispo Air Pollution Control District. Greenhouse Gas Thresholds and Supporting Evidence. March 28, 2012. http://www.slocleanair.org/images/cms/upload/files/ Greenhouse%20Gas%20Thresholds%20and%20Supporting%20Evidence%204-2-2012.pdf

- Santa Barbara County Air Pollution Control District. Environmental Review Guidelines. Revised April 30, 2015. https://www.ourair.org/wp-content/uploads/APCDCEQAGuidelinesApr2015.pdf

- Santa Barbara, County of. County of Santa Barbara Energy and Climate Action Plan. May 2015. http://longrange.sbcountyplanning.org/programs/climateactionstrategy/docs/BOS051915/Attachment%20B_ECAP.pdf

The Noise analysis in the Initial Study was prepared by Rincon Consultants, and was based on the following reference materials:

- Associated Transportation Engineers (ATE). 2017. Avenue of Flags Specific Plan Traffic and Circulation Study. May 8, 2017.

- California State Water Resources Control Board [CSWRCB]. 1999. *General Waste Discharge Requirements for Biosolids Land Application Draft Statewide Program EIR – Appendix G. Background Information on Acoustics*. http://www.waterboards.ca.gov/water_issues/programs/biosolids/deir/appendices/app_g.pdf. (accessed online May 2017).

- City of Buellton. General Plan Noise Element. December 2008. Accessed at: http://www.cityofbuellton.com/files/Land%20Use%20Documents/C2419-General%20Plan%202025.pdf

- City of Buellton. Municipal Code.

- FHWA, 2016. Highway Traffic Noise. Roadway Construction Noise Model – RCNM. June 3, 2016. Available: https://www.fhwa.dot.gov/Environment/noise/construction_noise/rcnm/

- Federal Transit Administration, Office of Planning and Environment. *Transit Noise and Vibration Impact Assessment*. May 2006.

ENVIRONMENTAL FACTORS AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture & Forestry Resources	☒ Air Quality
☐ Biological Resources	☒ Cultural Resources	☐ Geology / Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☒ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☒ Transportation/Traffic	☐ Tribal Cultural Resources	☐ Utilities / Service Systems
☒ Mandatory Findings of Significance		

ENVIRONMENTAL DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Date

City of Buellton

EVALUATION OF ENVIRONMENTAL IMPACTS

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS - Would the project:				
a) Have a substantial adverse effect on a scenic vista?			**X**	
b) Damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			**X**	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			**X**	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			**X**	

a), b) Scenic Vistas / Resources. No roadways in the project area are designated as state or local scenic highways. While limited sections of the project area may be visible in the distance from portions of U.S. Highway 101, the project would not result in impacts to resources within a scenic highway. There are no rock outcroppings in the Project area, and applicable trees are protected by the City's Native Tree Protection Ordinance.

Potential future development would be reviewed on a project-specific basis to determine compliance with the Specific Plan Form-Based Development Code and Design Standards, as well as to determine impacts to scenic vistas, or resources that may be specific to the project. In order to obtain land use and building permits, potential development projects would need to meet not only Specific Plan requirements, but other applicable Zoning Code and General Plan guidelines, including compliance with General Plan Conservation and Open Space Policy C/OS Program 10, Scenic Resources.

c) Visual Character. The overall vision for the Project area is to create an architecturally distinctive and aesthetically inviting downtown environment; including attractive streetscapes through public area improvements, landscaping, design standards, building façade enhancements, new signage, and public art. Proposed improvements to the medians and the establishment of an urban design framework with complementary Architectural Design Styles required for private development and public improvements would not only result with enhanced aesthetics but would also provide for an architecturally distinctive, pedestrian friendly and economically robust downtown district.

Given the gradual decline the AOF corridor has experienced in recent years, the aesthetic enhancements and visual upgrades that would result from the Specific Plan are considered **positive, beneficial** impacts.

d) Light and Glare. Buildout of the Specific Plan could create new sources of light and glare. Future development may potentially result in increased light and glare in the developed areas due to exterior lighting, lighting of streets and walkways, and interior lighting which could be visible from the outside. To minimize potential light and glare impacts, any future development applying for land use entitlements would be required to comply with Policy L-12 of the General Plan Land Use Element for any new exterior lighting. In addition, through the City's development review process, future development would be required to avoid significant glare impacts. No mitigation measures are required for the Specific Plan.

Findings and Mitigation: Less than significant (adverse) impacts would occur, therefore, no mitigation is required. Positive, beneficial impacts are anticipated.

ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE & FORESTRY RESOURCES - Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (per Public Resources Code §12220(g)), timberland (Public Resources Code §4526, or timberland zoned Timberland Production (per Govt Code §51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

a) thru e). The Project area consists of developed and previously disturbed, vacant urban infill sites in the City's downtown area along with City-owned public roadway medians. The land is not designated as farmland, forest land nor timberland in the City's General Plan or Zoning Ordinance. There are no properties under a Williamson Act Contract within the City of Buellton, according to the State Williamson Act status report. The proposed Specific Plan does not include policies to re-designate any agriculturally zoned land.

Findings and Mitigation: No impacts would occur, therefore, no mitigation is required.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
III. AIR QUALITY – Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			**X**	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			**X**	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			**X**	
d) Expose sensitive receptors to substantial pollutant concentrations?		**X**		
e) Create objectionable odors affecting a substantial number of people?			**X**	

The Air Quality section has been prepared by Rincon Consultants on contract to the City of Buellton. All data used in the creation of this section is on file at the Buellton Planning Department and is hereby incorporated by reference into this Initial Study.

Setting

The federal and state Clean Air Acts (42 United States Code §7401 *et seq.* and the California Health and Safety Code §40910, *et seq.*) empower federal and state governments to regulate emissions of airborne

pollutants and have established ambient air quality standards for the protection of public health. The U.S. Environmental Protection Agency (EPA) is the federal agency designated to administer federal air quality regulation, while the California Air Resources Board (ARB) is the state equivalent and operates under the auspices of the California Environmental Protection Agency (CalEPA). Local control in air quality management is provided by the ARB through county-level or regional (multi-county) air pollution control districts. The ARB establishes statewide air quality standards and is responsible for enforcing standards and regulating stationary sources. The ARB has established 15 air basins statewide.

The City of Buellton is located within the South Central Coast Air Basin (SCCAB), which includes all of San Luis Obispo, Santa Barbara, and Ventura Counties and is within the jurisdiction of the Santa Barbara County Air Pollution Control District (SBCAPCD). The climate of SCCAB is strongly influenced by its proximity to the Pacific Ocean and the location of the semi-permanent high-pressure cell in the northeastern Pacific. With a Mediterranean-type climate, the area is characterized by warm, dry summers and cool winters with occasional rainy periods. Annual precipitation averaged 22 inches per year between 1981 and 2010, with most rainfall between November and March. Average monthly temperatures range from a high of 92 degrees Fahrenheit (°F) in August to a low of 38°F in December (U.S. Climate Data 2017).

Federal and State standards have been established for six criteria pollutants, including ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter between 10 and 2.5 micrometers in diameter (PM_{10}), particulate matter less than 2.5 micrometers in diameter ($PM_{2.5}$), and lead (Pb). California air quality standards are identical to or stricter than federal standards for all criteria pollutants.

The SBCAPCD monitors air pollutant levels and develops strategies to ensure that air quality standards are met. Depending on whether or not the standards are met or exceeded, Santa Barbara County is classified as being in "attainment" or as "non-attainment." Santa Barbara County is in non-attainment for the State eight-hour and one-hour ozone standard and the State standard for PM_{10} (SBCAPCD 2015). The County is unclassified (meaning there is insufficient data to designate the area or designations have yet to be made) for the state $PM_{2.5}$ standard. The County is in attainment for all other standards.

Appendix G of the CEQA Guidelines indicates that where available, the significance criteria established by the applicable air quality management district or APCD may be relied upon to determine whether a given project would have a significant impact on air quality. As described in the SBCAPCD *Scope and Content of Air Quality Sections in Environmental Documents* (2015b), a project will not have a significant air quality effect on the environment if operation of the project will:

- *Emit (from all project sources, both stationary and mobile) less than the daily trigger for offsets or Air Quality Impact Analysis set in the APCD New Source Review Rule[1], for any pollutant (i.e., 240 pounds/day for ROC or NO_X; and 80 lbs/day for PM_{10}. There is no daily operational threshold for CO; it is an attainment pollutant[2]); and*
- *Emit less than 25 lbs/day of NO_X or ROC from motor vehicle trips only; and*
- *Not cause or contribute to a violation of any California or National Ambient Air Quality Standard (except ozone); and*
- *Not exceed the APCD health risk public notification thresholds adopted by the APCD Board (10 excess cancer cases in a million for cancer risk and a Hazard Index of more than one (1.0) for non-cancer risk; and*

[1] The APCD New Source Review Rule as it existed at the time the APCD Environmental Review Guidelines were adopted (in October 1995).
[2] Due to the relatively low background ambient CO levels in Santa Barbara County, localized CO impacts associated with congested intersections are not expected to exceed the CO health-related air quality standards. Therefore, CO "Hotspot" analyses are no longer required.

- *Be consistent with the latest adopted federal and state air quality plans for Santa Barbara County.*

The SBCAPCD has not adopted quantitative thresholds of significance for construction emissions since such emissions are temporary. However, according to the SBCAPCD's *Scope and Content of Air Quality Sections in Environmental Documents* (2015b), construction-related NO_X, reactive organic compounds (ROC), PM_{10}, and $PM_{2.5}$ emissions from diesel and gasoline powered equipment, paving, and other activities, should be quantified. SBCAPCD uses 25 tons per year for all pollutants except CO as a guideline for determining the significance of construction impacts. In addition, standard dust control measures must be implemented for any discretionary project involving earth-moving activities, regardless of size or duration. According to the SBCAPCD, proper implementation of these required measures reduces fugitive dust emissions to a level that is less than significant (SBCAPCD April 2015b). Therefore, all construction activity would be required to incorporate the SBCAPCD requirements pertaining to minimizing construction-related emissions and demolition of existing structures.

Additionally, Rule 809 under the SBCAPCD, adopted in August 2016, requires that any person building, erecting, altering, replacing, or using any article, machine, equipment or other contrivance, the use of which may cause the issuance of any air pollutant (or its precursors) subject to any national ambient air quality standard or the use of which may eliminate or reduce or control the issuance of such pollutant (or its precursors), shall obtain an Authority to Construct for such construction and a Permit to Operate for the subsequent operation from the Air Pollution Control Officer of Santa Barbara County. Any Authority to Construct issued to a source shall remain in effect until the Permit to Operate for the project for which the application was filed is granted or denied or the application expires. Interim operations may be allowed under the provisions of the Authority to Construct permit. Rule 809 applies to any new or modified stationary source that emits an air pollutant (or its precursors) subject to any national ambient air quality standard, provided the source is not a new major stationary source or a major modified stationary source.

Impact Analysis

a) The California Clean Air Act requires that air districts develop a Clean Air Plan (CAP) that describes how the jurisdiction will meet air quality standards. These plans must be updated every three years. The most recent SBCAPCD CAP, the 2013 CAP, was adopted in 2015.

In order to be consistent with the CAP, all projects involving earthmoving activities must implement SBCAPCD's standard dust control measures (SBCAPCD April 2015b). By definition, consistency with the CAP means that direct and indirect emissions associated with a given project are accounted for in the CAP's emissions growth assumptions, and the project is consistent with policies adopted in the CAP (SBCAPCD April 2015a). The CAP relies primarily on the land use and population projections provided by the Santa Barbara County Association of Governments (SBCAG) and the ARB on-road emissions forecast as a basis for vehicle emission forecasting. The 2013 CAP utilized SBCAG's Regional Growth Forecast 2010-2040, adopted December 2012, to project population growth and associated air pollutant emissions for all of the Santa Barbara County incorporated and unincorporated areas.

According to SBCAPCD's *Scope and Content of Air Quality Sections in Environmental Documents* (2015b), projects that involve population growth above the amount forecasted for that jurisdiction would be considered inconsistent with the Clean Air Plan and may have a significant impact on air quality. Commercial and industrial projects – which typically do not involve population growth – would be consistent with the CAP if they are consistent with applicable SBCAPCD rules and regulations.

In the near term, development under the Specific Plan would add up to 54 units, which would increase the City population by 152 persons (54 units x 2.82 persons per household; California Department of Finance 2017). At full buildout, the Specific Plan would increase the City population by 812 persons (288 units x

2.82 persons per household).[3] The City of Buellton has a total population of 5,129 persons (California Department of Finance 2017) and under the Specific Plan, the total population would increase to 5,281 persons in the near term and 5,941 at full buildout. The SBCAG population forecast for Buellton is 5,550 persons by the year 2020, 7,088 persons by 2035, and 7,403 persons by 2040. Near-term development under the Specific Plan would not cause the City's population to exceed the projection for 2020, nor would full buildout under the Specific Plan cause the City's population to exceed the projection for 2035 or 2040. Therefore, the project would be consistent with the growth forecasts contained in the 2013 Clean Air Plan. Furthermore, the project would be required to implement SBCAPCD's standard dust control measures and would be consistent with APCD rules and regulations. If individual tenants proposed the use of stationary equipment, impacts would be reviewed as part of the Tenant Improvements application and the tenant would be required to obtain an Authority to Construct Permit and a Permit to Operate per SBCAPCD Rule 809, or an exemption (Exemption Request Form APCD 38B, 38D, or 50). Therefore, the project would be consistent with APCD rules and regulations and impacts would be *less than significant*.

b, c) Air pollutant emissions associated with (1) existing residential and commercial development, (2) full buildout under the Specific Plan, and (3) buildout under the existing General Plan (for informational purposes only) were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.1 (see Appendix A of Air Quality Study prepared by Rincon Consultants, dated June 2, 2017).

Construction Emissions. Construction within the Specific Plan Area would generate temporary air pollutant emissions associated with fugitive dust (PM_{10} and $PM_{2.5}$), exhaust emissions from heavy construction vehicles, and ROC that would be released during the drying phase after application of architectural coatings. These emissions would be reduced through implementation of the required SBCAPCD dust and emissions control measures. Development within the plan area would also be required to comply with SBCAPCD Rule 329 (Cutback and Emulsified Asphalt Paving Materials), which restricts the percent by volume of ROCs in asphalt material; however, compliance with Rule 329 was not included in the construction emissions modeling for the project because the analysis is intended to represent worst-reasonable case emissions.

Construction would generally consist of site preparation, grading, building construction, paving, and architectural coating. It was assumed that grading would be balanced within the Plan Area, and that no off-site import or export of soil would be required during construction under the Specific Plan. Demolition of the existing motel areas that are expected to be redeveloped under the Specific Plan were included in the analysis to provide a conservative estimate of potential construction emissions. As the buildout schedule is not yet known, CalEEMod's default schedule for full buildout was used to provide a worst case analysis and construction was assumed to begin in January 2018. The CalEEMod default construction length for 326 residential units and 297,000 sf of commercial space is 2 years and 5 months. In reality, construction would likely occur periodically and full buildout would not be constructed at one time. Therefore, this analysis represents a conservative, reasonable worst case estimate of construction emissions from buildout under the Specific Plan. Complete results from CalEEMod and assumptions can be viewed in Appendix A of Air Quality Study prepared by Rincon Consultants, dated June 2, 2017.

Table 1 summarizes the annual construction emissions of ROC, NO_X, CO, PM_{10} and $PM_{2.5}$ from buildout under the Specific Plan relative to the SBCAPCD recommended significance thresholds in tons per year.

[3] There are 38 existing residential units in the Specific Plan area. Full buildout under the Specific Plan would increase residential density to 326 dwelling units, an increase of 288 units over existing conditions.

Table 1
Specific Plan Buildout
Estimated Annual Construction Air Pollutant Emissions (tons/year)

Year	ROC	NO_X	CO	PM_{10}	$PM_{2.5}$
2018	0.6	5.5	4.1	1.0	0.5
2019	0.5	4.2	3.9	0.5	0.3
2020	4.8	0.5	0.5	<0.1	<0.1
Maximum Emissions (tons/year)	4.8	5.5	4.1	1.0	0.5
Threshold	*25*	*25*	*None*	*25*	*25*
Threshold Exceeded?	**No**	**No**	**n/a**	**No**	**No**

Notes: See Appendix A of Air Quality Study (Rincon Consultants, June 2, 2017) for calculations. Demolition, Site Preparation, Grading, Paving, Building Construction and Architectural Coating totals include worker trips, construction vehicle emissions and fugitive dust.

As shown in Table 1, construction emissions would not exceed SBCAPCD's recommended thresholds for any criteria pollutant. Nonetheless, the SBCAPCD requires implementation of dust control requirements for all projects involving earthmoving activities. With implementation of standard dust control measures, temporary emissions of particulate matter would be further reduced. SBCAPCD Rule 345 regulates fugitive dust for any activity associated with construction or demolition of structures. The proposed project would be required to comply with Rule 345, described below, which would ensure that construction emissions would be *less than significant*.

- *No person shall engage in any construction or demolition activity or earth moving activities subject to this rule in a manner that causes discharge into the atmosphere beyond the property line visible dust emissions of 20% opacity or greater for a period or periods aggregating more than 3 minutes in any 60 minute period.*

- *No person, including facility or site owner or operator of source, shall load or allow the loading of bulk materials or soil onto outbound trucks unless at least one of the following dust prevention techniques is utilized:*
    - *Use properly secured tarps or cargo covering that covers the entire surface area of the load or use a container-type l enclosure.*
    - *Maintain a minimum of 6 inches of freeboard below the rim of the truck bed where the load touches the sides of the cargo area and ensure that the peak of the load does not extend above any part of the upper edge of the cargo area.*
    - *Water or otherwise treat the bulk material to minimize loss of material to wind or spillage.*
    - *Other effective dust prevention control measures approved in writing by the Control Officer.*

- *Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out shall be controlled as outlined below:*
    - *Visible roadway dust shall be minimized by the use of any of the following track-out/carry-out and erosion control measures that apply to the project or operations: trac-out grates of gravel beds at each egress point, wheel-washing at each egress point during muddy conditions, soil binders, chemical soil stabilizers, geotextiles, mulching, or seeding; and*

- *Visible roadway dust shall be removed at the conclusion of each work day when bulk material removal ceases, or every 24 hours for continuous operations. If a street sweeper is used to remove any track-out/carry-out, only a PM_{10}-Efficient Street Sweeper shall be used. The use of blowers for removal of track-out/carry-out is prohibited.*

On-Site Operational Emissions. The majority of operational emissions would be due to vehicle trips to and from the Plan Area. Potential operational emissions were estimated using CalEEMod and are based on trip generation rates from the Traffic and Circulation Study prepared for the project by Associated Transportation Engineers (2017). Table 2 summarizes the projected emissions associated with operation of the development under the Specific Plan and accounts for emissions associated with existing residential and commercial development. This includes emissions generated by vehicles, as well as emissions due to energy use (natural gas), and long-term, low-level architectural coating emissions as the proposed structures are repainted over the life of the building (area sources). As shown in Table 2, operational emissions from development under the Specific Plan would not exceed applicable SBCAPCD thresholds for ROC, NO_X, and PM_{10}.

While the Specific Plan would intensify commercial and residential densities in the Plan Area, new development is expected to replace some existing buildings. As newer construction would be more energy and water efficient than existing buildings, operational emissions would not be significantly higher than existing emissions and, in some cases, would be lower than existing emissions. The Specific Plan's long-term regional air quality impacts would be *less than significant*.

Table 2
Specific Plan Buildout Operational Emissions (lbs/day)

Emission Source	ROC	NO_X	CO	PM_{10}	$PM_{2.5}$
Existing Conditions					
Mobile	16.9	51.9	156.0	22.7	6.4
Energy (Natural Gas and electricity)	<0.1	0.3	0.2	<0.1	<0.1
Area (Consumer Products and Architectural Coating)	6.3	<0.1	3.2	<0.1	<0.1
Total Mobile + Area Emissions	23.2	52.2	159.4	22.8	6.4
Specific Plan Buildout					
Mobile	17.5	60.2	152.9	42.5	11.6
Energy (Natural Gas and electricity)	0.1	1.3	0.6	0.1	0.1
Area (Consumer Products and Architectural Coating)	16.7	0.3	26.9	0.1	0.1
Total Mobile + Area Emissions	34.2	60.5	179.8	42.6	11.7
Net Emissions Mobile and Area Sources	**11.0**	**8.3**	**20.4**	**19.8**	**5.3**
Threshold: Total Emissions (Mobile & Area Sources)	*240*	*240*	*None*	*80*	*None*
Threshold Exceeded?	**No**	**No**	**n/a**	**No**	**n/a**

Net Emissions Mobile Source	**0.6**	**8.3**	**- 3.1**	**19.8**	**5.2**
Threshold: Total Emissions (Mobile Sources Only)	*25*	*25*	*None*	*None*	*None*
Threshold Exceeded?	**No**	**No**	**n/a**	**No**	**n/a**

Source: See Appendix A of Air Quality Study (Rincon Consultants, June 2, 2017) for CalEEMod output.

For informational purposes, Table 3 includes a comparison between Specific Plan and General Plan buildout in the Plan Area. In comparison to General Plan buildout, the Specific Plan would increase annual emissions, however, net new emissions would not exceed SBCAPCD recommended thresholds.

Table 3
Specific Plan versus General Plan Buildout Operational Emissions (lbs/day)

Emission Source	ROC	NO_X	CO	PM_{10}	$PM_{2.5}$
Existing Conditions					
Mobile	12.4	42.4	107.3	29.5	8.1
Energy (Natural Gas and electricity)	0.1	0.7	0.4	0.1	0.1
Area (Consumer Products and Architectural Coating)	10.4	0.2	13.5	0.1	0.1
General Plan Total Mobile + Area Emissions	22.8	42.6	120.8	29.6	8.2
Specific Plan Total Mobile + Area Emissions[1]	34.2	60.5	179.8	42.6	11.7
Net Emissions Mobile and Area Sources	**11.4**	**17.9**	**59**	**13**	**3.5**
Threshold: Total Emissions (Mobile & Area Sources)	*240*	*240*	*None*	*80*	*None*
Net Emissions Mobile Source[1]	**5.1**	**17.8**	**45.6**	**13**	**3.5**
Threshold: Total Emissions (Mobile Sources Only)	*25*	*25*	*None*	*None*	*None*

Source: See Appendix A of Air Quality Study (Rincon Consultants,June 2, 2017) for CalEEMod output.
1. Specific Plan emissions are shown in Table 2.

d) Certain population groups are considered more sensitive to air pollution than others. Sensitive population groups include children, the elderly, the acutely ill, and the chronically ill, especially those with cardio-respiratory diseases. Residential uses are sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. The California ARB *Air Quality and Land Use Handbook* (2005) advises against placing new sensitive land uses within 500 feet of a freeway. Sensitive receptors proposed within the Plan Area include residences in Districts 2, 5 and 6, all of which are entirely or mostly within 500 feet of U.S. Highway 101. Therefore, impacts to sensitive receptors would be *significant but mitigable*.

Mitigation Measures

The following mitigation measure would be required for Plan Area development to reduce impacts to less than significant levels.

AQ-1 Location-specific Health Risk Assessments. For projects within the Plan Area, a location-specific health risk assessment (HRA) shall be required if the project would place sensitive receptors, such as residences, within 500 feet of Highway 101. If the HRA indicates that the proposed project would expose sensitive receptors to an unacceptable health risk resulting from its proximity to Highway 101, then additional mitigation that reduces health risk below standards recommended by SBCAPCD, such as MERV filtration, shall be incorporated into the development prior to permit issuance.

e) The Specific Plan would increase the development intensity of existing commercial and residential areas within the Plan Area and would not introduce any new sources of substantial objectionable odors. Buildout under the Specific Plan may include development of new restaurant spaces, which may result in odors related to food preparation. Restaurants would be required to comply with Santa Barbara County Environmental Health Services' requirements and guidelines for food establishments, including mechanical exhaust ventilation requirements to remove cooking odors, smoke, steam, grease and vapors from kitchen exhaust (Health and Safety Code 114149). In addition, SBCAPCD Rule 303 regulates nuisance, including odors. All development within the Plan Area would be required to comply with Rule 303, as described below, which would reduce odor impacts. Impacts would be *less than significant*.

> *A person shall not discharge from any source whatsoever such quantities of air contaminants or other material in violation of Section 41700 of the Health and Safety Code which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety or any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.*

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			**X**	
b) Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			**X**	
c) Adversely impact federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) either individually or in combination with the known or probable impacts of other activities through direct removal, filling, hydrological interruption, or other means?				**X**
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?			**X**	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				**X**
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?				**X**

Setting

The Project area consists of developed and previously disturbed, vacant infill sites in the City's downtown area along with City-owned public roadways and medians. As the City's historic downtown, the land (including topography, biologic and natural resources, drainage courses) has been highly disturbed by prior grading, building development and highway construction activites. The divided Highway 101, route of the north-south Coast Highway between Los Angeles and San Francisco, was paved through the center of Buellton in 1922 (bisecting the proposed Specific Plan area) and formed an intersection with the east-west Highway 246.

The present day AOF was the original alignment of the divided Highway 101 before it was re-aligned in 1965 to its current, limited-access freeway location along the eastern boundary of the Specific Plan. Construction of the Highway 101 freeway included two interchanges (Damassa Road, Highway 246) and one south-bound off-ramp (Avenue of Flags) that serve the Specific Plan area. The grading required as part of the freeway and interchange construction in 1965 represented a significant disruption of the cultural and biologic resources and topography of the area.

The Zaca Creek drainage was channelized and enclosed in underground culverts beneath the Highway 101 freeway and at several locations within the eastern portion of the Specific Plan area. Natural vegetation along the remaining limited and constricted open sections of Zaca Creek has been significantly altered by decades of primarily commercial land use.

a) through d). Special Status Species, Riparian Habitat, Wetlands, Movements of Fish/Wildlife Species.

As a regulatory document, the Specific Plan does not require or propose the construction of any new development projects but rather establishes policies, standards and programs that will allow for and

support future land use entitlements in fulfillment of Specific Plan goals. It identifies potential private development on vacant and underutilized parcels (referred to as "Opportunity Sites") on land currently zoned General Commercial (CR) with a corresponding General Plan land use designation of General Commercial (GC). All of the ten Opportunity Sites ("Opp Sites") have been previously highly disturbed by grading activities, are considered urban in-fill sites (under 5 acres), and are surrounded by existing commercial and mixed-use development; only Opp Site O-8 and O-10 are located along open segments of Zaca Creek.

Potential future development on all Opp Sites will be reviewed and permitted on a project specific basis to determine compliance with the proposed Specific Plan Development Code and the City's General Plan. As applicable, any proposed future developments on Opp Sites O-8 and O-10 would be assessed to determine potential impacts to biologic resources, including candidate, sensitive, or special status species in the City.

Individual projects would be required to comply with General Plan Conservation and Open Space Policies C/OS-8, C/OS-10, C/OS-11, C/OS-12, and C/OS-13, and Program C/OS-6, 7, 8, and 9 which require mitigation measures for significant biological impacts and preservation of creek corridors for the protection of biological resources. Any potentially significant impacts to biological resources will be mitigated on a project specific basis in accordance with all applicable state and federal agency guidelines set forth by California Department of Fish and Game (CDFG) and (if appropriate) the U.S. Fish and Wildlife Service (USFWS) as a standard part of the land use permit application and review process for development in the City.

e) and f). The Project would not conflict with any provisions of the General Plan related to biological resources. The Project area is not subject to any Habitat Conservation Plan.

Findings and Mitigation: Less than significant impacts would occur, therefore, no mitigation is required at this time.

ISSUES:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
V. CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource which is either listed or eligible for listing on the National Register of Historic Places, the California Register of Historic Resources, or a local register of historic resources?			**X**	
b) Cause a substantial adverse change in the significance of a unique archaeological resources (i.e., an artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it contains information needed to answer important scientific research questions, has a special and particular quality such as being the oldest or best available example of its type, or is directly associated with a scientifically recognized important prehistoric or historic event or person)?		**X**		
c) Disturb or destroy a unique paleontological resource or site?			**X**	
d) Disturb any human remains, including those interred outside of formal cemeteries?			**X**	

a) Historic Resources. The Specific Plan area has historically been considered the City's downtown. The divided Highway U.S. 101 was paved through the center of Buellton in 1922 and formed an

intersection with the east-west Highway State Route 246. Given its convenient location at the intersection of two major highways, Buellton experienced increased automoble traffic and became known as "Service Town USA".

The present day AOF was the original alignment of Highway 101 before it was re-aligned in 1965 to its current, limited-access freeway location along the eastern boundary of the Specific Plan. The re-routing of Highway 101 to its current freeway location resulted with a wide roadway and several underutilized grassy median strips through the heart of Buellton's downtown and a diversion of primary automobile traffic, all of which has contributed to the gradual decline of the commercial businesses along AOF.

In 1968, eight large American Flags were ercted on top of flagpoles along the AOF medians. In addition, Median 4 contains five life-size scuptures of children honoring the flag, another set of flags honoring each branch of the armed forces, a sculpture honoring a fallen Marine, and plaques honoring others killed in the line of duty.

The fundamental strategy of the Specific Plan to revitalize downtown Buellton is the transformation of the AOF corridor from an aging automobile-oriented thorough-fare to a vibrant, pedestrian-friendly "main street", with a welcoming village atmosphere that preserves Buellton's history, captures the character of the Community. The "flag" theme along the medians would be continued, and flag elements are envisioned throughout the Plan area; the memorial sculpture and plaques would be preserved as well. Future programming along the Medians may include elements such as a historic museum, a "walk of flags", and civic-themed displays showcasing the unique aspects of Buellton's culture and history, such as the automobile culture.

The Project area does not contain any structures or places listed on the National Register of Historic Places or the California Register of Historic Resources.

Given the gradual decline the AOF corridor has experienced in recent years, the aesthetic enhancements and preservation/enhancement of Buellton's culture and history that would result from the Specific Plan are considered **positive** impacts.

b), c) and d). Archeological/Paleontological Resources and Human Remains

The Project area consists of developed and previously disturbed, vacant infill sites in the City's downtown area along with City-owned public roadways and medians. As the City's historic downtown, the land (including archeological and paleontological resources, drainage courses) has been highly disturbed by prior grading, building development, the relocation and channelization of Zaca Creek, and extensive highway/freeway construction activities, all of which represented a significant disruption of the cultural resources of the area. Any archeological/paleontological resources or human remains would have been uncovered at that time; no known artifacts were discovered and the potential for further discoveries is extremely unlikely.

Since no known cemetery uses or burial sites are located within the Project area, no impacts to human remains are anticipated. If human remains are discovered, the Health and Safety Code has protocols that must be followed.

As a regulatory document, the Specific Plan does not require or propose the construction of any new development projects but rather establishes policies, standards and programs that will allow for and support future land use entitlements. It identifies potential private development land uses on vacant and underutilized parcels (referred to as "Opportunity Sites") on land currently zoned General Commercial (CR) with a corresponding General Plan land use designation of General Commercial (GC). All of the ten Opportunity Sites ("Opp Sites") have been previously highly disturbed by grading activities, are considered urban in-fill sites (under 5 acres), and are surrounded by existing commercial and mixed-use

development. Potential future development on these parcels will be reviewed and permitted on a project specific basis to determine compliance with the proposed Specific Plan Development Code and the City's General Plan, including Conservation and Open Space Element Policy C/OS-18 pertaining to Archaeological, Cultural and Historical Resources.

Findings and Mitigation: Potential impacts are considered less than significant with the incorporation of the following mitigation measure:

CR – 1: Halt Work Order for Archaeological Resources. If unanticipated cultural resources are exposed during potential future developments within the Project area, 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.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Inundation by seiche, tsunami, or mudflow?				X
v) Landslides?			X	
vi) Flooding, including flooding as a result of the failure of a levee or dam?			X	
b) Would the project result in substantial soil erosion or the loss of topsoil?			X	
c) Is the project located on strata or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Is the project located on expansive soil creating substantial risks to life or property?			X	
e) Where sewers are not available for the disposal of waste water, is the soil capable of supporting the use of septic tanks or alternative waste water disposal systems?				X

General

As a regulatory document, the Specific Plan does not require or propose the construction of any new development projects but rather establishes policies, standards and programs that will allow for and support future land use entitlements. It identifies potential private development land uses suitable for vacant and underutilized parcels (referred to as "Opportunity Sites") on land currently zoned General Commercial (CR) with a corresponding General Plan land use designation of General Commercial (GC). All of the ten Opportunity Sites ("Opp Sites") have been previously highly disturbed by grading activities, are considered urban in-fill sites (under 5 acres), and are surrounded by existing commercial and mixed-use development.

Potential future development on the Opp Site parcels will be reviewed and permitted on an individual project-specific basis to determine compliance with the proposed Specific Plan Firm-Based Development

Code, Uniform Building Code and the City's General Plan, including Safety Element Policies S-7, S-9, S-10, S-11, S-12, and S-13 pertaining to Seismic and Geological Hazards.

The following general analysis of geologic resources is based on the City's Safety Element of the General Plan.

a) Fault Rupture, Ground Shaking, Tsunami, Landslides. There are no known active or potentially active faults within the City of Buellton, and the Project area is not located within an Alquist-Priolo Earthquake Fault Zone. For this reason the potential hazard from a fault rupture in the City is very low.

Two potentially active faults that could cause ground shaking in Buellton in the future are the San Andreas, located about 50 miles to the northwest, and the Santa Ynez Fault, located about six miles to the south. The San Andreas would generate a very large earthquake which would cause some ground shaking in Buellton. However, the damage resulting from such an earthquake is not expected to be severe. The likelihood of an earthquake on the Santa Ynez Fault is low by comparison. The Santa Ynez Fault is active, but its history is relatively unknown. Some estimates place the likelihood of a major earthquake on this fault at once in several hundred years to perhaps a thousand years.

The Project area is not located in the vicinity of any body of water that could result in a seiche or tsunami.

Except for slopes along the Santa Ynez River, other slopes in the City are geologically stable and are not subject to major landslides. Topography is relatively flat and the Project area is not located adjacent to any substantial slopes that could potentially result in substantial landslides.

b) Erosion is a composite of all processes by which earth or rock materials are loosened or dissolved and moved from place to place. Natural erosion activity depends on the steepness of slopes, amount and intensity of rainfall and soil types. Erosion prevention measures are covered in grading plans and include recommended slope drainage provisions, slope protection and planting.

In potential future developments, erosion can be effectively controlled through the existing land use development review processes. As part of the City's development review process, geotechnical studies may be prepared on a project-specific basis as required in General Plan Safety Element Policy S-9, to identify necessary measures to ensure that no long-term impacts from erosion occur. The City's adopted Grading Ordinance, requirements of the Regional Water Quality Control Board, and the City's standard conditions of approval require erosion and sediment control plans for all projects. Based on the implementation of these requirements, the impact to erosion is considered less than significant.

c) Lateral Spreading, Subsidence, Liquefaction. Lateral spreading is the horizontal movement of soil toward an open face of a stream back or the side of a levee; steep embankments are most susceptible to damage. In the City, this condition would include areas adjacent to the Santa Ynez River, and is not likely to impact properties within the Project area.

Subsidence is the compaction of soils and alluvium caused by groundshaking. No substantial subsidence problems have been identified in the City.

Liquefaction during a major earthquake could occur in Buellton. Liquefaction occurs during an earthquake when groundwaters migrate upward into sandy soils, which then become liquefied and lose their cohesiveness and their ability to support structures. The potential for liquefaction is highest in areas with sandy, alluvial soil and shallow groundwater, such as areas of the City nearest the Santa Ynez River. Liquefaction hazards can be avoided with proper foundation engineering based on an analysis of the soils on a given building site.

d) Expansive Soils. In general, soils with high shrink-swell potential are generally located in the hills to the northeast of Buellton, and not typically found in the Project area. A a standard condition for project approvals, potential future developments and building construction would be required to comply, as applicable, with General Plan Safety Element Policies S-9 and S-10 pertaining to soils and geotechnical study requirements.

e) Future developments that occur in conformance with the proposed Specific Plan are anticipated to be developed in areas where local sewer system infrastructure is available. No septic systems will be needed to accommodate waste water generated from development in the Avenue of Flags Specific Plan area.

Findings and Mitigation: Less than significant impacts would occur, therefore, no mitigation is required at this time for the Specific Plan.

ISSUES:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less than Significant Impact**	**No Impact**
VII. GREENHOUSE GAS EMISSIONS **-** Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

The Greenhouse Gas Emissions section has been prepared by Rincon Consultants on contract to the City of Buellton. All data used in the creation of this section is on file at the Buellton Planning Department and is hereby incorporated by reference into this Initial Study.

Setting

Buildout in accordance with the Specific Plan would generate greenhouse gas (GHG) emissions through the burning of fossil fuels or other emissions of GHGs, thus potentially contributing to cumulative impacts related to climate change. The following summarizes the regulatory framework related to climate change.

In response to an increase in man-made GHG concentrations over the past 150 years, California has implemented AB 32, the "California Global Warming Solutions Act of 2006." AB 32 codifies the Statewide goal of reducing emissions to 1990 levels by 2020 (essentially a 15% reduction below 2005 emission levels) and the adoption of regulations to require reporting and verification of statewide GHG emissions. In 2016, the governor signed Senate Bill 32 (SB 32) into law, which requires the State to further reduce GHGs to 40 percent below 1990 levels by 2030.

While the State has adopted the AB 32 Scoping Plan and multiple regulations to achieve the AB 32 year 2020 target, there is no currently adopted State plan to meet post-2020 GHG reduction goals. ARB is currently working to update the Scoping Plan to provide a framework for achieving the 2030 target set by

SB 32 (ARB 2015). Achieving these long-term GHG reduction policies will require State and federal plans and policies for achieving post-2020 reduction goals.

According to the adopted *State CEQA Guidelines*, impacts related to GHG emissions from the Specific Plan would be significant if the plan would:

- *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or*
- *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases*.

The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15355).

The significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG reduction plan (such as a Climate Action Plan). The SBCAPCD has developed GHG thresholds for stationary projects, which include equipment, processes, and operations that require an APCD permit to operate. Neither the City of Buellton nor the SBCAPCD has developed or adopted GHG significance thresholds for residential and commercial projects; however, Santa Barbara County recommends the use of San Luis Obispo Air Pollution Control District (SLOAPCD) Greenhouse Gas Thresholds, as adopted in April 2012. SLOAPCD GHG thresholds are summarized in Table 4.

Table 4
SLOAPCD GHG Significance Determination Criteria

GHG Emission Source Category	Operational Emissions
Residential and Commercial Projects	Compliance with Qualified GHG Reduction Strategy OR Bright-Line Threshold of 1,150 MT of CO_2e/yr OR Efficiency Threshold of 4.9 MT CO_2e/SP*/yr

**SP = Service Population (residents + employees)*
For projects other than stationary sources, compliance with either a Qualified Greenhouse Gas Reduction Strategy, or with the Bright-Line (1,150 CO2e/ yr.) or Efficiency Threshold (4.9 MT CO2e/SP/yr.) would result in an insignificant determination, and in compliance with the goals of AB 32. The construction emissions of projects will be amortized over the life of a project and added to the operational emissions. Emissions from construction-only projects (e.g. roadways, pipelines, etc.) will be amortized over the life of the project and compared to an adopted GHG Reduction Strategy or the Bright-Line Threshold only.

The SLOAPCD "bright-line threshold" was developed to help reach the AB 32 emission reduction targets by attributing an appropriate share of the GHG reductions needed from new land use development projects subject to CEQA. Land use sector projects that comply with this thresholds would not be "cumulatively considerable" because they would be helping to solve the cumulative problem as a part of the AB 32 process. Such small sources would not significantly add to climate change and would not hinder the State's ability to reach the AB 32 goal, even when considered cumulatively. The threshold is intended to assess small and average sized projects, whereas the per-service population guideline is intended to avoid penalizing larger projects that incorporate GHG-reduction measures such that they may have high total annual GHG emissions, but would be relatively efficient, as compared to projects of similar scale. Therefore, the efficiency threshold is the most appropriate threshold for the Specific Plan,

and the Specific Plan would have a potentially significant contribution to GHG emissions if it would result in emissions in excess of 4.9 metric tons of CO_2E per service population per year. The service population for existing residential and commercial development and buildout under the Specific Plan and General Plan within the Plan Area are included in Table 5.

Table 5
Service Population Estimates

Scenario	Land Use Density	Residences[1]	Employees[2]	Total Service Population
Existing Conditions	Residential - 38 units Commercial - 191,121 sf	107	382	489
Specific Plan Buildout	Residential - 326 units Commercial – 297,000 sf	919	594	1,513
General Plan Buildout	Residential - 163 units Commercial – 222,208 sf	460	444	904

1. 2.82 persons per household for Buellton (California Department of Finance 2017)
2. 2 employees per 1,000 sf, consistent with the Specific Plan expected employee calculations.

Given the recent legislative attention and judicial action regarding post-2020 goals and the scientific evidence that additional GHG reductions are needed through the year 2050, the Association of Environmental Professionals' (AEP) Climate Change Committee published a white paper in 2015 recommending that CEQA analyses for most land use development projects may continue to rely on current adopted thresholds for the immediate future (AEP 2015). As such, for project GHG impacts, this analysis evaluates future conditions based on consistency with the SLOAPCD efficiency threshold.

Calculations of CO_2, CH_4, and N_2O emissions are provided to identify the magnitude of potential effects of Specific Plan buildout. The analysis focuses on CO_2, CH_4, and N_2O because these comprise 98.9% of all GHG emissions by volume (IPCC 2007) and are the GHG emissions that Specific Plan buildout would emit in the largest quantities. Fluorinated gases, such as HFCs, PFCs, and SF_6, were also considered for the analysis. However, the uses proposed as part of the Avenue of Flags Specific Plan are primarily commercial and residential, and the quantity of fluorinated gases would thus not be significant since fluorinated gases are primarily associated with industrial processes. Minimal amounts of other main GHGs (such as chlorofluorocarbons [CFCs]) would be emitted, but these other GHG emissions would not substantially add to the calculated CO_2e amounts. Emissions of all GHGs in the emissions summary are converted into their equivalent weight in CO_2 (CO_2e). Calculations are based on the methodologies discussed in the California Air Pollution Control Officers Association (CAPCOA) *CEQA and Climate Change* white paper (2008) and include the use of the California Climate Action Registry (CCAR) General Reporting Protocol (2009).

Impact Analysis

a) GHG emissions associated with (1) existing residential and commercial development, (2) full buildout under the Specific Plan, and (3) buildout under the existing General Plan (for informational purposes only) were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.1 (see Appendix A of Greenhouse Gas Emission Study, Rincon Consultants, June 2, 2017). Net new emissions from increased development under the Specific Plan are compared to applicable GHG thresholds.

Construction Emissions. Although construction activity is addressed in this analysis, CAPCOA does not discuss whether any of the suggested threshold approaches adequately address impacts from temporary construction activity. Air pollution control districts such as the SLOAPCD have recommended amortizing

construction-related emissions over a 50-year period for residential projects and 25 years for commercial projects, in conjunction with a project's operational emissions. Because the Specific Plan would increase residential and commercial land uses within the Plan Area, total construction emission are amortized over the shorter recommended period of 25 years.

New construction in the Plan Area would generate temporary GHG emissions primarily due to the operation of construction equipment and truck trips. Emissions associated with the construction period were estimated using the California Emissions Estimator Model (CalEEMod) Version 2016.3.1. Refer to items "b" and "c" under Section 3, Air Quality, for discussion of the assumptions used for construction emissions analysis. Complete results from CalEEMod are included in Appendix A of Greenhouse Gas Emissions Study prepared by Rincon Consultants, dated June 2, 2017.

As shown in Table 6, construction activity associated with the project would result in an estimated 1,650.6 metric tons of CO_2e units. Amortized over a 25-year period (the assumed life of the project), buildout of the proposed Plan would generate an estimated 66 metric tons of CO_2e per year.

Table 6
Specific Plan Buildout
Estimated Construction Emissions of Greenhouse Gases

	GHG Emissions (Carbon Dioxide Equivalent (CO_2E)
Total Estimated Construction Emissions	1,650.6 metric tons
Amortized over 25 years	66.0 metric tons per year

See Appendix A of Greenhouse Gas Emissions Study (Rincon Consultants, June 2, 2017) for CalEEMod Results.

On-Site Operational Emissions. Operational emissions from existing residential and commercial development and buildout under the Specific Plan were also estimated using CalEEMod (see Appendix A of Greenhouse Gas Emissions Study prepared by Rincon Consultants, dated June 2, 2017 for calculations). Operational sources include emissions from energy and natural gas consumption; area sources including consumer products landscape maintenance, and architectural coatings; waste generation; water and wastewater usage; and mobile sources, such as vehicle engine combustion.

1) Direct Emissions from Mobile Combustion. Emissions from vehicles driving to and from the Plan Area were based on the Traffic and Circulation Study prepared by the Associated Transportation Engineers (2017), using the standard Institute of Transportation Engineers (ITE) vehicle trip rates. Emissions of CO_2 and CH_4 from transportation sources were quantified using CalEEMod. Because CalEEMod does not calculate N_2O emissions from mobile sources, N_2O emissions were quantified using the California Climate Action Registry General Reporting Protocol (January 2009) direct emissions factors for mobile combustion (refer to Appendix A of Greenhouse Gas Emissions Study conducted by Rincon Consultants, June 2, 2017 for calculations). Emission rates for N_2O emissions were based on the vehicle mix output generated by CalEEMod and the emission factors found in the California Climate Action Registry General Reporting Protocol.

Combined Annual Construction, Operational, and Mobile GHG Emissions. Table 7 combines the construction and operational GHG emissions associated with development under the Specific Plan. As described above, emissions associated with construction activity (approximately 1,650.6 metric tons CO_2e) are amortized over 25 years.

Table 7
Combined Annual Emissions of Greenhouse Gases

Emission Source	Annual Emissions (metric tons CO_2e)
Existing Conditions in Specific Plan Area	
Operational	
Area	0.5
Energy	714.4
Solid Waste	101.5
Water	46.9
Mobile	
From CO_2 and CH_4	4,119.5
From N_2O	211.6
Existing Emissions[1]	5,194.4 MT CO_2e 10.6 MT CO_2e/SP
Specific Plan Buildout	
Construction	66.0
Operational	
Area	4.1
Energy	1,522.4
Solid Waste	214.8
Water	122.3
Mobile	
From CO_2 and CH_4	6,310.0
From N_2O	374.1
Specific Plan Buildout Emissions[2]	8,613.7 MT CO_2e 5.7 CO_2e/SP
Net New Emissions [Specific Plan – Existing][3]	**3,419.3 MT CO_2e 3.3 MT CO_2e/SP**
Threshold	*4.9 MT CO_2e/SP*
Threshold Exceeded?	**No**

Sources: See Appendix A for calculations and for GHG emission factor assumptions.
1. The existing service population is 489 persons.
2. The service population for buildout under the Specific Plan is 1,513 persons.
3. The net new service population is 1,024 persons (1,513 – 489 persons).

As shown in Table 7, net new annual emissions from future Plan Area development would be approximately 3.3 metric tons of CO_2e per service person per year. While the Specific Plan would intensify commercial and residential densities in the Plan Area, new development is expected to replace some existing buildings. As newer construction would be more energy and water efficient than existing buildings, operational GHG emissions would not be significantly higher than existing emissions. Additionally, because the Specific Plan would increase service population densities within the Plan Area per capita emissions are reduced in comparison to existing per capita emissions. These emissions would not exceed the applicable efficiency threshold of 4.9 metric tons of CO_2e per service person per year. Therefore, impacts resulting from GHG emissions would be *less than significant.*

For informational purposes, Table 8 includes a comparison between Specific Plan and General Plan buildout in the Plan Area. As shown therein, General Plan buildout would generate approximately 5,890.8 metric tons of CO_2e per year, or 6.5 metric tons of CO_2e per service person per year. In comparison to General Plan buildout, the Specific Plan would increase annual emissions by 2,722.9 metric tons of CO_2e per year, or 4.5 metric tons of CO_2e per service person per year, which is also less than the applicable efficiency threshold of 4.9 metric tons of CO_2e per service person per year.

Table 8
Specific Plan versus General Plan Buildout
Combined Annual Emissions of Greenhouse Gases

Emission Source	Annual Emissions (metric tons CO_2e)
Construction[1]	35
Operational	
Area	2.0
Energy	986.2
Solid Waste	143.4
Water	76.6
Mobile	
From CO_2 and CH_4	4,388.2
From N_2O	259.4
General Plan Buildout Total Emissions[2]	**5,890.8 MT CO_2e** **6.5 CO_2e/SP**
Net New Emissions [Specific Plan – General Plan][3]	**2,722.9 MT CO_2e** **4.5 MT CO_2e/SP**

Sources: See Appendix A of Greenhouse Gas Emissions Study (Rincon Consultants, June 2, 2017) for calculations and for GHG emission factor assumptions.
1. Total construction emissions under General Plan buildout (875 tons/year) amortized over 25 years.
2. The General Plan buildout service population is 904 persons.
3. The net new service population under the General Plan would be 609 persons (1,513 - 904 persons). Specific Plan emissions are from Table 7.

b) The City of Buellton has not adopted a Climate Action Plan. The County of Santa Barbara Planning Commission adopted the Energy and Climate Action Plan (ECAP) for the County of Santa Barbara in May 2015 (County of Santa Barbara 2015). However, this plan applies to unincorporated areas of Santa Barbara County and not incorporated cities such as Buellton. SBCAG has incorporated sustainable community strategy into its Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) plan, which is designed to help the region achieve its SB 375 GHG emissions reduction target. The SBCAG 2040 RTP/SCS demonstrates that the SBCAG region would achieve its regional emissions reduction targets for the 2020 and 2035 target years. The RTP/SCS sets forth goals and objectives related to mixed-use development and the jobs-housing imbalance. The RTP/SCS includes an objective to "encourage affordable and workforce housing and mixed-use development within urban boundaries." In addition, the RTP/SCS encourages an increase in jobs within the City of Buellton, in order to bring the jobs-housing ratio in Buellton up from 1.08 to closer to the ideal ratio of 1.5.

The Specific Plan encourages mixed-use development consistent with the SBCAG RTP/SCS mixed-use objectives by encouraging mixed-use development along Avenue of Flags that provides an opportunity for residential uses to support commercial and retail uses. The Specific Plan would also allow for increased commercial densities within the Specific Plan area, which would generate jobs and improve the jobs-housing balance in Buellton, reducing worker commute trips out of the City that generate mobile

GHG emissions. The Specific Plan would also reduce speed limits and install four way stops to calm traffic, paint crosswalks, and improve sidewalk connectivity, which would improve pedestrian and bicycle safety along Avenue of Flags, decreasing average vehicle miles travelled and associated GHG emissions. The project would support the goals of the RTP/SCS and would not conflict with any plan, policy, or legislation related to GHG emissions. Therefore, impacts would be *less than significant.*

ISSUES:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			**X**	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?			**X**	
c) Reasonably be anticipated to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			**X**	
d) Is the project located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				**X**
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				**X**
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			**X**	
h) Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				**X**

General

As a policy and regulatory document, the Specific Plan does not require or propose the construction of any new development projects but rather establishes policies, standards and programs that will allow for and support future land use entitlements. It identifies potential private development land uses suitable for vacant and underutilized parcels (referred to as "Opportunity Sites") on land currently zoned General Commercial (CR) with a corresponding General Plan land use designation of General Commercial (GC). All of the ten Opportunity Sites ("Opp Sites") have been previously highly disturbed by grading activities, are considered urban in-fill sites (under 5 acres), and are surrounded by existing commercial and mixed-use development.

Potential future development on the Opp Site parcels will be reviewed and permitted on an individual project-specific basis to determine compliance with the proposed Specific Plan Form-Based Development Code, Uniform Building Code and the City's General Plan, including Safety Element Policies S-14 (Wildland and Urban Fire Hazards), and S-15, -18 (Hazardous Materials and Risk of Upset).

The following general analysis of geologic resources is based on the City's Safety Element of the General Plan.

a) and b) Hazardous Substances and Hazardous Materials Releases: As a regulatory document, the Specific Plan would not create reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Potential future development in the Project area would be reviewed separately on a site-specific basis, as applicable, for potential hazardous materials impacts.

c) Hazardous Materials Near Schools: The nearest schools are Jonata Middle School, located approximately 0.34 miles west of the Project area; and Zaca Center Pre-School, which is about 0.15 miles southwest of Opp Sites O-5 and O-10, the closest parcels on which future development may potentially occur. Any proposed future development in the Project area would be reviewed separately on a site-specific basis, as applicable, for potential hazardous materials impacts.

d) Hazardous Materials Sites. Future development in the Specific Plan may be located on or in the vicinity of sites identified on hazardous material lists. Through the City's development review process, it would be determined whether a Phase 1 Environmental Site Assessment would be necessary to assess whether a proposed development site is on or within the immediate vicinity of any known hazardous material sites. Where appropriate, mitigation measures would be required at that time to reduce potential hazards to the public to a level that is less than significant. No mitigation measures are necessary for the Specific Plan at this time.

e), f) Public and Private Airstrip Safety Hazards: No public or private airports are in the vicinity of the Project area.

g) Emergency Response/Evacuation. Potential future development must be consistent with the City's Land Use and Circulation Elements of the General Plan. Without specific details regarding future developments, it is infeasible to identify specific potential conflicts with an emergency response plan with any precision at this time. Through the City's development review process, future development projects will be evaluated for consistency with adopted emergency response plans and will include measures if necessary to ensure that impacts are less than significant. No mitigation measures are necessary for the Specific Plan.

h) Wildland Fire Hazards: The Project area is not located in a wildland fire hazard area as identified in the Safety Element of the Buellton General Plan.

Findings and Mitigation: Less than significant impacts would occur, therefore, no mitigation is required at this time.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate Regional Water Quality Control Board water quality standards or waste discharge requirements?			**X**	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			**X**	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?			**X**	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?			**X**	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			**X**	
f) Otherwise substantially degrade water quality?			**X**	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			**X**	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			**X**	
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?				**X**
j) Inundation by seiche, tsunami, or mudflow?				**X**

a) RWQCB Standards,

As a policy and regulatory document, the Specific Plan does not require or propose the construction of any new development projects but rather establishes policies, standards and programs that will allow for and support future land use entitlements. It identifies potential private development land uses suitable for vacant and underutilized parcels (referred to as "Opportunity Sites") on land currently zoned General Commercial (CR) with a corresponding General Plan land use designation of General Commercial (GC). All of the ten Opportunity Sites ("Opp Sites") have been previously highly disturbed by grading activities, are considered urban in-fill sites (under 5 acres), and are surrounded by existing commercial and mixed-use development. As the Opp Sites are developed, wastewater will be discharged into the local sewer system and on-site drainage will flow into the local storm drain system.

As part of section 402 of the Clean Water Act, the U.S. Environmental Protection Agency has established regulations under the National Pollution Discharge Elimination System (NPDES) program to control both construction and operation (occupancy) storm water discharges. In California, the State Water Quality Control Board administers the NPDES permitting program and is responsible for developing permitting requirements.

Potential future development on the Opp Site parcels will be reviewed and permitted on an individual project-specific basis to determine compliance with the proposed Specific Plan Form-Based Development

Code; Uniform Building Code; City of Buellton General Plan, including Safety Element Goals and Policies pertaining to Water Supply and Wastewater; the City's 2013 Stormwater Ordinance, the Grading Ordinance and the Floodplain Ordinance; as well as NPDES and applicable Regional Water Quality Control Board (RWQCB) standards.

b) Groundwater Supply. Water is supplied to the City of Buellton from the Buellton Uplands Groundwater Basin, the Santa Ynez River Riparian Basin, and State Water Project (SWP). Water allocation from the SWP varies based on local demand and availability. Therefore, the City's SWP supplies may fluctuate based on the quantity of water the City's needs to meet demand and whether or not it is available from the State. Neither groundwater basin is in a state of overdraft, as the natural recharge rates either exceed the capacity of the basin or exceed the rate of pumping from the basin. Furthermore, the Buellton Uplands Groundwater Basin has a net surplus of 800 AFY.

While potential future development projects would create an increased demand for water, the City has an adequate supply to accommodate development in the Specific Plan area, as development at this location is already anticipated under the General Plan. Impacts would be less than significant.

c) Drainage Patterns (Erosion), e) Stormwater Drainage System. Ultimate build-out of the Specific Plan Project area is not expected to substantially alter the existing drainage pattern of the area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-site or off-site. The Project area has been previously highly disturbed by grading activities. Potential future development of some of the Opp Sites may involve slight changes to the existing on-site drainage network, and all proposed projects would be required to connect to the existing stormwater drainage system. Each future project will be evaluated regarding drainage patterns and surface runoff on an individual basis in order to obtain grading and building permit approvals.

In addition, each proposed future project will be evaluated as appropriate on an individual basis for reduction of impacts in conformance with the NPDES program, and with any requirements for the preparation of an erosion and sediment control program, otherwise termed a Storm Water Pollution Prevention Plan (SWPPP).

The foregoing measures are part of the existing land use development review process for proposed projects in the City, and would ensure that impacts are maintained at a less than significant level. No additional mitigation measures are necessary for the Specific Plan.

d) Drainage Patterns (Flooding): The area is relatively flat with a gentle slope towards Zaca Creek, which was channelized and enclosed in underground culverts beneath the Highway 101 freeway and at several locations within the eastern portion of the Specific Plan area. The eastern half of the AOF roadway south of Second Street is within the 100-year flood zone. Fill in the floodplain is generally allowed if it does not raise flood elevations beyond an acceptable amount per the City's floodplain ordinance. Potential future developments will require grading to raise the grade so the finished floor elevation is 2 feet above the base flood elevation level. As part of the City's existing land use development review process, all proposed project are required to address on-site run-off flood control requirements and to avoid significantly altering the drainage pattern in a manner that would result in flooding either on- or off-site.

Any potential alterations to onsite drainage or to streambeds requires coordination with the Army Corps of Engineers, the Regional Water Quality Control Board and the California Department of Fish and Game, any or all of which may issue mitigation recommendations to be incorporated into development permit approval requirements. No mitigation is required for the Specific Plan.

f) Substantially Degrade Water Quality: Ultimate build-out of the Specific Plan may involve some grading activities; increase in potential erosion and sedimentation to drainages is expected with grading activities, which could impact water quality. However, compliance with the NPDES and Regional Water Quality Control Board Resolution R3-2013-0032 (Adopted July 12, 2013, which addresses Post-Construction Stormwater Management Requirements for development projects, essentially updating previous SWPPP regulations) would result in less than significant impacts.

g), h). Housing/Structures in 100-year Flood Hazard Area. As stated in item d) above, a portion of the Project area is within the 100-year Flood Plain. Potential future development in areas with flood hazards would be subject to the City's Floodplain Ordinance requirements to limit the personal and property damage that may occur due to flooding and inundation. As part of the City's land use development review process, each project will be evaluated on an individual basis and will be required to comply with uniform building codes and regulations, FEMA rules, and the General Plan Safety Element Policies S-1, S-2, S-3 and S-4 pertaining to flood hazards. No mitigation measures are necessary for the Specific Plan.

i) Flooding and Dam Failure: The project site is not located in a dam failure inundation hazard area. No impacts would result.

j) Seiche, Tsunami, Volcano: The site is not located in the vicinity of any body of water that could result in a seiche or tsunami, and no volcanic activity occurs in the region. No impacts would result.

Findings and Mitigation: Since no significant impacts were identified, no mitigation is required.

ISSUES:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				**X**
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				**X**
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?				X

a). The Project area consists of a cohesive area historically considered the City's downtown. The proposed Project would serve to solidify and enhance the character of the area, considered a beneficial impact. As such, the Project would not divide an established community.

b). The Specific Plan is regulatory tool that implements the City's General Plan, and provides more detailed planning direction and standards for the AOF Project area than are included in the General Plan. Consistent with the General Plan, the Specific Plan also functions as the zoning code and guides all facets of future development within the area. The following is a discussion of the Specific Plan's consistency with and relationship to both the General Plan and Zoning Ordinance, all of which support a beneficial impact resulting from the proposed Project.

Relationship to General Plan

The Avenue of Flags Specific Plan derives its authority from the City's General Plan (*Buellton General Plan 2025*). Policy direction for the Avenue is included in several elements of the General Plan, including the Land Use, Circulation, Economic Development, Housing, and Parks and Recreation elements, as described below.

The General Plan Land Use Element identifies the Avenue of Flags as an area that requires special consideration, and includes policy direction that guides future development in the area, with a focus on:

- Visitor Services/Highway Commercial
- Retail and Office Development
- Mixed Use Development (which could include commercial uses, visitor-serving uses, civic uses, housing, open space and recreation)

The General Plan bases its goals, policies and programs for the Avenue on an Urban Design Plan that was adopted for the Avenue in 2002. The Specific Plan is intended to build on, and refine to the extent necessary, that Urban Design Plan to be consistent with its intent, but to be more implementable and realistic based on market and environmental conditions. Redevelopment had been one tool identified in the General Plan to assist in the revitalization of the Avenue, but that tool is no longer available pursuant to changes in State law. For that reason, General Plan policy direction that relates to the concept of Redevelopment are not included in the discussion that follows.

Key General Plan Goals, Policies and Programs that provide direction for the Avenue of Flags Specific Plan include:

a. Land Use Element

- **Goal 4:** To revitalize the Avenue of Flags and Highway 246 core as an identifiable "downtown," the physical and social center of Buellton and an inviting place for visitors and residents alike.
- **Policy 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.
- **Policy L-9.** The entrances to Buellton from the east and west on Highway 246, and from the north and south on the US 101 freeway and Avenue of Flags should be considered important features. New public and private development in these locations should include elements such as signage, landscaping and appropriate architectural detailing that announces that one has arrived in Buellton. Such elements should also be designed to reduce the speed of vehicles entering the City for the safety of pedestrians and bicyclists using and crossing arterial roads. Entrance monuments, as described in the Avenue of Flags/Highway 246 Urban Design Plan shall also be encouraged.
- **Policy 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.

- **Policy L-24.** New commercial development shall be encouraged in Buellton along Avenue of Flags and Highway 246. In general, new commercial development should provide a wider range of retail shopping opportunities for the community.
- **Policy L-25.** The visitor-serving sector of the local economy should be maintained and, as demand increases, expanded.
- **Policy L-26.** Offices should be allowed on Avenue of Flags.
- **Policy L-27.** Sidewalk areas in the commercial core along Avenue of Flags and Highway 246 should allow for the free flow and safe of pedestrians. L-28 New commercial development should incorporate elements to encourage pedestrian access and to screen parked areas from public view.
- **Policy L-29.** Residences shall be allowed in conjunction with compatible commercial development on land designated General Commercial. The City shall encourage mixed use development as outlined in Program 3 of the Housing Element by adopting a variable limit for mixed use units, increasing allowed building heights, allowing off-street parking credits for on-street and shared parking, and using a density definition that is adjustable for unit sizes. The mixed use development shall only occur in the General Commercial (CR) designation.
- **Policy L-30.** New development should be required to incorporate streetscape features promoted in the Avenue of Flags/Highway 246 Urban Design Plan or otherwise contribute toward the cost of installing such features along the property frontage. New development should also adhere to planning principles promoted in the Avenue of Flags/Highway 246 Urban Design Plan: storefronts should be sited close to the street to better define the street edge and building frontages at street level should be appropriately designed at a human scale.
- **Policy L-31.** The City should identify one or more potential sites for a new civic center to compliment revitalization goals and create a discernable downtown. To the extent feasible, the Civic Center should incorporate a new City Hall, leisure and cultural services (e.g., library, senior/community center, etc.) and public services performed by other governmental agencies (e.g., sheriff, fire administration, building and safety, etc.).
- **Policy L-32.** The City should actively promote and pursue development of a unified street scene along the Avenue of Flags as envisioned in the Avenue of Flags/Highway 246 Urban Design Plan (see Avenue of Flags conceptual streetscape master plan on following page). Elements include new district monumentation and signage, thematic paving features, decorative street furnishings (e.g., a clock, benches, banners, flags, light standards, trash receptacles, etc.), embellished pedestrian crosswalks and redevelopment of center medians into park-like settings.
- **Policy L-33.** The conversion of commercially-designated lands to residential use should only be allowed when the City receives substantial public benefit, including or exceeding the public benefit realized by the provision of affordable housing in accordance with the City's affordable housing programs.

The Specific Plan includes a development framework that comprehensively implements the following General Plan Land Use Element programs with respect to future development within the Avenue of Flags planning area:

- **Program 1.** The City will update its Zoning Ordinance and district map to reflect the land use designations and related policies of this General Plan, as amended, including the Avenue of Flags /Highway 246 Urban Design Plan. Where necessary, the new zoning districts and standards applicable to Buellton shall be created.
- **Program 2.** The City will amend its Zoning Ordinance to: (i) institute flexible development standards governing mixed-use projects, building height limits, lot coverage requirements and on-street parking consistent with the planning principles embodied in the Avenue of Flags /Highway 246 Urban Design Plan; and (ii) narrow the range of allowed commercial uses to those which implement the visitor-serving, professional office, commercial retail and mixed use land use objectives of the Plan and prevent future instances of non-conforming uses within the Avenue of Flags Revitalization Area.
- **Program 3.** The City will update the Community Design Guidelines to refine architectural themes, impose streetscape standards for the interface between the public and private property (e.g., arcade design, sidewalk planters, etc.). The City will also establish public improvement dedication requirements (or an in-lieu fee option) as necessary and appropriate to implement the Avenue of Flags /Highway 246 Urban Design Plan.
- **Program 7.** The City will update the preliminary facility analysis performed in conjunction with the Avenue of Flags /Highway 246 Urban Design Plan, affirm the range of users and space utilization, quantify building and site requirements, determine infrastructure needs, define site selection criteria, prepare schematic development plans, reconcile facility programming with financial resources and tenant availability, and actively pursue development of a new Civic Center.
- **Program 9.** The City shall review and update the Community Design Guidelines to be consistent with the Avenue of Flags/Highway 246 Urban Design Plan and to refine architectural themes and impose streetscape standards for the interface between the public and private property (e.g., arcade design, sidewalk planter, etc.). The Community Design Guidelines shall provide guidelines for development throughout the City.
- **Program 16.** The City will amend its commercial designations to increase site coverage and height limits to be consistent with the planning principles embodied in the Avenue of Flags/Highway 246 Urban Design Plan. These planning principals include ensuring a pedestrian scaled street environment, and orienting storefronts toward the enhanced streetscape of the Avenue.

b. Circulation Element

- **Goal 3.** To foster revitalization of the Avenue of Flags.
- **Policy 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.

- **Policy C-10.** The following standards apply to the streets and truck circulation routes shown on Figure C-1 of the General Plan [Avenue of Flags is identified as a Commercial Collector].

- **Policy C-16.** The City shall require the provision of adequate off-street parking in conjunction with all new development. Parking shall be located convenient to new development and shall be easily accessible from the street. The City may reduce required off-street parking for projects that employ transit demand management strategies that reduce vehicle trips to the site, where there is on-street angular parking along the Avenue of Flags, and for mixed use shared parking. The adequacy and appropriateness of parking requirements in the Zoning Ordinance shall be periodically evaluated and adjusted, if necessary.

- **Program 3.** As new development occurs, the intersections of Highway 246 with roadways west of Avenue of Flags, including Sycamore Drive and La Lata Drive shall be periodically monitored to evaluate the need for a traffic signal or other arrangements to accommodate safe traffic and pedestrian circulation. As a demonstration project, the City should divert Highway 246 side street traffic to Sycamore Drive by creating cul de sacs at the northern and southern Riverview Drive and Calor Drive approaches to Highway 246. As warranted, the City should implement part of the West End Transportation Plan by signalizing intersections, including Sycamore Drive.

- **Program 9.** The City will work with SBCAG, APCD and other interested parties to expand the rideshare program for Buellton. A rideshare lot shall be implemented on the east side of the Avenue of Flags, south of Highway 246, and will contain 33 parking spaces.

- **Program 16.** Avenue of Flags should be reconfigured from four to two travel lanes in accordance with the Avenue of Flags/Highway 246 Urban Design Plan and implemented in phases taking into account the location and timing of new development, availability of funds and priorities set forth in the Plan.

- **Program 17.** On-street diagonal parking should be installed on both sides of the Avenue between Highway 246 and Damassa Road as envisioned in the Avenue of Flags/Highway 246 Urban Design Plan, and parallel parking along the center median and east side of the Avenue should be installed between Central Avenue and Damassa Road.

- **Program 18.** Public parking lots, as well as Recreational Vehicle (RV) and truck parking areas within the Avenue Revitalization Area should be identified and developed as a means of supplementing on-street parking and accommodating more visitors as the Avenue becomes a destination attraction in the future. Of particular importance is creating parking capacity in the vicinity of Second Street and Avenue of Flags.

c. Economic Development Element

- **Goal 6.** Continue to support and encourage economic revitalization of the Avenue of Flags commercial corridor.

- **Policy E-12.** Provide for and encourage the maintenance and long-term revitalization of existing commercial areas, such as the Avenue of Flags area north of Highway 246 through implementation of the Avenue of Flags/Highway 246 Urban Design Plan. Where appropriate, incentives should be used to encourage and assist the private sector to maintain and revitalize this area. Indicators of successful revitalization include stabilization and enhancement of property values, retention and creation of jobs, and strengthening of the City's tax base.

- **Program 2.** Ensure that adequate commercial land along Highway 246 and Avenue of Flags is designated to meet the present and future needs of residents of the City and maintain economic vitality.

d. Housing Element

- **Goal.** Maintain adequate sites with appropriate zoning, development standards and public infrastructure to facilitate development of the broadest range of housing for all income levels and population segments sufficient to attain compliance with the City's fair share allocation of regional housing needs. This includes the 25 unit per acre AHOZ properties as shown in Table A-1 [of the Housing Element].

- **Policy H-2.** The City shall promote mixed-use development throughout the City, with particular focus along Avenue of Flags, and shall implement smart growth principals.

- **Program 2.** Mixed Use Development. The City Council shall review the mixed use concept, reevaluate the density and establish a 100 unit limit for mixed use projects. Implement the updated mixed use regulations. Mixed use projects have the potential to provide 100 dwelling units. Fostering mixed-use development serves multiple objectives including: (i) implementation of the land use strategy set forth in the Avenue of Flags Urban Design Plan; (ii) recycling blighted and underutilized property; (iii) producing affordable housing; and (iv) promoting smart growth and new urbanism principles. If a limit for mixed-use residential units is established, the Housing Element will be amended to analyze the limit as a potential constraint on affordable housing, and if necessary, include programs to address the constraint. The limit will not become effective until or unless concurrent amendment of the Housing Element has been completed.

- **Program 16.** Code Enforcement. There are an underdetermined number of motel rooms (concentrated in the area of Avenue of Flags) that may be in violation of zoning regulations by virtue of their long-term residential use. To protect tenants without compromising land use policies or vested property owner rights, the City shall undertake the following action.

  a. Transient Occupancy. The City shall amend its Municipal Code to: (i) clarify the definition of hotel and motel uses with respect to duration of occupancy; (ii) allow for a reasonable number of long-term visitor stays; (iii) provide for a reasonable amortization of existing non-conforming use; and (iv) make allowances for relocation payments in the event of tenant displacement. As part of the Municipal Code amendment, the City shall: (i) undertake an analysis of candidate properties; (ii) ascertain the breadth and magnitude of potential non-conforming conditions; and (iii) evaluate the feasibility of an amnesty program whereby limited residential use may be continued in exchange for affordable housing covenants.

e. Parks and Recreation Element

- **Program 3.** Continue to redevelop the Avenue of Flags medians into a linear park with a pedestrian walkway, areas for sculpture and art displays, community gathering areas, space for community events, and landscaping, in accordance with the adopted Urban Design Plan.

<u>Relationship to Zoning Ordinance</u>

The City's zoning ordinance (Buellton Municipal Code, Chapter 19) is the primary tool that implements the General Plan with respect to future projects. Based on a zoning map, it includes development standards related to all aspects of development, including but not limited to allowed uses, setbacks, building heights, and many other related issues. The Avenue of Flags Specific Plan includes a Form Based Code that functions as the development code and zoning ordinance for the planning area, and replaces the standards set forth in Chapter 19 of the Municipal Code, unless otherwise noted in the Specific Plan. Where standards in the two documents potentially conflict, the Specific Plan standards will take precedence.

c) No habitat or conservation plans exist with the City of Buellton.

Findings and Mitigation: No adverse impacts would result from the proposed Project, therefore, no mitigation is required.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES - Would the project:				
a) Result in the loss of availability of a known mineral resource classified MRZ-2 by the State Geologist that would be of value to the region and the residents of the state?				**X**
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				**X**

a, b. Mineral Resources: The site does not support significant mineral resources, nor have any been identified in local plans or resource inventories. The proposed Project would not result in impacts to mineral resources.

Findings and Mitigation: No impacts would occur, therefore, no mitigation is required.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. NOISE - Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			**X**	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			**X**	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			**X**	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		**X**		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				**X**
f) For a project within the vicinity of a private airstrip would the project expose people residing or working in the project area to excessive noise levels?				**X**

The Noise section has been prepared by Rincon Consultants on contract to the City of Buellton. All data used in the creation of this section is on file at the Buellton Planning Department and is hereby incorporated by reference into this Initial Study.

Setting

Properties of Noise. 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 dBA, and a sound that is 10 dBA 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 dBA greater than the reference sound to be judged as twice as loud. In general, a 3 dBA 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 dBA 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 dBA per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dBA 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 (Federal Transit Authority [FTA] 2006). The manner in which homes in California are constructed generally provides a reduction of exterior-to-interior noise levels of about 20 to 25 dBA with closed windows (FTA 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 measurement period, and Lmin is the lowest RMS sound pressure level within the measurement 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 or DNL), which is the 24-hour average noise level with a 10-dBA penalty for noise occurring during nighttime (10 PM to 7 AM) 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 PM to 10 PM and a 10 dBA penalty for noise occurring from 10 PM to 7 AM Noise levels described by Ldn and CNEL usually do not differ by more than 1 dBA. In practice, CNEL and Ldn may often be used interchangeably.

The relationship between peak hourly Leq values and associated Ldn values depends on the distribution of traffic over the entire day. There is no precise way to convert a peak hourly Leq to Ldn. However, in suburban areas, the peak hourly Leq is often roughly equal to the daily Ldn (California State Water Resources Control Board [CSWRCB] 1999). The Plan Area is located in a suburban area; therefore, the peak hourly Leq at the Plan Area is approximately equivalent to the daily Ldn value.

Properties of Groundborne Vibration. Vibrating objects in contact with the ground radiate energy through that medium; if a vibrating object is massive enough and/or close enough to the observer, its vibrations are perceptible. The rumbling sound caused by the vibration of room surfaces is called

groundborne noise. The ground motion caused by vibration is measured in vibration decibels (VdB). The general human response to different levels of groundborne vibration velocity levels is described in Table 9.

Table 9
Human Response to Different Levels of Groundborne Vibration

Vibration Velocity Level	Human Reaction
65 VdB	Approximate threshold of perception for many people
75 VdB	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find transit vibration at this level annoying
85 VdB	Vibration acceptable only if there are an infrequent number of events per day
90 VdB	Difficulty with tasks such as reading computer screens

Source: Federal Transit Administration 2006.

Sensitive Receptors. Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with each of these uses. The City of Buellton 2025 General Plan Noise Element identifies a variety of land use and development types as noise-sensitive. These include residences, hospitals, schools, guest lodging, libraries, and parks. The Avenue of Flags Specific Plan encompasses a segment of the Avenue of Flags roadway and the properties adjacent to Avenue of Flags that are located north and south of State Route 246 (SR-246). There are single-family residences immediately west of the Specific Plan Area along Central Avenue, as well as existing residencies within the Plan Area that would qualify as noise-sensitive receptors. In addition, the following new Districts created by the Specific Plan would allow for residential uses that would qualify as additional noise-sensitive receptors in the Plan Area[4]: District 2 (Public Events and Mixed Use), District 3 (Civic Junction), District 4 (Civic Gallery), District 5 (Gateway South), and District 6 (Zaca Corridor).

Regulatory Setting. The General Plan Noise Element includes exterior noise level guidelines for a range of land uses. These guidelines include "clearly acceptable," "normally acceptable," "normally unacceptable," and "clearly unacceptable" exterior noise ranges for uses that may be proposed in the City. For office buildings, business, commercial, and professional developments, exterior noise up to 75 dBA Ldn is normally acceptable, exterior noise between 70 to 80 dBA Ldn is normally unacceptable, and exterior noise above 80 dBA is clearly unacceptable. For the most noise-sensitive uses, 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). As such, noise exposure standards for various types of land uses reflect the varying noise sensitives associated with those uses.

Table 10 shows the City's noise compatibility guidelines that would apply to residential, commercial, open space, and light industrial land uses allowed for within and in the vicinity of the Plan Area. The City's Noise Element also establishes standards for long-term increases in operational roadway noise levels caused either by a development project alone or by cumulative development, shown in Table 11.

[4] Although the underlying zoning district (i.e., General Commercial) within the Plan Area would remain, the Avenue of Flags Specific Plan would function as an "overlay" zone in which future development would be evaluated based on its consistency with the Plan's intended character for a particular District. This development flexibility means that a range of possible land uses, such as additional residential uses, could be appropriate in a particular District where they were once not.

Table 10
Land Use Compatibility for Community Noise Exposure

Land Use Category	Day-Night Noise Level (Ldn, dBA)			
	Clearly Acceptable[1]	Normally Acceptable[2]	Normally Unacceptable[3]	Clearly Unacceptable[4]
Residential – Low Density Single Family, Duplex, Mobile Homes	<55	55-60	60-75	>75
Residential – Multiple Family	<55	55-60	60-75	>75
Transient Lodging – Motels, Hotels	<65	65-70	70-80	>80
Auditoriums, Concert Halls, Amphitheaters	N/A	<60	60-70	>70
Playgrounds, Neighborhood Parks	<55	55-65	65-75	>75
Office Buildings, Businesses, Commercial, and Professional	<65	65-75	70-80	>80
Industrial, Manufacturing, Utilities, Agriculture	<70	70-80	>80	N/A

[1] Specified land use is satisfactory based upon the assumption that any buildings involved are of normal conventional construction, without any special insulation requirements.
[2] New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice. Outdoor environment will seem noisy.
[3] New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made with needed noise insulation features included in the design. Outdoor areas must be shielded.
[4] New construction or development should generally not be undertaken. Construction costs to make the indoor environment acceptable would be prohibitive and the outdoor environment would not be usable.
Source: City of Buellton 2007. Revised in 2008.

Table 11
Standards for Changes in Operational Roadway Noise Exposure

Existing Ambient Noise Level Without Development Project (dBA Ldn)	Normally Unacceptable change With Development Project (dBA Ldn)
<60	5
60-65	3
>65	1.5

Source: City of Buellton 2007. Revised in 2008.

The Buellton Municipal Code establishes exterior noise limits for specific zoning types. The underlying zoning district for the Plan Area is General Commercial (CR). According to Section 8.04.030(a) of the Municipal Code, it is unlawful to cause noise that exceeds the one-hour average level of 75 dBA between the hours of 7:00 AM and 10:00 PM and 45 dBA between 10:00 PM and 7:00 AM for CR zones. The Specific Plan would allow for an increase in residential density that would qualify as additional noise-sensitive receptors in the Plan Area. Therefore, for a conservative analysis, noise impacts are compared to noise standards for residential zoning. According to Section 8.04.030(a) of the Municipal Code, noise levels must not exceed the one-hour average level of 65 dBA between the hours of 7:00 AM and 10:00 PM and 45 dBA between 10:00 PM and 7:00 AM for residential zones.

Per Section 8.04.030(G)(4) of the Municipal Code, construction cannot occur before 7:00 AM or after 6:00 PM Monday through Friday, Saturdays between 9:00 AM and 5:00 PM except with the express written permission of the Planning Director, or on Sunday or federally designated holidays. In addition, the Buellton Municipal Code Section 8.04.030 states “Construction activity shall not cause an hourly average sound level of greater than seventy-five (75) decibels on property zoned or used for open space, recreation, or residential purposes.”

CEQA Thresholds. Consistent with the General Plan Noise Element (refer to Table N-2 of the Noise Element) and the Municipal Code Section 8.04.030, noise impacts within the Plan Area would be significant if new commercial or office uses would be exposed to noise that exceeds either a one-hour average of 75 dBA Leq or a 24-hour average sound level that would exceed 75 dBA Ldn. In addition, noise impacts would be significant at the nearest sensitive receptors located adjacent to and within the Plan Area (hotels, motels, and residences) if the project would result in noise that would exceed the one-hour average level of 65 dBA Leq between the hours of 7:00 AM and 10:00 PM and 45 dBA Leq between 10:00 PM and 7:00 AM. Based on the General Plan Noise Element, these sensitive receptors would be exposed to noise impacts if development would reasonably be expected to result in a 24-hour average sound level that would exceed 60 dBA Ldn for residences and 70 dBA Ldn for hotels and motels. In addition, sensitive receptors would be exposed to long-term roadway noise impacts if the project contributes a 5 dBA Ldn increase on a roadway with ambient noise levels less than 60 dBA Ldn, a 3 dBA Ldn increase on a roadway with ambient noise levels between 60-65 dBA Ldn, and a 1.5 dBA Ldn increase on a roadway with ambient noise levels more than 65 dBA Ldn (see Table 11).

The City of Buellton has not adopted specific numerical thresholds for groundborne vibration impacts. Therefore, this analysis uses the FTA's vibration impact thresholds to determine whether groundborne vibration would be "excessive." The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people. Consequently, the FTA recommends an 80 VdB threshold for infrequent events at residences and buildings where people normally sleep such as the existing and planned hotel, motel, and other residential uses. The FTA does not consider most commercial uses to be noise-sensitive (except for those that depend on quiet as an important part of operations, such as sound recording studios) and, therefore, does not recommend thresholds for groundborne vibration impacts to such uses. In terms of groundborne vibration impacts on structures, the FTA states that groundborne vibration levels in excess of 100 VdB would damage fragile buildings and levels in excess of 95 VdB would damage extremely fragile historic buildings.

Existing Noise Conditions. The most common source of noise in the project vicinity is vehicle traffic on area roadways and U.S. Highway 101 (U.S. 101). 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 areas sensitive to noise exposure. To determine ambient noise levels at and near the Plan Area, five 15-minute noise measurements were taken using an ANSI Type II integrating sound level meter on April 26, 2017 and May 12, 2017. These measurements provide ambient morning and afternoon noise levels to capture the range of noise exposure in the vicinity of Plan Area, which is primarily due to traffic noise from Avenue of Flags. Other sources of traffic noise near the Plan Area include U.S. 101 immediately adjacent to the Plan Area's eastern edge and SR-246, which bisects the southern portion of the Plan Area. Figure 3 shows the location of the five measurements in the vicinity of the Plan Area and Table 12 lists the results of the noise measurements.

Figure 3 - Noise Measurement Locations

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Fig1 Noise Measurement Locations

Table 12
Noise Measurement Results

Measurement Number	Measurement Location	Sample Times	Approximate Distance to Primary Noise Source	Leq[15] (dBA)[1]
1	East of the Plan Area along McMurray Road	4:16 PM – 4:31 PM[2]	30 feet from centerline of McMurray Road	70.0
2	Within the Plan Area, along Avenue of Flags (southbound)	4:35 PM – 4:50 PM[2]	25 feet from centerline of Avenue of Flags	62.4
3	Within the Plan Area, along Avenue of Flags (northbound)	10:50 AM – 11:05 AM[3]	25 feet from centerline of Avenue of Flags	60.0
4	West of Plan Area, along Central Avenue	10:08 AM – 10:23 AM[3]	20 feet from centerline of Central Avenue	60.5
5	At center of Plan Area, along 2nd Street	10:32 AM – 10:47 AM[3]	25 feet from centerline of 2nd Street	57.5

Source: Rincon Consultants, field visits on April 26, 2017 and May 12, 2017 using ANSI Type II Integrating sound level meter. See Appendix A of Noise Study (Rincon Consultants, June 2, 2017) for noise measurement data.
[1] The equivalent noise level (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). For this measurement the Leq was over a 15-minute period (Leq[15]).
[2] Noise measurement taken on April 26, 2017.
[3] Noise measurement taken on May 12, 2017.

As shown in Table 12, noise in the vicinity of the Plan Area ranges from 57.5 dBA Leq to 70.0 dBA Leq. Measurements 1 and 2 were taken during PM peak hour (between 4 and 6 PM), while Measurements 3 through 5 were taken during the late morning period, after the AM peak hour (between 7 and 9 AM). Since traffic noise is the predominant noise source in the Plan Area, ambient noise is highest during peak traffic hours (7 AM to 9 AM and 4 PM to 6 PM).

One additional noise measurement was taken at an existing farmer's market in the neighboring City of Solvang, which is similar in size to the proposed open space market within the median areas of the Specific Plan. This measurement was taken to capture ambient noise of an outdoor marketplace for analysis of operational noise levels associated with buildout of the Specific Plan. Table 13 lists the noise level measurement collected at the offsite farmer's market.

Table 13
Noise Measurement Results at Offsite Farmer's Market

Measurement Number	Measurement Location	Sample Times[1]	Approximate Distance to Primary Noise Source	Leq[15] (dBA)[2]
6	Farmer's Market with 32 Vendors	3:07 PM – 3:22 PM	35 feet from source	58.1

Source: Rincon Consultants, field visit on April 26, 2017 using ANSI Type II Integrating sound level meter. See Appendix A for noise measurement data.
[1] According to the market manager, the time the noise measurement was taken is considered peak. (Sarquilla, V., On Site Manager, Santa Barbara Certified Farmers Market, personal communication, April 26, 2017).
[2] The equivalent noise level (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). For this measurement the Leq was over a 15-minute period (Leq[15]).

As shown in Table 13, ambient operational noise at the offsite farmer's market is approximately 58.1 dBA Leq at 35 feet from the source (see Appendix A of Noise Study prepared by Rincon Consultants, dated June 2, 2017 for complete noise measurements). According to the farmer's market manager, the time the noise measurement was taken represents typical peak consumer activity (personal communication with Vicky Sarquilla, On-Site Manager, Santa Barbara Certified Farmers Market, on April 26, 2017). Based on this noise measurement, this analysis assumes that the farmers market proposed by the Specific Plan would result in noise levels of approximately 58 dBA Leq at a distance of 35 feet.

Impact Analysis

a, c) Operational noise concerns associated with the Plan Area would be limited to noise generated from the outdoor public assembly uses within the median sections of Avenue of Flags as well as roadway noise impacts from an increase in vehicle trips generated by buildout of the Specific Plan. Long-term operational noise impacts are addressed below.

Public Assembly Noise. The Specific Plan would allow for public assembly uses within the median sections of Avenue of Flags at the proposed District 2 (Public Event and Mixed Use), District 3 (Civic Junction), and District 4 (Civic Gallery) areas. These districts would be located between the northbound and southbound roadway right-of-ways of Avenue of Flags. Public assembly uses in the medians include an event barn, kiosk vendors, farmer's markets, and outdoor performances. Activities associated with typical use of the outdoor public assembly uses include conversations and vendor services. Noise sensitive receptors that would be affected by public assembly include the Sleepy Hollow Motel, San Marcos Motel, Red Rose Courte, Farmhouse Motel, and Country Lane Motel. These sensitive receptors are located along Avenue of Flags, thus the nearest sensitive receptors would be located at a distance of 50 feet from the proposed public assembly areas.

According to Section 8.04.030(a) of the Municipal Code, it is unlawful to cause noise that exceeds the one-hour average level of 65 dBA between the hours of 7:00 AM and 10:00 PM and 45 dBA between 10:00 PM and 7:00 AM for residential zones. Assuming that public assembly uses would not operate outside of 7:00 AM to 10:00 PM hours, noise impacts would be considered significant if they would exceed either a one-hour average (Leq) of 65 dBA or would reasonably be expected to result in a 24-hour average sound level that would exceed 65 dBA Ldn at the Plan Area.

Operational noise estimates for the proposed public assembly uses were based on noise levels from an existing outdoor farmer's market in the neighboring City of Solvang. As shown in Table 13, noise levels associated with a comparable outdoor marketplace and public assembly area was measured at 58.1 dBA Leq 35 feet from the source. At a distance of 50 feet assembly noise would be about 55 dBA Leq. Therefore, noise generated by the outdoor assembly uses would be below the 65 dBA Leq City threshold for residential zones. The noise anticipated from public assemblies is about 10 dBA below the City standard and would only occur for a few hours a day. Therefore, noise from public assemblies would not be expected to contribute substantially to a 24-hour average noise level that would exceed the 65 dBA Ldn noise standard. Noise impacts from public assembly would be *less than significant*.

Traffic Noise. The primary source of noise in the Plan Area is motor vehicle traffic (e.g., automobiles, buses, trucks, and motorcycles) on nearby roadways, including SR 246 and U.S. 101. The City of Buellton 2025 General Plan Noise Element provides noise contours that define areas of equal noise exposure, developed using information about both current and projected future land uses and traffic volumes. The contours assist in setting land use policy and establishing development standards. The Plan Area is located within the 60 dB, 65 dB, and 70 dB Ldn contours for both existing (2005) and future (2025) noise depicted on the City of Buellton 2025 General Plan Noise Element maps. The Avenue of Flags is the only other roadway in the City that currently carries sufficient traffic to produce audible noise at a substantial distance. The existing 60 dBA Ldn contour for the Avenue of Flags is 57 feet from the

centerline and less where there are intervening structures. Other roadways in the City carry low to moderate traffic (500-2,500 average daily trips [ADT]) that does not produce far-reaching noise contours.

Buildout of the Specific Plan includes street network changes that would alter traffic patterns, and commercial and residential densities that may result in additional traffic that was not accounted for in the existing General Plan. Associated Transportation Engineers (ATE) prepared a Traffic and Circulation Study for the Specific Plan using trip generation rates from the Institute of Transportation Engineers (ITE) (ATE 2016). To analyze potential traffic impacts, ATE compared near-term traffic volumes to a near-term 5-Year Development Plan buildout, assuming the anticipated development within the Specific Plan for the first 5-year period. Buildout estimates for the 5-year period include construction of 25,000 square feet of commercial uses and 54 dwelling units. According to the Traffic and Circulation Study, development envisioned for the 5-year period would generate 1,467 daily trips, with 61 trips occurring during the AM peak hour and 101 trips occurring during the PM peak hour. General Plan Buildout plus Specific Plan traffic conditions were forecast assuming the additional development that could occur under full buildout of the General Plan and Specific Plan. Buildout estimates for the General Plan Buildout plus Specific Plan scenario include an additional 163 dwelling units and 75,000 square feet of commercial uses. The additional development that could occur under the Specific Plan would generate 4,399 daily trips, with 182 trips occurring during the AM peak hour and 304 trips occurring during the PM peak hour.

Roadway noise was modeled using the U.S. Department of Housing and Urban Development (HUD) Exchange Day/Night Noise Level (DNL) Calculator based on daily traffic in the area. Modeled roadway segments were established according to the corresponding measurement locations, as shown in Figure 3, for a comparison of measured and modeled noise. Daily traffic for the analyzed roadway segments in the vicinity of the Plan Area was obtained from the ATE traffic study for the project. Since PM peak hour trips are higher than AM peak hour trips, the PM peak hour trips from intersections in the traffic study were used in the HUD DNL Calculator. The peak hour trips were multiplied by 10 for the daily traffic. This analysis assumes traffic on roadways is composed of 95% light-duty passenger vehicles, 3% medium-duty trucks, and 2% heavy-duty trucks, and uses a minimum distance of 35 feet from the centerline of each roadway to the nearest sensitive receptor. Additional model assumptions include a standard estimate of 15 percent of daily trips occurring at night, and vehicle speeds consistent with posted speed limits on each roadway.

Roadway noise in the vicinity of the Plan Area originates primarily from Avenue of Flags, SR-246, U.S. 101, McMurray Road, and connecting side streets such as Central Avenue and Second Street. The Buellton General Plan contains standards for changes in operational roadway noise exposure, shown in Table 11. For roadways where ambient noise is over 65 dBA Ldn, an increase greater than 1.5 dBA is considered a significant noise impact. As shown in Table 14, additional development associated with buildout of the near-term 5-Year Development Plan would not result in a roadway noise impact.

Cumulative development from General Plan buildout in the Plan Area would increase noise levels along area roadways. Cumulative noise levels were modeled with project generated traffic as shown in Table 14. The cumulative plus project generated traffic noise would increase noise between 2.1 and 8.6 dBA above existing noise levels, and noise from four roadways would exceed the 1.5 dBA significance threshold. However, as shown in Table 14, the project's contribution to cumulative noise impacts would be below the 1.5 dBA significance threshold. Therefore, even though cumulative traffic noise would increase substantially, the project's contribution to the cumulative noise increase is not cumulatively considerable. Cumulative traffic noise impacts would be *less than significant*.

Table 14
Near-Term and Cumulative Roadway Noise Impacts

Roadway	Near-Term Noise Level (dBA Ldn)		Project Change [2-1]	Cumulative Noise Level (dBA Ldn)		Cumulative Plus Project Change [4-1]	Cumulative Contribution ([4]-[3])
	Near-Term [1]	Near-Term Plus Project[1] [2]		General Plan Buildout Noise Level [3]	Cumulative Plus Project[2] [4]		
McMurray Road	70.1	70.1	0.0	72.1	72.4	2.3	0.3
Avenue of Flags (southbound)	65.9	66.1	0.2	69.7	69.1	3.2	-0.6
Avenue of Flags (northbound)	64.4	64.6	0.2	69.1	69.1	4.7	0.0
Central Avenue	60.8	60.8	0.0	62.6	62.9	2.1	0.3
2nd Street	56.8	56.8	0.0	63.2	63.2	6.4	0.0
SR-246	74.1	74.1	0.0	72.6	72.7	-1.4	0.1
U.S. 101	70.9	70.9	0.0	75.0	75.4	4.5	0.4

Source: HUD DNL Calculator accessed at: https://www.hudexchange.info/environmental-review/dnl-calculator/.
See Appendix B of Noise Study (Rincon Consultants,June 2, 2017) for HUD DNL Calculator results. Bold text used to denote a significant noise increase.
[1] Represents traffic volumes associated with the near-term (5-Year Development Plan) period of buildout of the Specific Plan.
[2] Represents traffic volumes associated with the full (General Plan plus Specific Plan) cumulative buildout of the Specific Plan.

b, d) Noise-sensitive land uses in the vicinity of the Specific Plan Area, including existing and planned hotels, motels, and residences, would be exposed to temporary noise impacts during construction of development associated with buildout of the Plan Area. Noise impacts are a function of the type of activity undertaken and the distance to the receptor location. Construction noise impacts primarily result when construction activities occur during times of day when people are most sensitive to noise (early morning, evening, or nighttime hours), construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction duration lasts over extended periods of time.

Construction Noise. For the purpose of evaluating construction noise impacts, this analysis assumes a distance of 50 feet between existing and planned sensitive receptors throughout buildout of the Plan Area. Typical noise levels of construction equipment at a distance of 50 feet from the source range from 73 to 88 dBA Lmax (FTA 2006). Therefore, temporary construction noise could affect noise-sensitive receptors in the vicinity of the Plan Area, particularly hotels, motels, and residences located adjacent to and within the Plan Area as well as planned development involving additional residences.

The FHWA Roadway Construction Noise Model (RCNM) was used to estimate the project equipment noise levels at the nearest sensitive receptors for each phase of project construction. RCNM uses a compilation of empirical data and the application of acoustical propagation formulas to predict construction noise (FHWA 2016). As described in the Setting, construction noise levels would attenuate at a rate of approximately 6 dBA per doubling of distance. Each phase of project construction relies on a specific assemblage of construction equipment required for specific tasks, such as site preparation, demolition, grading, building construction, paving, and architectural coating. Table 15 shows noise levels generated at 50 feet from development sites during the various phases of construction.

Table 15
Construction Noise Levels by Phase

Construction Phase	Equipment	Anticipated Noise at 50 feet (dBA Leq)
Demolition	Concrete/Industrial Saw, Excavator, Dozer	85
Site Preparation	Dozer, Tractor, Loader, Backhoe,	84
Grading	Scraper, Excavator, Grader, Dozer,	85
Building Construction	Crane, Generator Set, Tractor, Loader, Backhoe, Welder	84
Paving	Paver, Roller	77
Architectural Coating	Air Compressor	74

Source: Federal Highway Administration, Roadway Construction Noise Model (RCNM), 2008.
See Appendix C of Noise Study (Rincon Consultants, June 2, 2017) for RCNM data sheets.

Based on the construction noise levels shown in Table 15, temporary construction noise could affect existing and planned noise-sensitive receptors within and in the vicinity of the Plan Area, particularly hotels, motels, and residences. The Section 8.04.030(G)(4)(d) of the City's Municipal Code requires that construction activity not cause an hourly average sound level of greater than 75 dBA on property zoned or used for open space, recreation, or residential purposes. Although the underlying zone for the Specific Plan Area is General Commercial, an increased density of residential uses would be allowed for in the Plan Area by the Specific Plan. In addition, single-family residences are located west of the Plan Area. Therefore, construction noise would be significant if sound levels greater than 75 dBA Leq would be generated in the vicinity of the Plan Area.

As shown in Table 15, the loudest phases of construction would result in ambient noise levels up to 85 dBA Leq at a distance of 50 feet from active construction activity. However, construction equipment estimates used for the analysis of construction noise levels assume that all the equipment contained on site would operate simultaneously and for 16 to 50 percent of the work day depending on equipment type. Therefore, the noise levels presented in Table 15 represent a conservative, reasonable worst-case estimate of construction noise that may occur within the Plan Area. In addition, Section 8.04.030(G)(4) of the Municipal Code prohibits construction outside of the hours of 7:00 AM to 6:00 PM Monday through Friday and 9:00 AM to 5:00 PM Saturday without written approval from the City, or on Sunday or federally designated holidays. Construction noise would be temporary and would occur only within the City's allowed construction hours. As such, construction noise would not occur during recognized hours of sleep when people are most sensitive to construction noise. Regardless, construction noise would potentially exceed the 75 dBA Leq noise standard for residences and other noise-sensitive receptors in the Plan Area. Therefore, construction noise impacts would be *potentially significant unless mitigation is incorporated.*

Mitigation Measures

The following mitigation measure would be required for Plan Area development to reduce impacts to less than significant levels.

N-1 Construction Noise Attenuation. For all demolition and construction activity within the Plan Area, noise attenuation techniques shall be employed as needed to ensure that noise remains

within levels allowed by the City of Buellton construction noise standards (Section 8.04.030(G)(4)(d); 75 dBA Leq). Construction noise attenuation measures shall include:

- All construction equipment shall have properly maintained sound-control devices.
- No equipment shall have an unmuffled exhaust.
- All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
- Unnecessary idling of internal combustion engines shall be prohibited.

As necessary to achieve the construction noise standard, contractors shall implement appropriate additional noise mitigation measures including, but not limited to, siting the stationary construction equipment away from residential areas to the extent possible, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, and installing temporary acoustic barriers around stationary construction noise sources.

Construction Vibration. As shown in Table 16, the maximum vibration level anticipated in or around the Plan Area would be 83 VdB at a distance of 50 feet. Vibration-sensitive receptors in in close proximity to construction activities may be disturbed by temporary and intermittent vibration levels. However, vibration levels would not exceed 95 VdB, and therefore would not result in physical impacts to fragile buildings.

Table 16
Vibration Source Level for Construction Equipment

	Approximate VdB
Equipment	**50 Feet**
Hoe Ram	76
Caisson drilling	76
Jackhammer	68
Large Bulldozer	76
Loaded Truck	75
Vibratory Roller	83

Source: Federal Railroad Administration, 2012.

Section 8.04.030(G)(4) of the Municipal Code prohibits construction outside of the hours of 7:00 AM to 6:00 PM Monday through Friday and 9:00 AM to 5:00 PM Saturday without written approval from the City, or on Sunday or federally designated holidays. Therefore, residents and guests at hotels would not be exposed to substantial vibration levels during hours when people normally sleep. Vibration from construction would be temporary and intermittent, and would not exceed levels that would affect fragile buildings or occur during hours when people normally sleep. Therefore, vibration impacts associated with this project component would be *less than significant*.

e, f) The Specific Plan area is not located within an airport land use plan, within two miles of a public airport or public use airport, or within the vicinity of a private airstrip. The nearest airport is the Santa Ynez Airport approximately 6.5 miles east of the Plan Area. There would be *no impact*.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			**X**	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			**X**	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			**X**	

a) Population Growth. As of baseline year 2016 (prior to Specific Plan adoption), all of the properties in the Project area are designated as General Commercial under both the Zoning Ordinance (CR Zone) and General Plan Land Use Element. Within CR, there are several allowed uses intended to serve community retail business and commercial needs, including stores, shops, and offices on individual lots and in shopping centers, supplying commodities or performing services for the residents of the entire community. Residential and mixed-use projects with a residential component are permitted. The existing General Plan and Zoning Ordinance already anticipate a certain amount of population growth to occur in the Project area. In order to support the vision and goals for the Project area, allowable land uses, development standards and intensities are further defined by the Specific Plan.

Buildout potential for the Specific Plan area was analyzed utilizing the existing General Plan land use and Zoning Code regulations as a baseline. This baseline buildout potential is an estimated 163+/- residential units and 222,208+/- square feet of commercial uses. The Specific Plan projects that a maximum cap of 163 additional residential units and 75,000 SF of additional commercial space above the baseline could potentially be accommodated in the Specific Plan area, achievable through DOR incentives; any potential densities above this cap are subject to Planning Commission and City Council consideration and may require Specific Plan Amendment.

Potential impacts resulting from Specific Plan buildout would most likely affect the following environmental issues: Air Quality, Greenhouse Gas Emissions, Noise, and Traffic; these issues are analyzed in separate sections of this Initial Study document, with applicable mitigation measures identified in the corresponding sections. Therefore, no significant impacts or separate mitigation measures are applicable under this Population & Housing section.

b) and c). Displacement of Housing & People. As a policy and regulatory document, the Specific Plan does not require or propose the construction of any new development projects but rather establishes policies, standards and programs that will allow for and support future land use entitlements. It identifies potential private development land uses suitable for vacant and/or underutilized parcels (referred to as "Opportunity Sites") on land currently zoned General Commercial (CR) with a corresponding General Plan land use designation of General Commercial (GC). All of the ten Opportunity Sites ("Opp Sites") have been previously highly disturbed by grading activities, are considered urban in-fill sites (under 5 acres), and are surrounded by existing commercial and mixed-use development.

Potential future development on the Opp Site parcels may displace some existing rental housing units and people living in single-room occupancies (converted previous motel establishments). All proposed future development will be reviewed and permitted on an individual project-specific basis to determine

compliance with the proposed Specific Plan Form-Based Development Code, Uniform Building Code, the City's General Plan, and any applicable sections of the Zoning Ordinance.

It is important to note that Municipal Code Section 19.16.017 establishes relocation assistance to be provided to any tenant who is displaced or subject to displacement from a residential rental unit as a result of development projects or Local Enforcement Agency action which results in the conversion or demolition of their rental unit. Because there is an existing program in place to reduce the potential impacts related to such displacement, impacts are considered to be less than significant.

Findings and Mitigation: Impacts are considered less than significant, therefore, no mitigation is required as part of the Specific Plan.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			X	

Setting

The Project area consists of developed and vacant/previously developed urban infill sites in the City's downtown area along with City-owned public roadway medians. As the City's historic downtown, the area has been served by Public Services, and future development of the area has been anticipated as part of the City's General Plan. As a policy and regulatory document, the Specific Plan does not require or propose the construction of any new development projects but rather establishes policies, standards and programs that will allow for and support future land use entitlements.

Potential future development on the vacant/underutilized urban infill sites (Opp Site parcels) will be reviewed and permitted on an individual project-specific basis to determine compliance with the proposed Specific Plan Form-Based Development Code; the City's General Plan, including Public Facilities and Services Element Policies PF-2 and -3 (Provision of Adequate Public Services and Payment of Fair Share); and any applicable requirements of the local Fire, Police, Schools, and Parks & Recreation Agencies.

a. Fire Services: The project area is served by Station 31 of the Santa Barbara County Fire Department located at 168 West Highway 246. The station is located less than 0.25 miles from the Project area, which is within the 5-minute response time of the station. Fire protection impacts of the Specific Plan are considered less than significant. Potential future development may result in a nominal increase in the need for additional fire protection, depending on the individual project. These needs will be addressed and met as each development is proposed, and will be funded through the payment of appropriate development fees or project specific mitigation, as applicable.

b. Police Services: The project area is served by the City of Buellton Police Department which is contracted through the Santa Barbara County Sheriff's Department. The police substation is located at 140 West Highway 246, less than 0.25 from the Project area. At least one patrol officer is on duty at all times. Police protection impacts of the Specific Plan are considered less than significant. Potential future development may result in a nominal increase in the need for additional police protection, depending on the individual project. These needs will be addressed and met as each development is proposed, and will be funded through the payment of appropriate development fees or project specific mitigation, as applicable.

c. School Services: Future development of additional housing and, to a lesser extent, commercial uses would increase the City's population, which may result in a nominal increase in the demand on schools. Additional facilities and staffing may be necessary to accommodate the growth. These needs will be addressed and met as each development is proposed, and will be funded through the payment of appropriate school district fees, as applicable.

d. Parks: Potential future development may result in a nominal increase in the demand for additional parks services. The Specific Plan proposes the potential enhancement of portions of the public medians for park purposes, which is considered a positive impact and would offset the potential demand resulting from future growth. No adverse impacts are expected to occur.

e. Other Public Facilities: No other impacts to public services have been identified.

Findings and Mitigation: Impacts are considered less than significant, therefore, no mitigation is required as part of the Specific Plan.

ISSUES:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
XV. RECREATION -				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			**X**	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?			**X**	

a), b) Use and Demand for Parks and Recreation Facilities. Potential future development may result in a nominal increase in the use of and demand for additional parks and recreational facilities. Future residential development anticipated by the Specific Plan may require the payment of Quimby fees (or in lieu dedications) as applicable to develop recreational facilities as identified in the General Plan Parks & Recreation Element.

In addition, the Specific Plan proposes the potential enhancement of portions of the public medians for park and outdoor recreation purposes, community gathering spaces, the installation of bike lanes and pedestrian pathways, and the improvement of the Zaca Creek Trail, all of which are considered positive impacts and would offset the potential demand resulting from future growth. No adverse impacts are expected to occur.

Findings and Mitigation: Impacts are considered less than significant, therefore no mitigation is required as part of the Specific Plan.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC - Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		**X**		
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		**X**		
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				**X**
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			**X**	
e) Result in inadequate emergency access?			**X**	
f) Result in inadequate parking capacity?			**X**	
g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				**X**

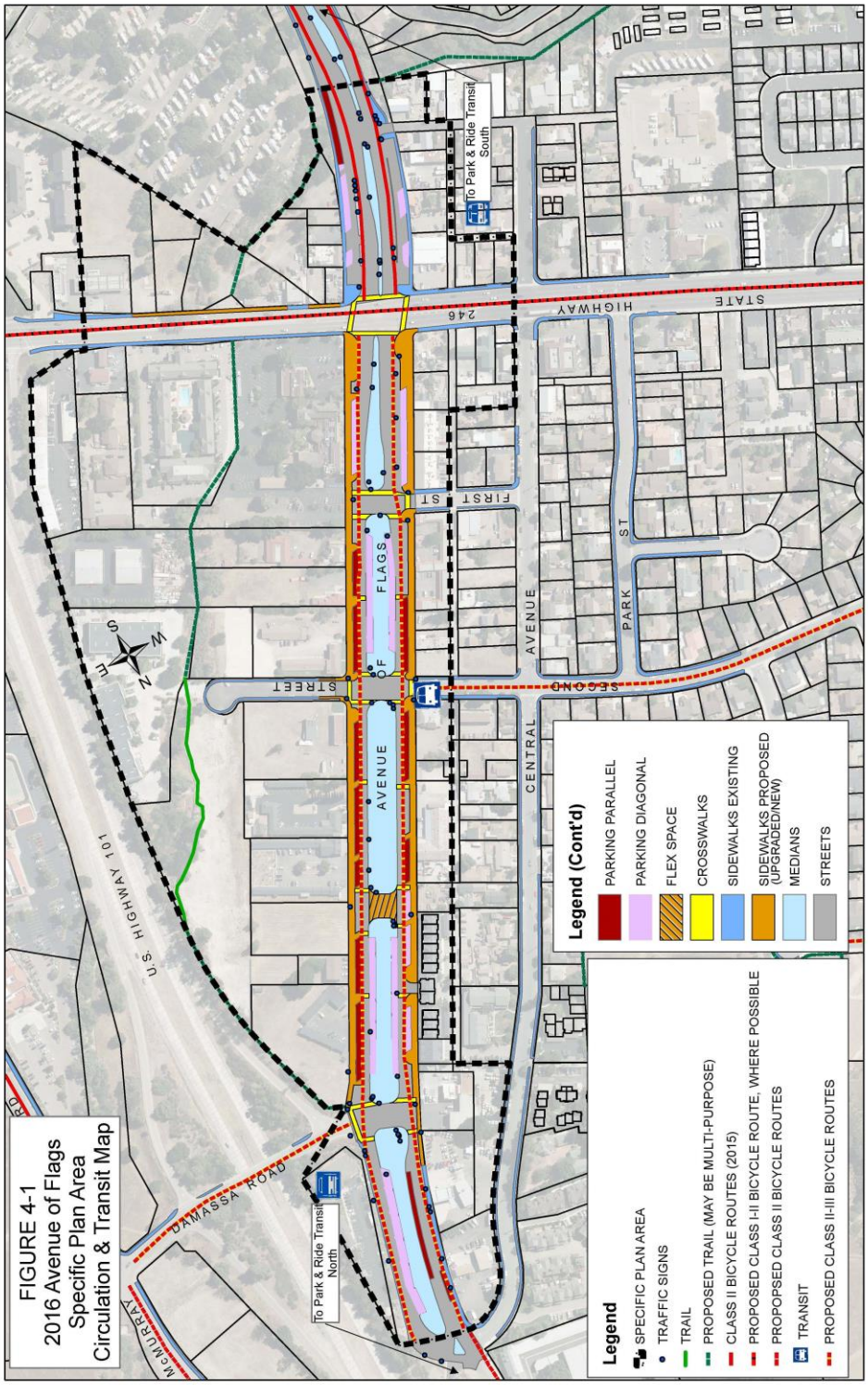
The Transportation/Traffic section is based on the Traffic and Circulation Study dated June 5, 2017 (and updated on July 10, 2017) prepared by Associated Traffic Engineers (ATE) on contract to the City of Buellton. All data used in the creation of this section is on file at the Buellton Planning Department and is hereby incorporated by reference into this Initial Study.

The Traffic Study examines existing and future conditions within the project area, including traffic diversions, near-term impacts with Specific Plan 5-year development projections, and General Plan buildout projections.

a), b) <u>Traffic Volumes, Diversions and Congestion</u>

The circulation system that serves the Specific Plan is comprised of regional highways, arterials and collector streets, which are illustrated on Figure 4.

Figure 4 - Specific Plan Area Circulation Map



SPECIFIC PLAN ANALYSIS

Existing Conditions and Traffic Diversion

Phase 1 of the Specific Plan includes the street network changes to Avenue of Flags, including traffic calming & safety measures (i.e. reduce speed limit; install four-way stops including signage and pavement markings, painted crosswalks, sidewalks, and parking improvements). The new street design standards will provide one travel lane in each direction with angled parking in different locations along Avenue of Flags. Four-Way Stop Sign controls are planned along Avenue of Flags at Damassa Road, Second Street, and First Street. These street modifications will result in slower speeds within the downtown core and cause some diversion of existing traffic that travels on Avenue of Flags in the downtown core.

Potential diversions were analyzed based on the existing and future traffic speeds along Avenue of Flags as well as the existing traffic patterns in the Avenue of Flags core area. The average speed of traffic exiting southbound US 101 and entering Avenue of Flags between the off-ramp and Damassa Road is 33 MPH, and between Damassa Road and SR 246 is 30 MPH. For northbound Avenue of Flags, the average speed of traffic was measured at 33 MPH between Second Street and Damassa Road. The Specific Plan modifications will reduce speeds to 25 MPH. The Existing AM and PM peak hour traffic patterns were reviewed to determine the potential traffic diversion caused by the proposed modifications.

Southbound Avenue of Flags

Traffic entering Avenue of Flags from southbound US 101 will be affected by the slower speeds and traffic calming measures.

- About 225 vehicles exit southbound US 101 at the Jonata Road exit. 90% of that traffic proceed southbound on Avenue of Flags (the remaining 10% turn onto Jonata Road or Central Avenue).
- Of the 90% on Avenue of Flags, about 10% is destined for the businesses located between the off-ramp and Damassa Road, 30% turn left onto Damassa Road to travel to the land uses along McMurray Road east of US 101, and the remaining traffic proceeds south on Avenue of Flags.
- About 5% of the southbound Avenue of Flags traffic is destined for the businesses located between Damassa Road and Second Street. The remaining traffic turns right onto Second street or proceeds southbound along Avenue of Flags to businesses between Second Street and SR 246; or proceeds to SR 246 and turns right onto SR 246 or proceeds straight across SR 246 to the Avenue of Flags area south of SR 246.

The analysis determined that about 20% of traffic entering Avenue of Flags from southbound US 101 will divert to other routes because of the slower speeds and traffic calming measures planned for Avenue of Flags.

- 5% of the diverted traffic is expected to use Central Avenue and
- 15% of the diverted traffic is expected to stay on southbound US 101 and exit at SR 246 and then travel westbound SR 246 to their destinations.

There is a second component of southbound Avenue of Flags traffic diversion that will occur. The existing traffic pattern shows that a significant amount of traffic generated by the land uses along McMurray Road use the US 101 overcrossing at Damassa Road to travel westbound to Avenue of Flags and then travel southbound on Avenue of Flags to reach destinations in the western portion of Buellton (or beyond). About 20% of that traffic will divert to southbound McMurray Road and then turn right onto westbound SR 246 to reach their destinations.

Northbound Avenue of Flags

For northbound Avenue of Flags, there will be some diversion of the existing traffic that travels through Avenue of Flags from the western portions of Buellton to reach destinations along McMurray Road.

About 10% of the traffic that travels northbound Avenue of Flags and then turn rights onto Damassa Road to reach destinations along McMurray Road is expected to divert to eastbound SR 246 and then turn left onto McMurray Road to reach their destinations.

Levels of service (LOS) were calculated for the key intersections to determine the effects of the traffic calming & safety measures. Table 17 compares the LOS forecasts for Existing Conditions and Existing Conditions + Traffic Diversions. As shown in this table, the key intersections that serve the Specific Plan are forecast to operate at LOS C or better, which meets the City's LOS C standard. Thus, the proposed street network modifications would not trigger significant impacts. Closer review of the level of forecasts show that the intersections within the Avenue of Flags core area are forecast to operate at LOS A, except for the LOS C forecast for the SR 246/Avenue of Flags intersection.

Table 17
Levels of Service – Existing Conditions + Traffic Diversion

Intersection		Control	P.M. Peak Delay / LOS (a)	
			Existing	Existing + Diversion
#1	US 101 SB/Jonata/AOF	Stop Sign	8.5 Sec./LOS A	8.2 Sec./LOS A
#2	Damassa/Southbound AOF	Stop Sign	14.3 Sec./LOS B	8.3 Sec./LOS A
#3	Damassa/Northbound AOF	Stop Sign	11.2 Sec./LOS B	8.2 Sec./LOS A
#4	Damassa/US 101 SB	Yield	0.7 Sec./LOS A	0.7 Sec./LOS A
#5	Damassa/US 101 NB	Stop Sign	7.5 Sec./LOS A	7.4 Sec./LOS A
#6	Damassa/McMurray	Stop Sign	9.2 Sec./LOS A	9.1 Sec./LOS A
#7	Second/Central	Stop Sign	7.9 Sec./LOS A	7.8 Sec./LOS A
#8	Second/Southbound AOF	Stop Sign	12.2 Sec./LOS B	8.8 Sec./LOS A
#9	Second/Northbound AOF	Stop Sign	10.7 Sec./LOS B	8.2 Sec./LOS A
#10	SR 246/Central	Stop Sign	11.9 Sec./LOS B	11.8 Sec./LOS B
#11	SR 246/AOF	Signal	30.2 Sec./LOS C	30.8 Sec./LOS C
#12	SR 246/US 101 SB	Signal	15.7 Sec./LOS B	15.9 Sec./LOS B
#13	SR 246/US 101 NB	Signal	18.8 Sec./LOS B	18.8 Sec./LOS B
#14	SR 246/McMurray	Signal	33.4 Sec./LOS C	34.6 Sec./LOS C

Avenue of Flags - Downtown Core Intersection.

(a) LOS for Stop Sign and Yield intersections based on average delay per vehicle in seconds for Stop and Yield movements. LOS for signalized intersections based on average delay per vehicle in seconds for all vehicles using the intersection.

Near-Term Conditions

"Near-Term" traffic conditions were forecast assuming the additional traffic that will be generated by approved and pending projects. Traffic volumes were forecast using a list of approved and pending projects provided by City staff and industry-standard trip generation rates for applicable land uses.

LOS for the key intersections are listed in Table 18. It is noted that the LOS for the existing 1-way and 2-way Stop sign-controlled intersections along Avenue of Flags assume the Specific Plan improvements, which include removing turn lanes and subsequently controlling the intersections with all-way Stop signs. Additionally, the Near-Term LOS for the SR 246/McMurray Road intersection assume the near-term improvements programmed for the intersection, which include widening McMurray Road and implementing left-turn phasing on the northbound and southbound approaches (which are currently split phased).

Table 18
Levels of Service – Near-Term Conditions

Intersection		Control	Delay / LOS (a)	
			AM Peak Hour	PM Peak Hour
#1	US 101 SB/Jonata/AOF	Stop Sign	9.1 Sec./LOS A	8.8 Sec./LOS A
#2	Damassa/Southbound AOF	Stop Sign	10.3 Sec./LOS B	10.1 Sec./LOS B
#3	Damassa/Northbound AOF	Stop Sign	9.4 Sec./LOS A	9.2 Sec./LOS A
#4	Damassa/US 101 SB	Yield	3.1 Sec./LOS A	2.1 Sec./LOS A
#5	Damassa/US 101 NB	Stop Sign	5.6 Sec./LOS A	6.5 Sec./LOS A
#6	Damassa/McMurray	Stop Sign	11.1 Sec./LOS B	12.9 Sec./LOS B
#7	Second/Central	Stop Sign	8.1 Sec./LOS A	8.0 Sec./LOS A
#8	Second/Southbound AOF	Stop Sign	8.8 Sec./LOS A	9.3 Sec./LOS A
#9	Second/Northbound AOF	Stop Sign	8.5 Sec./LOS A	8.5 Sec./LOS A
#10	SR 246/Central	Stop Sign	10.7 Sec./LOS B	13.3 Sec./LOS B
#11	SR 246/AOF	Signal	27.9 Sec./LOS C	33.3 Sec./LOS C
#12	SR 246/US 101 SB	Signal	21.3 Sec./LOS C	16.5 Sec./LOS B
#13	SR 246/US 101 NB	Signal	8.6 Sec./LOS A	18.0 Sec./LOS C
#14	SR 246/McMurray(b)	Signal	29.4 Sec./LOS C	40.3 Sec./LOS D

Avenue of Flags - Downtown Core Intersection.
(a) LOS for Stop Sign and Yield intersections based on average delay per vehicle in seconds for Stop and Yield movements. LOS for signalized intersections based on average delay per vehicle in seconds for all vehicles using the intersection.
(b) LOS assumes near-term improvement planned for the intersection.

As shown in Table 18, the Stop-Sign controlled intersections along Avenue of Flags within the Specific Plan area are forecast to operate at LOS A-B during the AM and PM peak hour periods. The signalized intersection at SR 246/Avenue of Flags is forecast at LOS C, which meets the City's LOS C standard.

Most of the other intersections that are outside of the Specific Plan area are forecast to operate at LOS C or better and meet the City's LOS C standard. The SR 246/McMurray Road intersection is forecast to operate at LOS D during the PM peak commuter periods assuming the additional traffic that will be generated by approved and pending projects. As noted, the LOS D forecast assumes the near-term improvements programmed for the intersection (widen McMurray Road and implement left-turn phasing on the northbound and southbound approaches). The LOS D forecast is consistent with other cumulative traffic forecasts for the intersection. As set forth in the City's General Plan, the long-term programmatic improvements to the intersection (lane additions) would return operations to acceptable levels of service.

Near-Term + Specific Plan (5-Year Development Plan)

Near-Term + Specific Plan traffic conditions were forecast assuming the anticipated development within the Specific Plan for the first 5-year period. City staff estimates that 25,000 SF of commercial uses and 54 dwelling units will be developed within the Specific Plan area during the 5-year period. Table 19 shows the trip generation estimates for the 5-year developments.

Table 19
Specific Plan – 5-Year Trip Generation

Land Use	Size	Daily		A.M. Peak Hour		P.M. Peak Hour	
		Rate	Trips	Rate	Trips	Rate	Trips
Commercial	25 KSF	44.32	1,108	1.33	33	2.71	68
Residential	54 DU	6.65	359	0.51	28	0.62	33
Totals:			**1,467**		**61**		**101**

Note: Trip generation based on ITE rates.

As shown in Table 19 above, the Specific Plan developments envisioned for the 5-year period would generate 1,467 daily trips, with 61 trips occurring during the A.M. peak hour and 101 trips occurring during the P.M. peak hour. Traffic generated by the developments envisioned for the 5-year period was assigned to the study-area street network to assess traffic operations for the Near-Term + Specific Plan scenario.

LOS for the Near-Term + Specific Plan (5-Year) scenario are listed in Table 20 below. The LOS for the SR 246/McMurray Road intersection assume the near-term improvements programmed for the intersection (widen McMurray Road and implement left-turn phasing on the northbound and southbound approaches).

Table 20
Levels of Service – Near-Term + Specific Plan (5-Year)

Intersection		Control	Delay / LOS (a)	
			AM Peak Hour	PM Peak Hour
#1	US 101 SB/Jonata/AOF	Stop Sign	9.1 Sec./LOS A	8.9 Sec./LOS A
#2	Damassa/Southbound AOF	Stop Sign	10.4 Sec./LOS B	10.3 Sec./LOS B
#3	Damassa/Northbound AOF	Stop Sign	9.5 Sec./LOS A	9.4 Sec./LOS A
#4	Damassa/US 101 SB	Yield	3.1 Sec./LOS A	2.0 Sec./LOS A
#5	Damassa/US 101 NB	Stop Sign	5.8 Sec./LOS A	9.5 Sec./LOS A
#6	Damassa/McMurray	Stop Sign	11.1 Sec./LOS B	13.1 Sec./LOS B
#7	Second/Central	Stop Sign	8.1 Sec./LOS A	8.1 Sec./LOS A
#8	Second/Southbound AOF	Stop Sign	8.9 Sec./LOS A	9.6 Sec./LOS A
#9	Second/Northbound AOF	Stop Sign	8.6 Sec./LOS A	8.5 Sec./LOS A
#10	SR 246/Central	Stop Sign	10.6 Sec./LOS B	13.3 Sec./LOS B
#11	SR 246/AOF	Signal	29.6 Sec./LOS C	34.1 Sec./LOS C
#12	SR 246/US 101 SB	Signal	21.4 Sec./LOS B	16.6 Sec./LOS B
#13	SR 246/US 101 NB	Signal	8.6 Sec./LOS A	21.8 Sec./LOS C
#14	SR 246/McMurray(b)	Signal	25.2 Sec./LOS C	40.7 Sec./LOS D

Avenue of Flags - Downtown Core Intersection.
(a) LOS for Stop Sign and Yield intersections based on average delay per vehicle in seconds for Stop and Yield movements. LOS for signalized intersections based on average delay per vehicle in seconds for all vehicles using the intersection.
(b) LOS assumes near-term improvement planned for the intersection.

As shown in Table 20 above, the Stop-Sign controlled intersections along Avenue of Flags within the Specific Plan area are forecast to operate at LOS A-B during the AM and PM peak hour periods assuming the Near-Term + Specific Plan (5-Year) traffic volumes. The signalized intersection at SR 246/Avenue of Flags is forecast at LOS C during the AM and PM peak hours. Thus, operations at the intersections within the Specific Plan meet the City's LOS C standard.

Most of the intersections that are outside of the Specific Plan area are also forecast to operate at LOS C or better and meet the City's LOS C standard. The SR 246/McMurray Road intersection is forecast to operate at LOS D during the PM peak commuter periods assuming the Near-Term + Specific Plan (5-Year) traffic volumes (LOS D also forecast for the Near-Term scenario without the additional traffic that would be generated by Specific Plan developments envisioned for the 5-year period). As noted, the LOS D forecast assumes the near-term improvements programmed for the intersection (widen McMurray Road and implement left-turn phasing on the northbound and southbound approaches).

Key Findings

The Existing Conditions + Traffic Diversions and Near-Term + Specific Plan analyses identified the following key findings:

1. The Phase 1 street network changes to Avenue of Flags (reduce speed limit; four-way Stop signs, pavement markings, painted crosswalks, sidewalks, and parking improvements) will result in traffic diversions. Central Avenue is anticipated to receive an additional ±150 vehicles per day, mostly during the noon to 6 PM period when pedestrian and parking activity occurs within the Avenue of Flags core area and causes traffic diversions. Traffic diversion will also occur on US 101 (±350 vehicles per day), McMurray Road between Damassa Road and SR 246 (±400 vehicles per day), and on SR 246 between McMurray Road and Avenue of Flags (±750 vehicles per day).

2. The proposed street network modifications would not trigger significant impacts. The Stop-sign controlled intersections within the Avenue of Flags core area are forecast to operate at LOS A under the Existing Conditions + Traffic Diversion scenario. The signalized SR 246/Avenue of Flags intersection is forecast to operate at LOS C.

3. The Near-Term + Specific Plan (5-Year) analyses found that the Stop-sign controlled intersections along Avenue of Flags within the Specific Plan are forecast to operate at LOS A-B during the AM and PM peak hour periods; and the signalized intersection at SR 246/Avenue of Flags is forecast at LOS C during the AM and PM peak hours. Thus, operations at the intersections within the Specific Plan meet the City's LOS C standard. The SR 246/McMurray Road intersection is forecast to operate at LOS D during the PM peak commuter periods under the Near-Term and Near-Term + Specific Plan (5-Year) scenarios assuming the near-term improvements programmed for the intersection (widen McMurray Road and implement left-turn phasing on the northbound and southbound approaches).

Mitigation Measures

<u>SR 246/McMurray Road</u>. The LOS D forecast for this intersection under Near-Term and Near-Term + Specific Plan (5-Year) conditions is consistent with other cumulative traffic forecasts for the intersection. As set forth in the City's General Plan, the long-term programmatic improvements to the intersection (lane additions) would return operations to acceptable levels of service.

> **Mitigation Measure T-1**. Developments within the Specific Plan would be required to contribute to the City's traffic mitigation fee program to fund the long-term programmatic improvements.

GENERAL PLAN BUILDOUT ANALYSES

The Specific Plan includes street network changes that will alter traffic patterns assuming General Plan Buildout traffic conditions. In addition, the additional commercial and residential developments that would be possible under the Specific Plan will increase traffic volumes under General Plan Buildout conditions. The following analysis determines if implementation of the Specific Plan would generate additional traffic impacts that were not identified for the existing General Plan.

Traffic Forecasts

General Plan Buildout + Specific Plan traffic conditions were forecast assuming the additional developments that could occur under the Specific Plan. City staff estimates that an additional 163 dwelling units and 75,000 SF of commercial uses could be developed within the Specific Plan area (when compared to potential development under the existing General Plan zoning designations). Table 21 below shows the trip generation estimates for additional developments that could occur under the Specific Plan.

Table 21
Specific Plan Trip Generation

		Daily		A.M. Peak Hour		P.M. Peak Hour	
Land Use	**Size**	**Rate**	**Trips**	**Rate**	**Trips**	**Rate**	**Trips**
Commercial	74,792 SF	44.32	3,315	1.33	99	2.71	203
Residential	163 DU	6.65	1,084	0.51	83	0.62	101
Totals:			**4,399**		**182**		**304**

Note: Trip generation based on ITE rates.

As shown in Table 21 above, the additional development that could occur under the Specific Plan would generate 4,399 daily trips, with 182 trips occurring during the A.M. peak hour and 304 trips occurring during the P.M. peak hour. The additional traffic that would be generated by the Specific Plan developments was assigned to the study-area street network to assess potential traffic impacts.

Impact Analysis

LOS for the General Plan Buildout and General Plan Buildout + Specific Plan scenarios are listed in Table 22 below. It is noted that the General Plan Buildout levels of service for the intersections along Avenue of Flags in the core area assume the existing 1-way and 2-way Stop sign controls, while the General Plan Buildout + Specific Plan scenario assumes the Specific Plan improvements (reduce speed limit; four-way Stop signs, pavement markings, painted crosswalks, sidewalks, and parking improvements). Further, both the General Plan Buildout and General Plan Buildout + Specific Plan levels of service for SR 246/McMurray Road assume the near-term improvements programmed for the intersection (widen McMurray Road and implement left-turn phasing on the northbound and southbound approaches).

Table 22
Levels of Service – General Plan Buildout

Intersection		Control	PM Peak Hour Delay / LOS (a)	
			Existing GP Buildout	GP Buildout + Specific Plan
#1	US 101 SB/Jonata/AOF	Stop Sign	19.7 Sec./LOS C	17.4 Sec./LOS C
#2	Damassa/Southbound AOF	Stop Sign	>50.0 Sec./LOS F	27.9 Sec./LOS D
#3	Damassa/Northbound AOF	Stop Sign	>50.0 Sec./LOS F	43.6 Sec./LOS E
#4	Damassa/US 101 SB	Yield	3.5 Sec./LOS A	3.5 Sec./LOS A
#5	Damassa/US 101 NB	Stop Sign	>50.0 Sec./LOS F	>50.0 Sec./LOS F
#6	Damassa/McMurray	Stop Sign	>50.0 Sec./LOS F	49.2 Sec./LOS E
#7	Second/Central	Stop Sign	8.9 Sec./LOS A	9.2 Sec./LOS A
#8	Second/Southbound AOF	Stop Sign	>50.0 Sec./LOS F	23.1 Sec./LOS C
#9	Second/Northbound AOF	Stop Sign	>50.0 Sec./LOS F	42.4 Sec./LOS E
#10	SR 246/Central	Stop Sign	16.9 Sec./LOS C	17.0 Sec./LOS C
#11	SR 246/AOF	Signal	56.7 Sec./LOS E	78.8 Sec./LOS E
#12	SR 246/US 101 SB	Signal	24.3 Sec./LOS C	26.0 Sec./LOS C
#13	SR 246/US 101 NB	Signal	24.0 Sec./LOS C	24.9 Sec./LOS C
#14	SR 246/McMurray(b)	Signal	>80.0 Sec./LOS F	>80.0 Sec./LOS F

Avenue of Flags - Downtown Core Intersection.
(a) LOS for Stop Sign and Yield intersections based on average delay per vehicle in seconds for Stop and Yield movements. LOS for signalized intersections based on average delay per vehicle in seconds for all vehicles using the intersection.
(b) LOS assumes near-term improvement planned for the intersection.

Comparison of the General Plan Buildout and General Plan Buildout + Specific Plan levels of service listed in Table 22 show that the Specific Plan would not generate new impacts at the key intersections in the study area. In fact, delays and levels of service for some of the key intersections would be better assuming implementation of the Specific Plan. The key findings are outlined below.

Key Findings

General Plan Buildout – Specific Plan Intersections

The US 101 SB Off-Ramp/Jonata Park Road/Avenue of Flags intersection is forecast at LOS C assuming the existing lane geometry and traffic controls (Stop signs). This finding is consistent with the traffic analysis prepared for the existing General Plan.

The other Stop-sign controlled intersections along Avenue of Flags are forecast to operate at LOS F during the PM peak hour period assuming the existing traffic lanes and controls (1-way and 2-way Stop signs). These intersections were not included in the circulation analyses prepared for the General Plan. The poor levels of service are due to the delays incurred by vehicles on the side street trying to cross the free flow traffic streams traveling along Avenue of Flags.

The SR 246/Avenue of Flags intersection is forecast at LOS E. The circulation analyses prepared for the existing General Plan forecast LOS D for the intersection. The intersection has been modified since the time that the General Plan was update. The northbound approach previously contained 2 through lanes but has since been modified to contain 1 through lane.

General Plan Buildout – Other Intersections

The US 101 NB/Damassa Road intersection is forecast at LOS F under the General Plan Buildout scenario. This finding is consistent with the traffic analysis prepared for the General Plan. As outlined in the traffic analysis prepared for the General Plan, the 2-lane Damassa Road overcrossing structure will not accommodate the General Plan Buildout traffic volumes.

The Damassa Road/McMurray Road intersection is forecast at LOS F under the General Plan Buildout scenario assuming the existing all-way Stop-sign control. This intersection was not included in the circulation analyses prepared for the General Plan.

The SR 246/McMurray Road intersection is forecast at LOS F under the General Plan Buildout scenario. This finding is consistent with the traffic analysis prepared for the adopted General Plan.

General Plan Buildout + Specific Plan – Specific Plan Intersections

The US 101 SB Off-Ramp/Jonata Park Road/Avenue of Flags intersection is forecast at LOS C assuming the existing lane geometry and traffic controls (same LOS as forecast for the General Plan Buildout scenario).

The other Stop-sign controlled intersections along Avenue of Flags are forecast to operate at LOS C-E during the PM peak hour period assuming the Specific Plan improvements (better than the LOS F forecasts for General Plan Buildout conditions because the all-way Stop intersections would provide vehicles on the side street the ability to cross the traffic streams traveling along Avenue of Flags that would be controlled by new Stop signs). The LOS C-E forecasts indicate that some queuing and congestion would occur during peak periods. Queuing and congestion would occur during portions of the afternoon hours (Noon to 6 PM) when business activity peaks along the corridor – resulting in higher traffic volumes combined with friction caused by parking maneuvers and pedestrian/bike activity along the corridor. Operations would be better during the evening and morning hours when traffic volumes and pedestrian/bike activity would be lower.

The SR 246/Avenue of Flags intersection is forecast at LOS E (same LOS as forecast for the General Plan Buildout scenario).

General Plan Buildout – Other Intersections

The US 101 NB/Damassa Road intersection is forecast at LOS F assuming General Plan Buildout + Specific Plan traffic (same LOS as the General Plan Buildout scenario).

The Damassa Road/McMurray Road intersection is forecast at LOS F under the General Plan Buildout + Specific Plan conditions assuming the existing all-way Stop-sign controls (same LOS as General Plan Buildout scenario).

The SR 246/McMurray Road intersection is forecast at LOS F under the General Plan Buildout + Specific Plan conditions (same LOS as General Plan Buildout scenario).

Mitigation Measures

As noted, the Specific Plan would not generate new impacts at the key intersections in the study area. In fact, delays and levels of service for some of the key intersections would be better assuming implementation of the Specific Plan. The following design improvements are recommended for the General Plan Buildout scenarios.

Specific Plan Intersections

Downtown Core. The Stop-sign controlled intersections along Avenue of Flags (Damassa/Southbound AOF, Damassa/Northbound AOF, Second/Southbound AOF, Second/Northbound AOF) are forecast to operate at LOS F under General Plan Buildout conditions and LOS C-E under General Plan Buildout + Specific Plan conditions. Installing traffic signals at the Avenue of Flags intersections (Damassa/Southbound AOF, Damassa/Northbound AOF, Second/Southbound AOF, Second/Northbound AOF) would provide LOS B-C operations (both scenarios).

It is recognized that the LOS C-E forecasts for the General Plan Buildout + Specific Plan scenario may be acceptable since Stop-sign controlled intersections within the core area may be desirable in order to meet the Specific Plan goals (i.e. transformation of the Avenue of Flags corridor from an aging automobile-oriented thorough-fare to a vibrant, pedestrian friendly "main street" with a welcoming village atmosphere). As noted, queuing and congestion is expected if the intersections are controlled by all-way Stop signs. Queuing and congestion would occur during portions of the afternoon hours (Noon to 6 PM) when business activity peaks along the corridor – resulting in higher traffic volumes combined with friction caused by parking maneuvers and pedestrian/bike activity. Operations would be better (LOS C or better) during the evening and morning hours when traffic volumes and pedestrian/bike activity would be lower.

SR 246/Avenue of Flags. This intersection is forecast at LOS E under General Plan Buildout and General Plan Buildout + Specific Plan conditions. The high volume of SR 246 westbound right turns show the need for a separate right-turn lane. Widening the westbound approach and installing the westbound right-turn lane with a green arrow overlap with the southbound left turns would return operations to LOS D for both scenarios (same LOS as adopted in the existing General Plan).

Other Intersections

US 101 NB/Damassa Road. This intersection is forecast at LOS F under General Plan Buildout and General Plan Buildout + Specific Plan conditions. Consistent with circulation analyses prepared for the adopted General Plan, the 2-lane Damassa Road overcrossing structure will require widening to provide additional lanes.

Damassa Road/McMurray Road. This intersection is forecast at LOS F under General Plan Buildout and General Plan Buildout + Specific Plan conditions. Installing traffic signals would provide LOS C operations (both scenarios).

SR 246/McMurray Road. This intersection is forecast at LOS F under General Plan Buildout and General Plan Buildout + Specific Plan conditions. Consistent with circulation analyses prepared for the adopted General Plan, additional lanes will be required and the SR 246 eastbound and westbound approaches in order to achieve acceptable operations.

c) Air Traffic. The Specific Plan would not result in any impacts to air traffic patterns, as no airports and private airstrips are located in the vicinity of the City.

d), e) Traffic Hazards and Emergency Access. The Specific Plan proposes traffic calming and safety safety measures (i.e. reduce speed limit install four-way stops including signage and pavement markings, painted crosswalks, sidewalk enhancements, etc.) These improvements are anticipated to reduce traffic hazards are considered a beneficial impact. The proposed project does not block any identified emergency access routes, nor would it generate traffic that could impair such routes. Impacts would be less than significant.

f) Parking. The Specific Plan proposes to augment the availability and number of public parking spaces, which is considered a beneficial impact. Other potential public parking strategies include shared parking and parking districts. Individual development projects would be required to either provide parking required by the Municipal Code or provide public benefits (such as the construction of off-site parking) in return for potentially decreased on-site parking requirements through the Development Opportunity Reserve (DOR) economic incentive program. DOR program incentives would be reviewed on a project-specific basis, and the net result of any potential arrangements upon parking would require that the overall Code-required parking is met either on-site or off-site. Adverse impacts would be less than significant.

g) Alternative Transportation. The proposed project encourages the use of alternative modes of transportation, and provides for bikeways, transit stops, multi-use trails, all of which are considered beneficial impacts.

ISSUES:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
XVII. TRIBAL CULTURAL RESOURCES - Would the project:				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				X
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				X

The Project area does not contain any structures or places listed, or eligible for listing, on the National Register of Historic Places, the California Register of Historic Resources, or in a local historic register.

The Project area consists of developed and previously disturbed, vacant urban-infill sites in the City's downtown area along with City-owned public roadways and medians. As the City's historic downtown, the land (including any related cultural, archeological and paleontological resources, and tribal cultural resources) has been highly disturbed by prior grading, building development, the relocation and channelization of Zaca Creek, and extensive highway/freeway construction activities, all of which represented a significant disruption of the cultural resources of the area. Therefore, if any tribal cultural resources were present within the Project area in the past, it is highly unlikely that they would be present today and the potential for further discoveries is extremely unlikely.

Since no known cemetery uses or burial sites are located within the Project area, no impacts to human remains are anticipated. If human remains are discovered, the Health and Safety Code has protocols that must be followed.

Additionally, Mitigation Measure CR-1 in the Cultural Resources section includes a Halt Work Order requirement in the unlikely event that any cultural resources are discovered. The procedures laid out in this mitigation measure would be followed in the event any cultural resources are discovered.

In accordance with Public Resources Code section 21080.3.1 (AB 52, regarding Tribal Cultural Resources), the Cultural Resources Coordinator for the Santa Ynez Band of Chumash Indian Elders Council is being provided a notice of availability of this Initial Study for review and comment, along with a Consultation Opportunity Notice regarding potential future developments within the Specific Plan area. Project-specific issues, if any, would be addressed and met as each development is proposed.

Findings and Mitigation: Less than significant adverse impacts would occur as a result of the Specific Plan, therefore, no mitigation is required at this time.

ISSUES:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
XVIII. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			**X**	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			**X**	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			**X**	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			**X**	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			**X**	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			**X**	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			**X**	

a) Wastewater Treatment Requirements: Potential future development projects within the Specific Plan area are not anticipated to exceed wastewater treatment requirements of the Regional Water Quality Control Board. All projects will be directly connected to the public sewer for ultimate treatment at the City's wastewater treatment plant. Through the City's development review process, future development projects will be required to meet the City's wastewater quality standards. Appropriate measures would be required of individual developments, as applicable, to minimize wastewater quality impacts to a level that is less than significant. No mitigation measures are necessary for the Specific Plan.

b., e. Water / Wastewater Treatment Facility Construction/Capacity: Buildout of the Specific Plan area would not require the construction of new water or wastewater treatment facilities or expansion of existing facilities. The General Plan and associated Environmental Impact Report provide for the intensity

of the potential future developments within the Project area, including its water treatment and wastewater generation characteristics. Existing City water treatment infrastructure is adequate to accommodate the proposed Specific Plan uses, which are in conformance with General Plan Land Use and Zoning Requirements. Through the City's development review process, future development projects will be reviewed and appropriate measures would be required of individual developments, as applicable, to ensure that the City's existing water and wastewater treatment plants have sufficient capacity to accommodate potential future flows. Specific Plan impacts would be less than significant.

c. Storm Drain Construction: As a policy and regulatory document, the Specific Plan does not require or propose the construction of any new development projects but rather establishes policies, standards and programs that will allow for and support future land use entitlements. It identifies potential private development land uses suitable for vacant and underutilized parcels (referred to as "Opportunity Sites") on land currently zoned General Commercial (CR) with a corresponding General Plan land use designation of General Commercial (GC). All of the ten Opportunity Sites ("Opp Sites") have been previously highly disturbed by grading activities, are considered urban in-fill sites (under 5 acres), and are surrounded by existing commercial and mixed-use development. As the Opp Sites are developed, on-site drainage will flow into the existing local storm drain system. Through the City's development review process, future development projects will be reviewed and appropriate measures would be required of individual developments, as applicable, to ensure that the City's existing storm drain system has sufficient capacity to accommodate potential future flows from the proposed project. Specific Plan impacts would be less than significant.

d. Water Supplies: Water is supplied to the City of Buellton from the Buellton Uplands Groundwater Basin, the Santa Ynez River Riparian Basin, and State Water Project (SWP). Water allocation from the SWP varies based on local demand and availability. Therefore, the City's SWP supplies may fluctuate based on the quantity of water the City's needs to meet demand and whether or not it is available from the State. Neither groundwater basin is in a state of overdraft, as the natural recharge rates either exceed the capacity of the basin or exceed the rate of pumping from the basin. Furthermore, the Buellton Uplands Groundwater Basin has a net surplus of 800 AFY.

The City has an adequate water supply to accommodate potential future development projects within the Specific Plan area without obtaining new or expanded water entitlements. The General Plan and associated Environmental Impact Report provide for the intensity of the potential future developments within the Project area, including its water demand characteristics. Existing City water entitlements are adequate to accommodate the proposed Specific Plan uses, which are in conformance with General Plan Land Use and applicable Zoning requirements. Through the City's development review process, future projects will be reviewed and appropriate measures would be required of individual developments, as applicable, to ensure that the City's existing water supply is adequate to meet project demands. Specific Plan impacts would be less than significant.

f., g. Solid Waste: No significant solid waste impacts have been identified with respect to the proposed Project.

Findings and Mitigation: No significant impacts would occur, so no mitigation is required for the Specific Plan.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X	
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		X	

a) Impacts related to aesthetics, agricultural resources, biological resources, geology/soils, greenhouse gas emissions, hazards, hydrology, land use/planning, mineral resources, population and housing, public services, recreation, tribal cultural resources and utilities/Service systems were determined to be less than significant.

Impacts related to air quality, cultural resources, noise, and transportation/traffic were determined to be less than significant with mitigation measures required. The project is required to comply with federal, state and local laws that address these resources. Standard conditions of approval would also apply.

b) Cumulative impacts were determined to be less than significant, since all project-related impacts are either less than significant, or can be mitigated to ensure that cumulative conditions are not affected.

c) The incorporation of required mitigation measures and adherence to General Plan policies would reduce all impacts that have the potential to affect human beings to a less than significant level. Mitigation measures are required for the following issues: air quality, cultural resources, noise, and transportation/traffic.

CEQA COMMENT LETTERS

Including Supporting Documentation for Staff Responses

Irma Tucker

From: Marc Bierdzinski
Sent: Monday, July 24, 2017 9:30 AM
To: Irma Tucker; Andrea Olson
Subject: FW: SYVT comments on Avenue of the Flags Specific Plan 17-SP-01

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Marc P. Bierdzinski
City Manager
City of Buellton
805-688-5177
marcb@cityofbuellton.com

From: Matt van der Linden [mailto:matty@cityofsolvang.com]
Sent: Monday, July 24, 2017 9:29 AM
To: Marc Bierdzinski
Cc: Rose
Subject: SYVT comments on Avenue of the Flags Specific Plan 17-SP-01

Hi Marc.

The Santa Ynez Valley Transit has the following comment on the Draft Mitigated Negative Declaration for the Avenue of the Flags Specific Plan 17-SP-01:

> Future bus stops may be needed in the Buellton downtown area along Avenue of the Flags. Please plan street improvements, parking and sidewalk improvements to accommodate future north bound and south bound bus stops along Avenue of the Flags just north of Highway 246.

Thanks,

Matt van der Linden, PE
Public Works Director/City Engineer
City of Solvang
411 Second Street
Solvang, CA 93463
(805) 688-5575

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
Environmental and Cultural Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Fax (916) 373-5471

CCEQA
9-15-17
E

Edmund G. Brown Jr., Governor

August 2, 2017

Governor's Office of Planning & Research
AUG 08 2017
STATE CLEARINGHOUSE

Irma Tucker
City of Buellton
P. O. Box 1819
Buellton, CA 93427

Sent via e-mail: irmat@cityofbuellton.com

Re: SCH# 2017071029, Proposed Avenue of the Flags Specific Plan, 17-SP-01 Project, City of Buellton; Santa Barbara County, California

Dear Ms. Tucker:

The Native American Heritage Commission (NAHC) has reviewed the Mitigated Negative Declaration prepared for the project referenced above. The review included the Project Description, and the Evaluation of Environmental Impacts, section V, Cultural Resources and section XVII, Tribal Cultural Resources, prepared by the City of Buellton. We have the following concerns:

1. There is no documentation of **government-to-government consultation by the lead agency has begun or concluded** under AB-52 with Native American tribes traditionally and culturally affiliated to the project area as required by statute, or that mitigation measures were developed in consultation with the tribes. Discussions under AB-52 may include the type of document prepared; avoidance, minimization of damage to resources; and proposed mitigation. Contact by consultants during the Cultural Resources Assessments is not formal consultation.

2. There are no mitigation measures specifically addressing Tribal Cultural Resources separately and distinctly from Archaeological Resources. Mitigation measures must take Tribal Cultural Resources into consideration as required under AB-52, **with or without consultation** occurring. Mitigation language for archaeological resources is not always appropriate for or similar to measures specifically for handling Tribal Cultural Resources. For sample mitigation measures, please refer to California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf

The California Environmental Quality Act (CEQA)[1], specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.[2] If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.[3] In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).[4] **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** AB 52 created a separate category for "tribal cultural resources"[5], that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.[6] Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.[7] Your project may also be subject to **Senate Bill 18 (SB 18)** (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. **Both SB 18 and AB 52 have tribal consultation requirements.** Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966[8] may also apply.

[1] Pub. Resources Code § 21000 et seq.
[2] Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)
[3] Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1); CEQA Guidelines § 15064 (a)(1)
[4] Government Code 65352.3
[5] Pub. Resources Code § 21074
[6] Pub. Resources Code § 21084.2
[7] Pub. Resources Code § 21084.3 (a)
[8] 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at gayle.totton@nahc.ca.gov or call (916) 373-3710 if you have any questions.

Sincerely,

Gayle Totton, B.S., M.A., Ph.D
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse

Pertinent Statutory Information:

Under AB 52:
AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:
Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.
A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.[9] and **prior to the release of a negative declaration, mitigated negative declaration or environmental impact report**. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18).[10]
The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

a. Alternatives to the project.
b. Recommended mitigation measures.
c. Significant effects.[11]

1. The following topics are discretionary topics of consultation:
   a. Type of environmental review necessary.
   b. Significance of the tribal cultural resources.
   c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. [12]
With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process **shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10.** Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.[13]
If a project may have a significant impact on a tribal cultural resource, **the lead agency's environmental document shall discuss** both of the following:

a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.[14]

Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.[15]

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 **shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program**, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.[16]
If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, **the lead agency shall consider feasible mitigation** pursuant to Public Resources Code section 21084.3 (b).[17]
An environmental impact report **may not be certified**, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

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[9] Pub. Resources Code § 21080.3.1, subds. (d) and (e)
[10] Pub. Resources Code § 21080.3.1 (b)
[11] Pub. Resources Code § 21080.3.2 (a)
[12] Pub. Resources Code § 21080.3.2 (a)
[13] Pub. Resources Code § 21082.3 (c)(1)
[14] Pub. Resources Code § 21082.3 (b)
[15] Pub. Resources Code § 21080.3.2 (b)
[16] Pub. Resources Code § 21082.3 (a)
[17] Pub. Resources Code § 21082.3 (e)

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.[18]

This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.**[19]
- There is no Statutory Time Limit on Tribal Consultation under the law.
- Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research,[20] the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.[21]
- Conclusion Tribal Consultation: Consultation should be concluded at the point in which:
  - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.[22]

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:
  - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
    - The request form can be found at http://nahc.ca.gov/resources/forms/.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
  - If part or the entire APE has been previously surveyed for cultural resources.
  - If any known cultural resources have been already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

---

[18] Pub. Resources Code § 21082.3 (d)
[19] (Gov. Code § 65352.3 (a)(2)).
[20] pursuant to Gov. Code section 65040.2,
[21] (Gov. Code § 65352.3 (b)).
[22] (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
  - Planning and construction to avoid the resources and protect the cultural and natural context.
  - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
  - Protecting the cultural character and integrity of the resource.
  - Protecting the traditional use of the resource.
  - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.[23]
- Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.[24]

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.[25] In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

[23] (Civ. Code § 815.3 (c)).
[24] (Pub. Resources Code § 5097.991).
[25] per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

DEPARTMENT OF TRANSPORTATION
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3111

Serious drought.
Help save water!

August 15, 2017

SB 101 PM 56.9 - 57.946/246 R26.05
SCH# 2017071029

Marc P. Bierdzinski
City of Buellton Planning Department
107 W. Highway 246
Buellton, CA 93427

RE: COMMENTS TO DRAFT IS/MND, 17-SP-01 AVE OF FLAGS SPECIFIC PLAN

Dear Mr. Bierdzinski:

The California Department of Transportation (Caltrans) appreciates the opportunity to review the Initial Study/Mitigated Negative Declaration (IS/MND) for the Avenue of Flags Specific Plan project. The project proposes the adoption of a Specific Plan that would potentially allow up to 163 additional residential units and 75,000 square feet of additional commercial uses beyond the established baseline allowed by existing General Plan land use and Zoning Code regulations.

An additional goal of the proposed project is to revitalize downtown Buellton by transforming the Avenue of Flags corridor from an aging automobile oriented through-fare to a vibrant, pedestrian-friendly "main street" downtown destination. Traffic-calming, safety measures and new street standards along the corridor will be implemented in order to accommodate additional parking spaces, local traffic, deliveries, pedestrians, and bicyclists, including slowing traffic exiting US 101 to a speed appropriate for a downtown district. Other infrastructure improvements include: the Zaca Creek Trail; parks and open space within the medians; and local/regional connectivity enhancements to pedestrian paths and bikeways. In general, Caltrans encourages local planning efforts that implement Complete Streets concepts and promote the six principles of the *California Smart Mobility Framework*: Location Efficiency, Reliable Mobility, Health and Safety, Environmental Stewardship, Social Equity, and Robust Economy. However, based upon the concerns noted below, the proposed project may not be consistent with the identified principles of Location Efficiency and Reliable Mobility.

Trip Diversion
As noted in the IS/MND, implementation of the project would divert "pass-through" motorists away from Avenue of Flags thus increasing traffic congestion at other locations on the nearby US 101 and State Route (SR) 246 corridors. The environmental document estimates that 20% of the traffic currently entering Avenue of Flags from southbound US 101 will divert to other routes because of the slower speeds and traffic calming measures planned for Avenue of Flags, but Caltrans does not concur with this analysis. Based on our experience, we anticipate that a majority of trips will divert from Avenue of Flags. Caltrans requests the IS/MND evaluate an estimated 60% diversion of trips resulting from implementation of the traffic-calming, safety measures and new street standards.

Vehicle Queuing
Furthermore, the traffic/transportation impact analysis was limited in scope to Level of Service (LOS) at nearby intersections/interchanges, and did not fully analyze all potential traffic impacts to the nearby State highway system (SHS). The LOS reported may not be indicative of the actual length of vehicle queuing that is taking place on the SHS. Recent correspondence from the City of Buellton to Caltrans has emphasized concerns

regarding current length of queuing and congestion along SR 246. As the City continues to add trips to the intersection of SR 246 and McMurray Road overall operations continue to degrade. Therefore, Caltrans recommends the preparation of a detailed Queuing Analysis for the US 101 ramps and the nearby SR 246 intersections in order to fully determine to scope of impacts related to changing the corridor's current "pass-through" traffic status to a condition of being a major destination for community residents and travelers alike.

Proposed Mitigation

The IS/MND indicates that the proposed Specific Plan would generate additional impacts to intersections that are currently operating inefficiently and are expected to continue to do so as a result of cumulative impacts. The document sites the payment of development fees for long-term improvements to the SR 246/McMurray Road and SR 246/Avenue of Flags intersections in order to mitigate these impacts and return the affected intersections to an acceptable LOS. While additional approach lanes onto SR 246 may help McMurray Road, Caltrans is not sure if the queuing along SR 246 is alleviated by this improvement. With regard to Avenue of Flags mitigation, lane widening and installation of a separate right-turn lane with a green arrow overlap with the southbound left turns would potentially limit existing pedestrian crossing times and create impacts to multimodal transportation that were not analyzed in the IS/MND. This appears counter-productive to a Specific Plan designed to improve pedestrian access. The detailed analysis provided in this document does not allow for us to look at any specific movements.

Overall, Caltrans is concerned about potential unmitigated impacts to the SHS resulting from a project that would limit SHS access within an area that currently experiences congestion due to existing limited SHS access. The inclusion of project elements that create additional trips compounds our concerns and appears to reduce the effectiveness of the project's circulation strategy and planning concepts. Consequently, the Specific Plan would benefit from a reduction of growth-inducing impacts and generated vehicle trips. Based upon the information provided to date, Caltrans is not able to concur with the findings of the IS/MND. However, Caltrans will review this determination should additional information in the form of a revised project and/or project Synchro files and a detailed Queuing Analysis be provided, as requested.

We look forward to working with you to resolve these concerns. If you have any questions regarding the items discussed above, please contact me at (805) 549-3131, or Michael.Hollier@DOT.ca.gov.

Sincerely,

MICHAEL D. HOLLIER
LD-IGR Coordinator
Planning District 5, South Branch

ASSOCIATED TRANSPORTATION ENGINEERS
100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • FAX (805) 682-8509
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Richard L. Pool, P.E.
Scott A. Schell, AICP, PTP

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August 17, 2017

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Irma Tucker
City of Buellton
PO Box 1819
Buellton, CA 93427

RESPONSE TO COMMENTS:
AVENUE OF FLAGS SPECIFIC PLAN, BUELLTON, CALIFORNIA

Associated Transportation Engineers (ATE) prepared a traffic and circulation study for the Avenue of Flags Specific Plan proposed in the City of Buellton. The study was reviewed by Caltrans and Caltrans provided several comments on the traffic study (copy of Caltrans comment letter attached for reference). Our responses to the Caltrans comments are provided below.

Trip Division

Caltrans states that "based on our experience" 60% of traffic on Avenue of Flags will divert to other routes due to the slower speeds and traffic calming measures planned for Avenue of Flags. However, Caltrans did not provide any analyses to support the 60% diversion of traffic.

Response: Potential diversions were analyzed based on the existing and future traffic speeds along Avenue of Flags as well as the existing traffic patterns in the Avenue of Flags core area. The radar speeds survey taken along Avenue of Flags found that the average speed of traffic exiting southbound US 101 and entering Avenue of Flags between the off-ramp and Damassa Road is 33 MPH; and traffic speeds average 30 MPH between Damassa Road and SR 246. The Specific Plan modifications (Stop Signs, angled parking, and pedestrian improvements) will reduce speeds to 25 MPH. The incremental change in traffic speeds were considered in the diversion analysis as well as the destination of the trips exiting US 101 southbound. About 225 vehicles exit southbound US 101 and 90% of that traffic proceed southbound on Avenue of Flags (the remaining 10% turn onto Jonata Road or Central Avenue). Of the 90% on Avenue of Flags, about 10% is destined for the businesses located between the off-ramp and Damassa

Road, 30% turn left onto Damassa Road to travel to the land uses along McMurray Road east of US 101, and the remaining traffic proceeds south on Avenue of Flags. About 5% of the southbound Avenue of Flags traffic is destined for the businesses located between Damassa Road and Second Street. The remaining traffic turns right onto Second street or proceeds southbound along Avenue of Flags to businesses between Second Street and SR 246; or proceeds to SR 246 and turns right onto SR 246 or proceeds straight across SR 246 to the Avenue of Flags area south of SR 246.

Based on the change in traffic speeds and the destination of traffic exiting the US 101 southbound off-ramp, the analysis determined that about 20% of traffic entering Avenue of Flags from southbound US 101 will divert to other routes.

Vehicle Queueing

Caltrans states that the impact analysis was limited to levels of service (LOS) and recommends preparation of a detailed queueing analysis for the US 101 ramps and the nearby SR 246 intersections in order to fully determine the scope of impacts related to changing the corridor's current "pass-through" traffic.

Response: The City has not adopted thresholds or traffic study requirements for assessing queuing at intersections. However, the City's adopted CEQA thresholds consider LOS C as the standard for traffic operations on City roadways and intersections. The intersections along SR 246 (SR 246/AOF, SR 246/US 101 SB, SR 246/US 101 NB, and SR 246/McMurray) currently operate at LOS C or better during the peak commuter periods, which meet the City's standard. These levels of service also meet Caltrans' desire to maintain LOS C at intersections (as outlined in Guide for the Preparation of Traffic Impact Studies, Caltrans, December 2002.)

Most of the SR 246 intersections are also forecast to operate at LOS C or better and meet the City's LOS C standard (and Caltrans's desire to maintain LOS C) assuming Near-Term + Specific Plan (5-Year) traffic volumes. The SR 246/McMurray Road intersection is forecast to operate at LOS D during the PM peak commuter period. Mitigations are recommended in the IS/MND for this intersection. Those mitigations would improve the LOS at the intersection as well as reduce queueing at the intersection.

Proposed Mitigations

This Caltrans comment addresses the mitigations recommended for the SR 246/McMurray Road and the SR 246/Avenue of Flags intersections. For SR 246/McMurray Road, the Caltrans comment states "While additional approach lanes onto SR 246 may help McMurray Road, Caltrans is not sure if the queuing along SR 246 is alleviated by this improvement." For SR 246/Avenue of Flags, the comment states "lane widening and installation of a separate right-turn lane with a green arrow overlap with the southbound left turns would potentially limit existing pedestrian crossing times and create impacts to multimodal transportation that were not analyzed in the IS/MND."

Response – SR 246/McMurray Road: The traffic analysis presented in the IS/MND found that this intersection is forecast at LOS F during the PM peak period under the General Plan Buildout scenario (with and without the Avenue of Flags Specific Plan). This finding is consistent with the traffic analysis prepared for the adopted General Plan and the City recognizes the need to provide improvements in order to accommodate General Plan Buildout traffic (with or without the Avenue of Flag Specific Plan). Given the extended time for buildout of the City and the Avenue of Flag Specific Plan, the improvements will be implemented as projects come on line in the future when operations degrade to unacceptable levels, which would be in 5-20 years from today (depending upon the pace and magnitude of future development projects in the area).

The improvement planning process will identify the improvements required to meet City and Caltrans standards. Generally speaking, adding capacity to intersections typically reduces queuing since the additional capacity reduces green time requirements. For SR 246/McMurray Road, the additional lanes on SR 246 will provide additional capacity for the eastbound and westbound SR 246 traffic flows, which will reduce delays and reduce queuing along SR 246.

Response – SR 246/Avenue of Flags: The General Plan Buildout analysis presented in the IS/MND found that this intersection is forecast at LOS E during the PM peak period with and without the Avenue of Flags Specific Plan. Given the extended time for buildout of the City and the Avenue of Flag Specific Plan, the improvements will be implemented in the future when operations approach unacceptable levels, which would be 5-20 years from today (depending upon the pace and magnitude of future development projects in the area).

The improvement planning process will identify the improvements required to meet City and Caltrans standards. The forecast of SR 246 westbound right turns show the need for a separate right-turn lane. Widening the westbound approach and installing the westbound right-turn lane is recommended in the IS/MND in order to accommodate General Plan Buildout traffic volumes. Any future improvement developed by the City and Caltrans will need to address pedestrian demands and pedestrian facilities required to meet City and Caltrans standards.

Associated Transportation Engineers

Richard L. Pool, PE
Principal Engineer

REGISTERED PROFESSIONAL ENGINEER
RICHARD L. POOL
C 18030
CIVIL
STATE OF CALIFORNIA

RLP/DLD

Attachments: Caltrans Comment Letter

Irma Tucker

From: McEwen, Stephen A. <SMcEwen@bwslaw.com>
Sent: Thursday, August 17, 2017 1:14 PM
To: Marc Bierdzinski; Irma Tucker
Subject: FW: AOF-SP - Air Quality - APCD Comments

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Cal Trans Comments

CITY ATTORNEY REVIEW

Please see Erica's comments below. Once you have had a chance to review, let me know if you want to discuss.

From: Vega, Erica L.
Sent: Thursday, August 17, 2017 12:38 PM
To: McEwen, Stephen A.
Subject: RE: AOF-SP - Air Quality - APCD Comments

I just finished looking at the Caltrans letter. My initial thoughts are that they have not cited any evidence at all in their letter to support their conclusions. Their comment on trip diversions says that "in their experience" the diversion rate is 60% not the 20% used in the Traffic Study. Their comment on vehicle queuing is that the Traffic Study "may not" accurately depict vehicle queues on the state highway system. And their comment on the mitigation measure is that they are "not sure" the mitigation will alleviate impacts to the state highway system. This is not to say that they aren't raising valid points. I think that the City's traffic consultant needs to prepare solid responses as to why Caltrans is wrong, especially with respect to the scope of the traffic study and the assumptions used it. If we have that, and Caltrans does not come forward with evidence to support its conclusions, then I think the City is in a fairly good position to defend the MND.

Erica

From: McEwen, Stephen A.
Sent: Thursday, August 17, 2017 12:21 PM
To: Vega, Erica L.
Subject: RE: AOF-SP - Air Quality - APCD Comments

Okay, thanks. Let me know what you think about the Cal Trans comments.

From: Vega, Erica L.
Sent: Thursday, August 17, 2017 12:20 PM
To: McEwen, Stephen A.
Subject: RE: AOF-SP - Air Quality - APCD Comments

Steve,

I agree with the responses to the APCD's comments below. I would emphasize that sensitive receptors are permitted with the current zoning and this plan is not changing that, so technically there is no impact that needs to be mitigated. The inclusion of mitigation measure AQ-1 is the city going above and beyond technical compliance with CEQA to ensure that the public health is protected.

Erica

August 16, 2017

Marc Bierdzinski
City of Buellton Planning Department
P.O. Box 1819
Buellton, CA 93427

Re: APCD Comments on the Draft Initial Study/Mitigated Negative Declaration for the Avenue of Flags Specific Plan, 17-MND-02, 17-SP-01

Dear Mr. Bierdzinski:

The Air Pollution Control District (APCD) has reviewed the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the referenced project, which consists of a Specific Plan for the project area. The boundaries of the Specific Plan area generally include Zaca Creek and the northerly property line of Flying Flags RV Resort to the south, Highway 101 to the east, the alleyway between Avenue of Flags ("AOF") and Central Avenue to the west, and the Highway 101 southbound off-ramp intersection at the northern end of AOF. As of Baseline Year 2016, all of the properties within the Specific Plan area have an underlying zoning designation of CR – General Commercial, with a corresponding General Plan Land Use designation of GC – General Commercial. Private development would occur primarily on the ten Opportunity Site areas, which are either vacant or underutilized privately-owned parcels. The Opportunity Sites, as well as any other proposed development as applicable, would be entitled on a project-specific basis according to the development and building standards defined by the Specific Plan. Buildout potential for the Specific Plan area was analyzed utilizing the existing General Plan land use and Zoning Code regulations as a baseline. This baseline buildout potential is an estimated 163+/- residential units and 222,208+/- square feet of commercial uses. The Specific Plan projects that a maximum cap of 163 additional residential units and 75,000 SF of additional commercial space above the baseline could potentially be accommodated in the Specific Plan area, achievable through DOR incentives; any potential densities above this cap are subject to Planning Commission and City Council consideration and may require a Specific Plan Amendment.

Air Pollution Control District staff offers the following comments on the Draft IS/MND:

1. **Air Quality, *Impact Analysis*, Page 17**: This page states that, *"The most recent SBCAPCD CAP, the 2013 CAP, was adopted in 2015."* The most recent Clean Air Plan is the 2016 Ozone Plan adopted in October 2016. Please update the text and consistency analysis with the most recent planning information.

2. **Air Quality, *Impact Analysis*, AQ-1, Page 21-22**: For new development being considered countywide, the Santa Barbara County Air Pollution Control District recommends that sensitive land uses such as residences, schools, day care centers, playgrounds, and medical facilities should not be sited within 500 feet of Highway 101. In addition, outdoor sports facilities and active outdoor recreation areas should not be sited within 500 feet of Highway 101. This is based on guidance from the California Air Resources Board (*Air Quality and Land Use Handbook:*

A Community Health Perspective, CARB, 2005). Many studies have shown that living in proximity to freeways and other high traffic roads leads to respiratory and other non-cancer health effects such as reduced lung function, increased asthma and bronchitis, and increased medical visits. The proximity-based studies do not identify specific pollutants nor do they utilize dose-response relationships to discern an acceptable level of a pollutant or pollutants that adequately protects public health. Although various mitigation strategies are currently being researched and implemented, the consensus to date is that the best way to protect human health is to retain a distance of 500 feet or greater between the sensitive receptors and the freeway. Commercial or visitor-serving land uses, with less long-term health implications, should be considered for locations closer to the freeway.

With respect to health risks associated with locating sensitive land uses in proximity to freeways and other high traffic roadways, HRA modeling may not thoroughly characterize all the health risk associated with nearby exposure to traffic-generated pollutants. Therefore, Santa Barbara County APCD does not recommend using HRA modeling as a tool for assessing health risk impacts for these types of projects.

With respect to mitigation measures, in April of 2017, the California Air Resources Board (CARB) released a Technical Advisory, "*Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways.*" In response to this Technical Advisory, APCD has prepared a supplemental guidance document, *APCD Guidance for Development near Busy Roadways in Santa Barbara County*, that highlights relevant sections of the Technical Advisory and provides additional context for Santa Barbara County (see www.ourair.org/land-use/). This guidance document touches on important considerations if filtration is incorporated into a project, particularly that:

- if particle filtration systems are implemented, higher efficiency filters (at least MERV 13 to MERV 16) should be installed,
- regular operation and maintenance is necessary for highest filter and ventilation efficiency, and
- most filtration systems are not effective at reducing concentrations of gaseous pollutants.

Additionally, forced air ventilation only addresses indoor exposure to toxic air contaminants, leaving outdoor exposure risk unmitigated.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8890 or via email at BarhamC@sbcapcd.org.

Sincerely,

Carly Barham

Carly Barham
Technology and Environmental Assessment Division

cc: TEA Chron File

From: Lindsey Sarquilla [mailto:lsarquilla@rinconconsultants.com]
Sent: Thursday, August 17, 2017 10:19 AM
To: Irma Tucker
Subject: RE: AOF-SP - Air Quality - APCD Comments

Hi Irma,
Please see my additional responses in green below. Please let me know if I can do anything more to help. I'll actually be in Buellton at 6:30 PM today, if you would like me to swing by the meeting.

Best,

Lindsey Sarquilla, MESM
Senior Environmental Planner

Rincon Consultants, Inc.
805 319 4092 EXT 452
www.rinconconsultants.com
Environmental Scientists Planners Engineers
Please consider the environment before printing this email.
Note my phone number has changed.

From: Irma Tucker [mailto:irmat@cityofbuellton.com]
Sent: Wednesday, August 16, 2017 3:47 PM
To: Lindsey Sarquilla
Subject: AOF-SP - Air Quality - APCD Comments

Hi Lindsey, attached is a comment letter we received from APCD.
There are 2 components to the APCD comments. Please see my notes below on how to approach response. Your thoughts? Just some brief responses. We are not looking at re-doing the analysis at this point. I just need to be able to document that we considered the comments and speak to it at the Planning Commission hearing this Thursday eve. Thanks, ~~ Irma

1. APCD asks us to update the AQ consistency analysis with the most recent Clean Air Plan, which they say is the 2016 Ozone Plan adopted in October 2016. Rincon used the CAP adopted in 2015, which they say is updated every three years.

   Please comment (briefly) on this interpretation re: why, or why not, the Ozone Plan should be used.
   Both the 2013 CAP and the 2016 Ozone Plan utilized Santa Barbara County Association of Government's (SBCAG) Regional Growth Forecast 2010-2040 to project population growth and associated air pollutant emissions for all of the Santa Barbara County incorporated and unincorporated areas. The MND found that neither near-term development nor full buildout under the Specific Plan would result in an exceedance of SBCAG's projections. Therefore, the project would be consistent with the growth forecasts contained in the 2013 Clean Air Plan and the 2016 Ozone Plan, and would not obstruct implementation of either plan. Additionally, the 2016 Ozone Plan does not introduce new control measures that would apply to the proposed development, beyond what is included in the 2013 Clean Air

Plan; all new or changed control measures included in the 2016 Clean Air Plan relate to stationary sources, which are not applicable to the proposed Specific Plan.

2. a) APCD Recommends that new development of sensitive receptors (incl'g residences, playgrounds, active outdoor recreation areas) not be sited within 500 feet of Highway 101.

   Mixed-use (incl'g residential) is currently allowed for the CR zone, so we are really not changing or adding more sensitive uses to these locations. And the medians are (for the most part) more than 500 feet from the freeway.

   b) APCD states that Health Risk Assessments (this is the Mit Measure in AOF MND) may not thoroughly characterize all health risks associated with living close to freeways. They recommend not using HRA but do not suggest alternate (other than observing 500 setback distance). And, if filtration is being considered as a mitigation, APCD has issued a very recent guidance document on considerations for any filtration that is incorporated into a project; these are stated in the comment letter.

   Rincon, as the City's consultant and expert, has determined that the HRA is the most appropriate tool currently available to assess potential risk hazards. For projects where filtration would be recommended, we would require consideration of the CARB Technical Advisory, "Strategies to Reduce Air Pollution Exposure Near High Volume Roadways" and incorporate applicable filtration guidelines into our conditions/mitigation.

^^Both responses are spot on, here is a little more support, if needed:

The MND includes Mitigation Measure AQ-1, which requires that proposed development of new sensitive receptors prepare a location-specific health risk assessment (HRA) to determine whether receptors would be exposed to health risks in access of SBCAPCD-recommended standards. If the HRA determines that health risks are exceeded, than mitigation, such as MERV filters, must be provided to reduce health risks to acceptable levels. Control measures like MERV filters are included in the California Air Resources Board's newest technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways* (2017), as an effective strategy for reducing health risk impacts from roadways that is supported by the scientific literature. An HRA is not only the most appropriate, currently available tool to assess potential health risks from high volume roadways, it is also recommended as a tool for evaluating health risks from local roadways by other air districts in California, including the Bay Area Air Quality Management District and the San Luis Obispo County Air Pollution Control District.[1,2]

1. Bay Area Air Quality Management District. 2017. CEQA Guidelines. Accessed August 2017 at http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en
2. San Luis Obispo County Air Pollution Control District. Air Toxic & Your Health. Accessed August 2017 at http://www.slocleanair.org/rules-regulations/air-toxics-and-your-health

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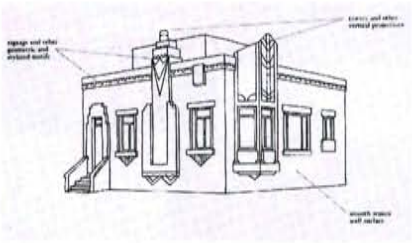
Attachment 6 – PROPOSED ARCHITECTURAL DESIGN STYLES

PRECEDENCE	EXAMPLES	IDENTIFIERS
Primary Styles		
 CRAFTSMAN Also called arts and crafts or bungalow style	 CRAFTSMAN Gable House in Pasadena defines the style	 CRAFTSMAN Exposed structural elements highlighting artisan details, natural materials, clean lines. Low-pitched gable (or hipped) roof w/eave overhang, exposed rafters/beams.
 MONTEREY REVIVAL Also related to post and beam, ranch and Spanish ranch	 MONTEREY REVIVAL Popular California style used extensive 2nd floor balconies and arcades, which vary from simple to ornate.	 MONTEREY REVIVAL Exposed structure, low-pitched gable (or hipped) roof w/ wood shingles or tiles, 2nd floor balcony (usually cantilevered), wood or stucco siding.
Accent Style		
 ART DECO Encompasses 50's Diner and Art Moderne	 ART DECO Common in public and commercial buildings, simple structures are adorned with decorative motifs and stylized embellishments.	 ART DECO Eclectic variations may combine agrarian, ranch, industrial, and international design elements. Typical flat roofs w/ parapets; spires, or tower-like constructs used to accentuate a corner or entrance.
Decorative Theme Examples	 50's Diner Streamlined forms, w/smooth surfaces; may relate to cars and transportation.	 Art Moderne Decorative elements include aerodynamic forms, horizontal or vertical banding, industrial metals for finish

EXISTING & PROPOSED MEDIAN WIDTHS

Median	Existing Width	Proposed Width	Notes
1	45'-65'	52'-76'	~8' wider
2	76'	~84'	~8' wider
3	76'	~84'	~8' wider
4	60'-76'	68'-92'	~8' wider
5	12'-50'	12'-50'	No change
6	9'-20'	9'-20'	No change