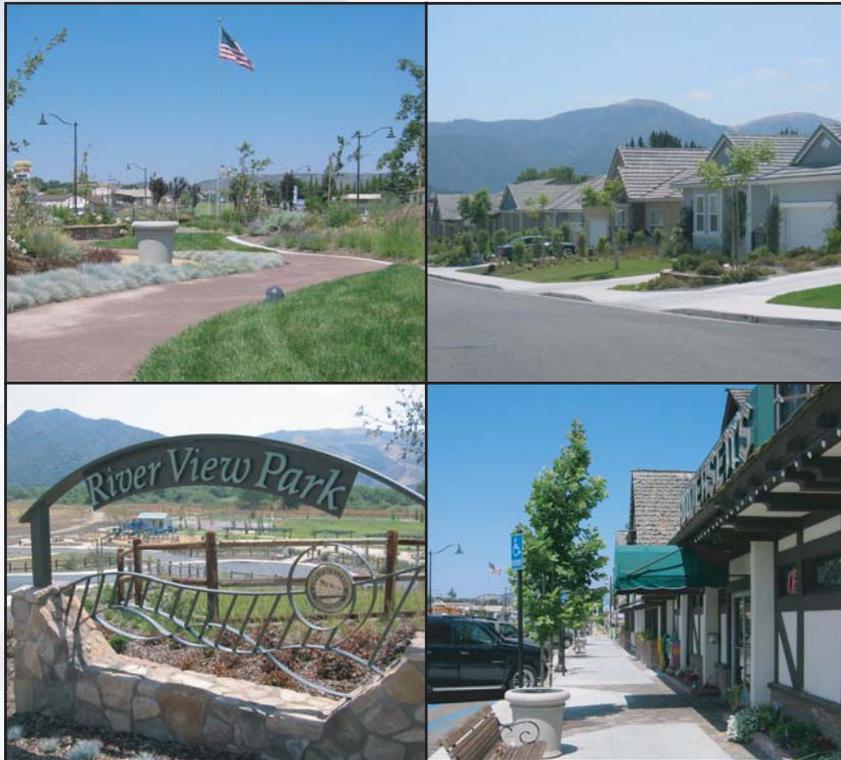


Final

City of Buellton General Plan Update Phase 2 Supplemental Environmental Impact Report

State Clearinghouse No. 2005011097



submitted to:

City of Buellton

submitted by:

Rincon Consultants, Inc.



March 2007

Final
Supplemental Environmental Impact Report
for the
City of Buellton
General Plan Update Phase 2

State Clearinghouse No. 2005011097

Prepared for:
City of Buellton
Planning Department
107 West Highway 246
Buellton, California 93427

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

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

March 2007



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FINAL ENVIRONMENTAL IMPACT REPORT

Comments, Responses, and Revisions

This document includes responses to comments on the Draft Supplemental EIR (SEIR) as well as revisions to the Draft SEIR that are a result of the responses. Sections F1.0, F2.0, and F3.0 address the written and oral comments received on the Draft SEIR.

The January 2007 Draft SEIR, the Draft SEIR Appendices, and this Comments, Responses and Revisions report collectively comprise the Final SEIR for the City of Buellton General Plan Update Phase 2. Any changes made to the text of the Draft SEIR correcting information, data or intent, other than minor typographical corrections or minor working changes, are noted in the Final SEIR as changes to the Draft SEIR.

F1.0 INTRODUCTION

In accordance with § 15088 of the State California Environmental Quality Act (CEQA) Guidelines, the State CEQA Statutes, and the City's Procedures for Implementing CEQA, the City of Buellton, as the lead agency, has reviewed the comments received on the Draft Supplemental Environmental Impact Report (Draft SEIR) for the City of Buellton General Plan Update Phase 2 and has prepared written responses.

The Draft EIR was circulated for a 45-day public review period that began on January 12, 2007 and ended February 26, 2007.

This Comments and Responses report consists of this introduction (Section F1.0), Draft SEIR clarifications and modifications/errata sheet (Section F2.0), and comment letters and responses to comments (Section F3.0).

The SEIR is intended to augment the evaluation of environmental impacts associated with Phase 1 of the General Plan Update, as documented in the City of Buellton Land Use Element and Circulation Element Update Program EIR (Rincon Consultants, Inc., September 29, 2005, SCH# 2005011097).

It should be noted that the SEIR is a Program EIR that analyzes the effects of Land Use Element amendments as well as the effects of policies associated with the comprehensive updates to the Conservation and Open Space, Economic Development, Noise, Parks and Recreation, Public Facilities and Services, and Safety Elements. This EIR fulfills the requirements for a Program EIR. Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. As provided in Section 15168 of the *State CEQA Guidelines*, a Program EIR may be prepared on a series of actions that may be characterized as one large project. Use of a Program EIR provides the City (as Lead Agency) with the opportunity to consider broad policy alternatives and program-wide mitigation measures and provides the City with greater flexibility to address environmental issues and/or cumulative impacts on a comprehensive basis. Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether an additional CEQA document needs to be prepared. However, if the Program EIR addresses the program's effects as specifically and



comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documents may not be required (Guidelines Section 15168(c)).

F1.1 COMMENTORS ON THE DRAFT SEIR

A total of four letters were received from four public agencies.

Commentor letters

1. Santa Barbara Council of Governments, William Yim
2. Santa Barbara County Air Pollution Control District, Frances Gilliland
3. Santa Barbara County Fire Department, David Willy
4. County of Santa Barbara Executive Office, Ronald S. Cortez

F2.0 DRAFT SEIR CLARIFICATIONS AND MODIFICATIONS/ERRATA

This section presents clarifications and modifications/errata to the Draft SEIR, based on the comments and responses received. These changes are organized according to the corresponding sections found in the Draft SEIR. Changes in text are shown as ~~strikeout~~ where the text is deleted and by bold font (**bold font**) where new text is added.

Section 1.0, *Introduction*

No changes.

Section 2.0, *Description of General Plan Update Phase 2*

No changes.

Section 3.0, *Environmental Impact Analysis of General Plan Update Phase 2*

Page 3-3, below last paragraph of *Air Quality* discussion, has been revised as follows:

“Infill sites with the potential for future development may contain existing residences that would be demolished and replaced with new housing or other uses. Refer to the *Safety* discussion below for a discussion of demolition-related hazardous material impacts. Demolition of structures is required to comply with Air Pollution Control District (APCD) standards, including the Asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP), as applicable.”

Page 3-5, first full paragraph, has been revised as follows:

“According to the Final Program EIR, infill sites with the potential for future development may contain existing residences that would be demolished and replaced with new housing or other uses... Therefore, impacts with respect to displacement of



existing residents would be similarly significant and unavoidable with the proposed rezone compared to the Phase 1 Update. **Refer to the Safety discussion below for a discussion of demolition-related hazardous material impacts."**

Section 4.0, *References and Preparers*

No changes.

Section 5.0, *Glossary and Acronyms*

No changes.

Appendix C, Land Use Element and Circulation Element Update Program EIR Mitigation Monitoring and Reporting Program (MMRP)

Page 4, last row, has been revised as follows:

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

Page 5, last row, has been revised as follows:

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

- Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) should be utilized wherever feasible.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction equipment shall be maintained in tune per the manufacturer's specifications.
- Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or precombustion



- chamber engines.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
 - Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.
 - Diesel powered equipment should be replaced by electric equipment whenever feasible.
 - Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.
 - **Drivers of diesel-fueled commercial vehicles weighing more than 10,000 pounds:**
 - **Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location; and**
 - **Shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle if the vehicle has a sleeper berth and is within 100 feet of a restricted area (homes and schools)."**

Page 27, last row, has been revised as follows:

- "S-3(a) Asbestos Sampling and Supervision.** Prior to demolition of structures ~~constructed prior to 1978~~, areas of the structures to be demolished shall be sampled as part of an asbestos survey in compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAP). If asbestos is found in any building, asbestos-related work, including demolition, involving 100 square feet or more of asbestos containing materials (ACMs) shall be performed by a licensed asbestos abatement contractor under the supervision of a certified asbestos consultant and asbestos shall be removed and disposed of in compliance with applicable State laws. Regardless of whether asbestos is identified in any building, prior to demolition of existing structures the APCD shall be notified and an APCD Notification of Demolition and Renovation Checklist shall be submitted to both APCD and the Buellton Planning Department."

F3.0 RESPONSES TO COMMENTS ON THE DRAFT SEIR

Each written comment received is included in this section. Responses to these comments have been prepared for review and consideration during the public hearing process. The responses address the environmental concerns raised and identify: a) how the concerns have been evaluated in the SEIR, or b) why they have not been evaluated in the SEIR.

The focus of this Comments and Responses report is the disposition of the environmental concerns raised, pursuant to Section 15088(b) of the State CEQA Guidelines. Detailed responses are not provided to comments on the merits of the General Plan Update Phase 2. However, when a comment does not identify an environmental concern, the response indicates that the



comment has been noted and during the public hearing process, has been forwarded to the Planning Commission and City Council for review and consideration.

The comment letters have been numbered sequentially, and each issue within a comment letter, if more than one, has a letter assigned to it. Each comment letter is reproduced in its entirety with the issues of concern lettered in the right margin. References to the responses to comments identify first the letter number, and second, the lettered comment (4B, for example, would reference the second issue of concern within the fourth sequential comment letter).

Where a comment results in a change to the EIR text, a notation is made in the comment indicating that the text is revised. Changes in text are shown as ~~strikeout~~ where the text is deleted and by **bold font** where new text is added.



Letter #1

From: byim@sbcag.org [mailto:byim@sbcag.org]
Sent: Thursday, January 18, 2007 2:11 PM
To: Marc Bierdzinski
Cc: mpowers@sbcag.org; aorfila@sbcag.org; bbresolin@sbcag.org
Subject: Draft City of Buellton GP Update Ph 2

Hi Marc,
SBCAG staff has reviewed the Draft City of Buellton General Plan Update Phase 2 Supplemental EIR. We have no comments.
Thank you for the opportunity to review the document.

IA

William Yim
SBCAG

Letter 1

COMMENTOR: William Yim, Santa Barbara County Association of Governments (SBCAG)

DATE: January 18, 2007

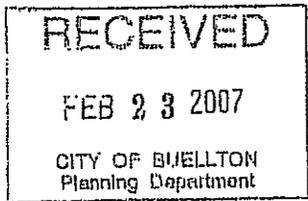
RESPONSES:

Response 1A:

The comment is noted.



Santa Barbara County Air Pollution Control District



February 23, 2007

Marc Blerdzinski, AICP, Planning Director
City of Buellton
Planning Department
107 W. Highway 246
Buellton, California 93427

Re: Draft SEIR for General Plan Update Phase 2

Dear Mr. Blerdzinski:

Thank you for the opportunity to review and comment on the above referenced Draft SEIR. Our comments follow.

Page 3-5, discussion of Land Use, Agriculture and Housing: This section contains discussion of potential future demolition of 13 residences on 12 contiguous parcels. If these structures are demolished concurrently, they will be regulated by the Asbestos NEHSAP. Please feel free to contact APCDF Asbestos Inspector Michael Zois at (805) 961-8869 or see our website at www.sbapcd.org/biz/asbestos.htm for specific information regarding requirements for proper testing, removal and notification.

ZA

Appendix C: Mitigation Monitoring and Reporting program:

AQ-3(b) Application of Standard CBACT: These mitigation measures should be applied to all construction equipment, not just one piece of equipment "estimated to cause the highest level of combustion emissions".

ZB

Use of reformulated (low sulfur) diesel fuel is now required by the California Air Resources Board.

AQ-3(c) Standard Ozone Precursor Controls: This mitigation measure must be updated to include the following:

- State law requires drivers of diesel-fueled commercial vehicles weighing more than 10,000 pounds:
- shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location
- shall not idle a diesel-fueled auxillary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle if you have a sleeper berth and you're within 100 feet of a restricted area (homes and schools).

ZC

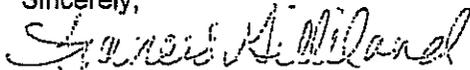
Terence E. Dressler Air Pollution Control Officer

S-3(a) Asbestos Sampling and Supervision: Building materials containing asbestos continued to be sold for years after their manufacture was banned. **There are no exemptions based upon the date of construction or age of the structure.** Again, please see our website or contact Mr. Zois, as mentioned above.

20

We hope you find the above comments useful. Please feel free to contact me at (805) 961-8838 or via email at GillilandF@sbcapcd.org if you have any questions.

Sincerely,



Frances Gilliland
Air Quality Specialist III
Technology & Environmental Assessment

cc: Buellton General Plan Update file
TEA Chron File

Letter 2

COMMENTOR: Frances Gilliland, Santa Barbara County Air Pollution Control District (SBCAPCD)

DATE: February 23, 2007

RESPONSES:

Response 2A:

The commentor notes that the potential demolition of 13 residences on 12 contiguous parcels would be regulated by the Asbestos National Emissions Standards for Hazardous Air Pollutants (NEHSAP) if demolished concurrently.

Page 3-3, last paragraph of *Air Quality* discussion, has been revised to include the following:

“Infill sites with the potential for future development may contain existing residences that would be demolished and replaced with new housing or other uses. Refer to the *Safety* discussion below for a discussion of demolition-related hazardous material impacts. Demolition of structures is required to comply with Air Pollution Control District (APCD) standards, including the Asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP), as applicable.”

Page 3-5 (Land Use, Agriculture, and Housing), first full paragraph, has been revised as follows:

“According to the Final Program EIR, infill sites with the potential for future development may contain existing residences that would be demolished and replaced with new housing or other uses... Therefore, impacts with respect to displacement of existing residents would be similarly significant and unavoidable with the proposed rezone compared to the Phase 1 Update. Refer to the *Safety* discussion below for a discussion of demolition-related hazardous material impacts.”

Response 2B:

Mitigation measure AQ-3(b), on pages 4 to 5 of Appendix C, Land Use Element and Circulation Element Update Program EIR Mitigation Monitoring and Reporting Program, has been revised as follows:

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



Response 2C:

Mitigation measure AQ-3(c), on pages 5 to 6 of Appendix C, Land Use Element and Circulation Element Update Program EIR Mitigation Monitoring and Reporting Program, has been revised as follows:

- "AQ-3(c) Standard Ozone Precursor Controls.** At all times, ozone precursor emissions shall be controlled not only through the routine maintenance of all construction equipment, but construction activities shall also be required to utilize new technologies to control ozone precursor emissions including:
- Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) should be utilized wherever feasible.
 - The engine size of construction equipment shall be the minimum practical size.
 - The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
 - Construction equipment shall be maintained in tune per the manufacturer's specifications.
 - Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or precombustion chamber engines.
 - Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
 - Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.
 - Diesel powered equipment should be replaced by electric equipment whenever feasible.
 - Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.
 - **Drivers of diesel-fueled commercial vehicles weighing more than 10,000 pounds:**
 - **Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location; and**
 - **Shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle if the vehicle has a sleeper berth and is within 100 feet of a restricted area (homes and schools)."**



Response 2D:

Mitigation measure S-3(a), on pages 27 to 28 of Appendix C, Land Use Element and Circulation Element Update Program EIR Mitigation Monitoring and Reporting Program, has been revised as follows:

“S-3(a) Asbestos Sampling and Supervision. Prior to demolition of structures ~~constructed prior to 1978~~, areas of the structures to be demolished shall be sampled as part of an asbestos survey in compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAP). If asbestos is found in any building, asbestos-related work, including demolition, involving 100 square feet or more of asbestos containing materials (ACMs) shall be performed by a licensed asbestos abatement contractor under the supervision of a certified asbestos consultant and asbestos shall be removed and disposed of in compliance with applicable State laws. Regardless of whether asbestos is identified in any building, prior to demolition of existing structures the APCD shall be notified and an APCD Notification of Demolition and Renovation Checklist shall be submitted to both APCD and the Buellton Planning Department.”



Letter #3



Fire Department

"Serving the community since 1926"

4410 Cathedral Oaks Road
Santa Barbara, CA 93110-1042
(805) 681-5500 FAX (805) 681-5563

John M. Scherrei
Fire Chief
County Fire Warden

February 23, 2007

Mr. Mark Bierdzinski, AICP, Planning Director
City of Buellton Planning Department
PO Box 1819
Buellton, CA 93427

RECEIVED
FEB 26 2007
CITY OF BUELLTON

Dear Mr. Bierdzinski:

SUBJECT: Draft SEIR, City of Buellton

The above project is located within the jurisdiction of the Santa Barbara County Fire Department, and after review of the Draft SEIR for the General Plan Update Phase 2, we submit the following:

Emergency Preparedness

Effective emergency preparedness is necessary to avoid or minimize the loss of life and property as a result of natural and other disasters, to reduce the social, cultural, environmental, and economic costs of disasters, and to assist the rapid recovery from disasters. The effectiveness of a community's emergency preparedness and response can affect the severity of consequences of any given disaster event. The City in cooperation with FEMA, the County, and State Offices of Emergency services is responsible for emergency preparedness and response. Components of emergency preparedness and response include identification of evacuation routes and secondary emergency accesses, as well as provisions of information to the community regarding appropriate individual actions in the event of various types of emergencies.

3A

Fire Prevention and Response Measures for New Development

New development and redevelopment projects shall be designed and constructed in accordance with California Fire Code Standards to minimize fire hazards, with special attention given to fuel management and improved access in areas with higher fire risk, with access or water supply deficiencies, or beyond a 5-minute response time.

3B

Review of New Development

Applications for new or expanded development shall be reviewed by appropriate Santa Barbara County Fire Department personnel to ensure they are designed in a manner that reduces the risk of loss due to fire. Such review shall include consideration of the adequacy of "defensible space" around structures at risk; access for fire suppression equipment, water supplies, construction standards; and vegetation clearance. Secondary access may be required and shall be considered on a case-by-case basis. The City shall encourage built-in fire suppression systems such as sprinklers, particularly in high-risk or high-value areas.

Automatic Fire Sprinkler Systems

The City shall require the installation of automatic fire sprinklers for: a) all new buildings that have a total floor area of 5,000 square feet or more and: b) any existing buildings proposed for remodeling or an addition, which upon completion of the remodel or addition, will have a total floor area of 5,000 square feet or more and: c) any new building located outside of the designated "Urban Limit Line" (Agricultural building are exempt).

3B
(Cont'd)

Fire Protection Services

Buellton receives fire protection and related services from the Santa Barbara County Fire Department, a regional agency providing service to 1,144 square miles of unincorporated and incorporated territory and an estimated population of 165,000 people. Services to the City are provided through one fire station located at 168 West Highway 246. The station is staffed by four firefighters 24 hours a day 7 days a week. The station is equipped with (1) Advanced Life Support Assessment Fire Engine with 1,500-gallon (GPM) pump capacity, (1) Brush Truck, and (1) Hazardous Materials Tractor/Trailer Vehicle.

Fire Protection Standards

The Santa Barbara County Fire Department employs the following three standards with respect to provision of fire protection services:

- a. A firefighter-to-population ratio of one firefighter on duty 24 hours a day for every 2,000 in population is considered "ideal", and one firefighter per 4,000 population is the absolute maximum that can be adequately served.

According to 2000 US Census Bureau statistics, Fire Station 31 currently serves a population of 4,929. Based on these statistics, Engine 31's staffing levels are well within established standards.

- b. A ratio of one engine company per 16,000 population, assuming four firefighters are on duty, represents the absolute maximum population that the Santa Barbara County Fire Department has determined can be adequately served by a four-person crew.
- c. The National Fire Protection Association (NFPA) guidelines state that engine companies shall be staffed with a minimum of four on-duty personnel.

The following are the response time guidelines:

- 1) One minute (60 seconds) for turnout time.
- 2) Four minutes (240 seconds) or less for the arrival of the first-arriving engine company at a fire suppression incident and/or 8 minutes (480 seconds) or less for the deployment of a full first-alarm assignment at a fire suppression incident.
- 3) Four minutes (240 seconds) or less for the arrival of a unit with first-responder or higher level capability at an emergency medical incident.
- 4) Eight minutes (480 seconds) or less for the arrival of an advanced life support unit at an emergency medical incident, where this service is provided by the fire department.

Impact Fees for Fire Protection Facilities/Equipment

The current Fire Station that serves the City of Buellton was constructed in 1965 and does not meet current "Essential Facility Act" standards as required by law. Funding to replace this aging facility will need to be addressed over the life of this General Plan.

As the City of Buellton continues to grow, the Fire Department recommends that a development impact fee be imposed on new development within the city. This is needed to address the future needs of replacing the existing fire station. A fee study should be done to establish appropriate fees to accomplish this goal.

3B
(Cont'd)

3C

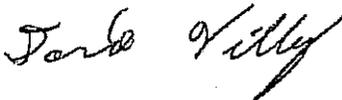
Fire Safety in New Development

The following fire safety standards shall be met, where applicable, in new development within the city:

- a. Two routes of ingress and egress shall be required for any new development or subdivision of land requiring approval of a discretionary action. This requirement may be waived by the Fire Department when secondary access cannot be provided and maintenance of fire safety standards are ensured by other means.
- b. All private roads that provide access to structures served by the Santa Barbara County Fire Department shall be constructed to the County's Engineering Design Standards.
- c. All non-agricultural development in the city of Buellton shall include provisions for connection to the public water purveyor.

30

In the interest of life and fire safety,



David Willy, Inspector
Fire Prevention Division

DW:reb

Letter 3

COMMENTOR: David Willy, Santa Barbara County Fire Department

DATE: February 23, 2007

RESPONSES:

Response 3A:

The commentor's statements regarding effective emergency preparedness are noted.

Response 3B:

The commentor describes Santa Barbara County Fire Department requirements that apply to new development in the City, including: fire prevention and response measures, department review, and the inclusion of automatic fire sprinklers. The commentor notes services provided by the Santa Barbara County Fire Department to the City of Buellton and fire protection standards employed with respect to the provision of those services. The comments are noted.

Response 3C:

The commentor recommends that a development impact fee be imposed on new development within the City to help fund the replacement of the existing Fire Station, and suggests that a fee study be completed to establish appropriate fees. The proposed Phase 2 General Plan Update, including rezoning of 12 parcels, would not significantly impact the provision of fire protection services in the City. The comment is noted.

Response 3D:

The commentor notes several fire safety standards required of new development within the City. The comment is noted.



COUNTY OF SANTA BARBARA



105 East Anapamu Street, Suite 406
Santa Barbara, California 93101
805/568-3400 • Fax 805/568-3414
www.co.santa-barbara.ca.us

Michael F. Brown
County Executive Officer

February 26, 2007

EXECUTIVE OFFICE

Mr. Mark Bierdzinski, Planning Director
City of Buellton
P.O. Box 1819
Buellton, CA 93427

VIA FAX to (805) 686-1729

RE: *City of Buellton General Plan Update Phase 2, Draft Supplemental EIR*

Dear Mr. Bierdzinski:

Thank you for the opportunity to comment on the City of Buellton General Plan Update Phase 2, Draft Supplemental EIR. The County of Santa Barbara looks forward to reviewing the final draft environmental impact report once it is released for public review.

As stated in the Draft Supplemental EIR (SEIR), a primary purpose of this document is to "distill the impacts described in the 2005 Final EIR for Phase 1 of the General Plan Update." The draft SEIR indicates that the Year 2025 buildout changes between Phases 1 and 2 would result in an increase of 11 multi-family residential units (approximately 28 residents) and a reduction of 29,400 square feet of commercial space in the City. Such a change would generally result in a reduction of adverse impacts associated with traffic, air quality, noise, water use, etc.

4A

Many of the policy amendments in the General Plan Update Phase 2 reflect common goals and values our jurisdictions share with respect to the surrounding rural lands. It is important to note the cooperative relationship between the City of Buellton and the County of Santa Barbara as specifically referenced in general plan policies relative to: 1) Archaeological, Cultural and Historical Resources; 2) Agricultural Lands/Soils and Open Space; 3) Tree Preservation; 4) Air Quality; 5) Energy Resources; 6) Mineral Resources; 7) Plant, Animal and Related Habitat Protection; and 8) Trails and Bikeways.

4B

In that spirit, Buellton's General Plan Update Phase 2 should address the significance of visual resources along US Highway 101. The County of Santa Barbara carefully considers development projects adjacent to US Highway 101 to ensure that the distinctive visual character of Santa Barbara County's portion of this travel corridor is appropriately maintained. The only reference to this issue is in Scenic Resource Policy 16.c. (p. B-10).

4C

Conservation & Open Space Element:

Page C/OS-5 *Agricultural Land/Soils* – According to the County Agricultural Commissioner's records approximately 15 acres of pasture land along the northern edge and roughly 10 acres of rotational crops along the southern edge remain within the City limits. Although this land may

4D

James Laponis
Deputy County Executive Officer
jlaponis@co.santa-barbara.ca.us

Ron Cortez
Deputy County Executive Officer
rcortez@co.santa-barbara.ca.us

Terri Maus-Nisich
Assistant County Executive Officer
tmausi@co.santa-barbara.ca.us

Ken A. Masuda
Assistant County Executive Officer/Budget Director
masuda@co.santa-barbara.ca.us

City of Buellton
Mr. Mark Bierdzinski, Planning Director

Page 2 of 3

not be specifically zoned for agriculture use, the document should indicate the presence of existing agricultural production within the City limits.

4D
(Cont'd)

Page C/OS-32 and C/OS-33 *Agricultural Lands/Soils and Open Space Goals*: We embrace the inclusion of Goal 6 which refers to "greenbelt" areas specifically intended to protect important agricultural areas from urban uses and maintain agriculture as an economically viable activity. Similarly, policies C/OS-4 and C/OS-5 that encourage the County of Santa Barbara to maintain agriculturally productive lands for agricultural uses are aligned with the present direction of our General Plan. The County also embraces planning efforts by local jurisdictions to require urban uses to be located within the cities.

4E

Parks & Recreation/Public Facilities Elements:

The County recognizes the need for the City of Buellton to plan for additional schools, parks, and recreational facilities and appreciates the references in the Agricultural Land/Open Space policies to locate these urban uses within the City.

4F

Mitigation Measures:

The General Plan Update Phase 2 Supplemental EIR does not include any new mitigation measures; but, rather incorporates by reference the previously approved mitigation measures from the 2005 General Plan Update Phase 1. Therefore, it is assumed that previously approved mitigation measures will continue to be implemented as standards to guide future development.

4G

Mitigation Measure LU-1(a) states the City will encourage the County Agricultural Commissioner to submit a Notice of Intent to the Buellton Building Department and residences within 200 feet from cultivated agriculture prior to spraying. Department staffing issues and legal constraints make it infeasible for the Agricultural Commissioner's Office to comply with this measure. As such, the County requests that this mitigation measure be deleted from the final document.

Mitigation Measure LU-1(b) requires a minimum 200 foot buffer between the nearest property line of property currently in the County Agricultural zoning district and any habitable structures. It should be noted that *appropriate* buffer distances can vary depending upon the adjacent agricultural operations, prevailing winds, site orientation, and other natural and manmade features. Of note, agricultural buffers that are maintained by the City (or in cooperation with a public/private entity) rather than by individual property owners to minimize the potential for conflict between adjacent landowners as well as increase the opportunity for the City to enforce buffer-related development standards.

4H

To further Buellton's goals and policies related to the protection of agricultural lands, we encourage the City to work with the County of Santa Barbara and the Local Agency Formation Commission (LAFCO) to develop lucid guidelines and operational procedures for the incorporation of "greenbelt areas" and/or agricultural-related buffer areas along urban borders.

4I

City of Buellton
Mr. Mark Bierdzinski, Planning Director

Page 3 of 3

Again, thank you for the opportunity to submit comments on the City of Buellton General Plan Update Phase 2, Draft Supplemental EIR. If you should have further questions, please do not hesitate to contact David Matson, Project Manager in the Office of Long Range Planning at (805) 568-2068 who maintains the county-wide coordination efforts on environmental documents submitted to the County for review and comment.

Sincerely,



Ronald S. Cortez, Deputy CEO
County Executive Office

cc: John Baker, Director – Planning and Development Department
John McInnes, Director – Office of Long Range Planning
Bill Gillette, Agricultural Commissioner
David Matson, Project Manager – Office of Long Range Planning

Letter 4

COMMENTOR: Ronald S. Cortez, County of Santa Barbara Executive Office

DATE: February 26, 2007

RESPONSES:

Response 4A:

The commentor summarizes the buildout changes between Phases 1 and 2 of the Buellton General Plan and notes that such changes would result in a reduction of adverse impacts associated with traffic, air quality, noise, water use, etc. The comment is noted.

Response 4B:

The commentor notes the cooperative relationship between the City of Buellton and the County of Santa Barbara in several General Plan policy areas. The comment is noted.

Response 4C:

The commentor requests that Buellton's Phase 2 General Plan Update address significant visual resources along Highway 101. The policy changes and rezones proposed in Phase 2 of the General Plan Update would not significantly affect views or scenic resources along Highway 101. It should be noted that properties within the City of Buellton that front Highway 101 are substantially built out. As noted in the comment, proposed Conservation and Open Space Element Scenic Resource Program 16 addresses visual resources along Highway 101. Conservation and Open Space Element Goal 10, Policy C/OS-14 and Programs 14 and 15 also address the protection of scenic resources.

Response 4D:

The commentor suggests that, although not zoned for agriculture, the presence of agricultural production within the City Limits be indicated in the EIR. Conservation and Open Space Element page C/OS-5 has therefore been revised as follows:

*"Buellton is surrounded by agricultural parcels ranging in size from 10 to 200 acres. Agriculture outside the City includes grazing and pasture land to the north, west, and east, and crop production to the south adjacent to the Santa Ynez River. Within the City, there is no land currently zoned for agriculture. **It should be noted, however, that approximately 15 acres along the northernmost edge of the City and approximately 10 acres along the southern edge of the City, near Highway 101, are currently used for pasture and rotational crops, respectively.**"*

Response 4E:

The comment is noted.



Response 4F:

The comment is noted.

Response 4G:

The commentor recommends deletion of mitigation measure LU-1(a) due to staffing and legal constraints that may be experienced by the Agricultural Commissioner's Office. As noted in the MMRP, the responsible agency for measure LU-1(a) is the Buellton Planning and Development (BPD) Department, rather than the Agricultural Commissioner's Office. The measure requires actions by the City to encourage County implementation of spray notices.

Response 4H:

The commentor notes that appropriate buffer distances between agriculture and urban uses can vary depending on the adjacent agricultural operations, prevailing winds, site orientation, and other natural and manmade features. The comment is noted. Measure LU-1(b) establishes a minimum buffer distance, but does not establish a maximum distance. The ownership and maintenance of buffer areas will be at the discretion of the City.

Response 4I:

The commentor encourages the City to work with the County of Santa Barbara and the Local Agency Formation Commission (LAFCO) to develop guidelines and procedures for the incorporation of greenbelt areas and/or agricultural-related buffer areas along urban borders. The comment is noted.



Draft Supplemental EIR

January 11, 2007



1.0 INTRODUCTION

This document is a Supplemental Environmental Impact Report (SEIR) prepared for Phase 2 of the City of Buellton General Plan Update. This SEIR is intended to augment the evaluation of environmental impacts associated with Phase 1 of the General Plan Update, as documented in the City of Buellton Land Use Element and Circulation Element Update Program EIR (Rincon Consultants, Inc., September 29, 2005, SCH# 2005011097). This SEIR evaluates the environmental impacts associated with Phase 2 of the City's General Plan Update, which includes the following components:

- *Updated General Plan Elements, including the Conservation and Open Space Element, Economic Development Element, Noise Element, Parks and Recreation Element, Public Facilities and Services Element, and Safety Element;*
- *Amendments to the City's General Plan Land Use Element.*

1.1 GENERAL PLAN UPDATE PROCESS

The City is currently in the process of comprehensively updating its General Plan, in accordance with State law (Government Code Section 65300). The General Plan Update program fulfills State requirements by updating the Housing, Land Use, Circulation, Conservation and Open Space, Economic Development, Noise, Parks and Recreation, Public Facilities and Services, and Safety Elements of the City's existing General Plan, which were last comprehensively updated in 1993.

The City is processing the General Plan Update in two phases. Phase 1 of the General Plan Update included the Housing Element, Land Use Element and Circulation Element Update. The City Council adopted the Housing Element Update and certified the corresponding Negative Declaration (ND) environmental review document on June 10, 2004. Throughout 2004 and 2005, the City undertook a comprehensive program to update the General Plan Land Use Element and Circulation Element. The Land Use Element Update addressed development of the vacant and under-developed lands within the City limits through City buildout in the year 2025. The focus of the Land Use Element Update was to implement the following four programs from the Updated Housing Element: secondary dwellings, multi-family infill; mixed use development; and establishment of an Affordable Housing Overlay Zone (AHOZ) program. The Circulation Element Update outlined the transportation network required to support development anticipated in accordance with the City's Land Use Element. In October 2005, the Buellton City Council adopted the updated Land Use Element and Circulation Element, and certified the Final Program EIR for these element updates, which concluded Phase 1 of the General Plan Update process.

Phase 2 of the General Plan Update, which includes updates to the remaining General Plan Elements as well as additional Land Use Element amendments, is the subject of this SEIR.

1.2 ENVIRONMENTAL REVIEW HISTORY

The environmental impacts of the Phase 1 General Plan Update Land Use Element and Circulation Element were evaluated in a Final EIR adopted in October 2005. The 2005 Final EIR



addressed environmental impacts associated with physical development potential under year 2025 buildout of the City, and the goals, policies, and programs of the Land Use Element and Circulation Element. The 2005 Final EIR evaluated the maximum year 2025 development scenario as a reasonable worst-case scenario that assumed buildout of all lands within the City Limits. The 2005 Final EIR also addressed physical impacts from the Circulation Element Update would result from the construction of planned roadway, bicycle, and pedestrian capital improvements.

Phase 2 of the General Plan Update represents a subsequent stage in the General Plan Update process that would be considered new information which was not known at the time the 2005 Final EIR for Phase 1 of the General Plan Update was certified as adequate, and which may result in additional environmental impacts. In accordance with Section 15163 of the State CEQA Guidelines, this SEIR is intended to provide minor additions and changes to the 2005 Final EIR that are necessary to make the 2005 Final EIR adequately apply to Phase 2 of the General Plan Update.

A primary purpose of the SEIR is to distill the impacts described in the 2005 Final EIR for Phase 1 of the General Plan Update to those that pertain to the specific components of Phase 2, allowing the public a more meaningful description of the potential impacts associated with Phase 2. For that reason, the impact analysis will rely on the information contained in the 2005 Final EIR to the extent possible, and avoid repeating information common to both EIRs. Where there are differences between the 2005 Final EIR analyses for Phase 1 of the General Plan Update and the impacts for Phase 2 of the General Plan Update, they will be noted in the SEIR.

Incorporation by Reference. Section 15150 of the State CEQA Guidelines states that “An EIR or Negative Declaration may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR or Negative Declaration.”

The previous environmental documents incorporated by reference, in their entirety, into this SEIR are summarized below. The conclusions of these documents, unless otherwise specified in this SEIR, still apply. The Mitigation Monitoring and Reporting Program (MMRP) for the 2005 Final EIR is included as Appendix B to this SEIR.

- **City of Buellton General Plan Land Use Element and Circulation Element Update EIR (September 2005).** This report evaluated the physical impacts that could occur as a result of the growth and development envisioned in the City’s General Plan Land Use Element and Circulation Element Update and alternative buildout scenarios. *State Clearinghouse #2005011097.*
- **City of Buellton General Plan Elements: Housing Element (2004), Land Use Element and Circulation Element (September 2005).** These elements contain several goals, policies and programs that mitigate the environmental impacts of future development under General Plan buildout conditions.
- **City of Buellton General Plan Update Baseline Report (November 2004).** This report documented the baseline environmental conditions in the City. It provided an evaluation of



the 1993 General Plan, summarized local and regional trends that had occurred since 1993, and provided an inventory of the existing land use, circulation and transportation, natural resources, safety and noise, and public services conditions in the City. This report was intended to inform the development of future City land use scenarios, as well as the goals, policies and programs in the General Plan. The appendices to this report, which included a Fiscal Impact Analysis and a Real Estate Market Analysis for the General Plan Update, are also incorporated by reference into this Program EIR.

- **City of Buellton Housing Element Update Negative Declaration (ND) (February 2004).** This document addressed impacts associated with the 2004 update to the City's Housing Element. The Housing Element Updated provided programs, policies, and actions that together evidence the ability to meet the City's regional fair share of housing needs by the year 2008. Although the Housing Element Update did not specify the location where the assigned growth would be constructed with any precision, it called for revisions to the Land Use Element and Zoning Ordinance that would accommodate housing in various zones and under various permit authority. Among other recommendations, the updated Housing Element included direction that the General Plan Land Use Element be analyzed for environmental impacts and be amended as necessary and appropriate to accommodate RHNA goals in combination with other programs and actions. *State Clearinghouse #2004021067.*

These documents are available for review at the City of Buellton Planning Department, 107 West Highway 246, Buellton, CA 93427.

1.3 LEGAL AUTHORITY

This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA), and the *State CEQA Guidelines*. In accordance with Section 15121(a) of the *State CEQA Guidelines*, the purpose of this EIR is to serve as an informational document that:

"...will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project..."

Program EIR. This EIR fulfills the requirements for a Program EIR. Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. As provided in Section 15168 of the *State CEQA Guidelines*, a Program EIR may be prepared on a series of actions that may be characterized as one large project. Use of a Program EIR provides the City (as Lead Agency) with the opportunity to consider broad policy alternatives and program-wide mitigation measures and provides the City with greater flexibility to address environmental issues and/or cumulative impacts on a comprehensive basis.

Agencies generally prepare Program EIRs for programs or a series of related actions that are linked geographically, are logical parts of a chain of contemplated events, rules, regulations, or plans that govern the conduct of a continuing program, or are individual activities carried out under the same authority and having generally similar environmental effects that can be mitigated in similar ways.



Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether an additional CEQA document needs to be prepared to sufficiently address environmental impacts. A program EIR can be interpreted to cover subsequent activities if it addresses the effects of the program as specifically and comprehensively as possible. With a specific and comprehensive analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required (Guidelines Section 15168(c)(5)). However, if a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared (Guidelines Section 15168(c) (1)). If the agency finds that pursuant to CEQA Guidelines Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required (Guidelines Section 15168(c) (2)). With such a determination, the City would incorporate feasible mitigation measures and alternatives developed in the program EIR into the subsequent actions (i.e., projects) in the program. However, if new effects could occur due to project discrepancies when compared to the program, or due to a change in baseline conditions, an EIR or a Negative Declaration would be required for the specific project.

Supplemental EIR. The EIR will be prepared as a Supplemental EIR pursuant to Section 15163 of the *CEQA Guidelines*. A Supplemental EIR is appropriate for a subsequent phase of a program already analyzed under a previously prepared EIR. This SEIR is intended to tier from the 2005 Final EIR Report for the City of Buellton General Plan Land Use Element and Circulation Element Update, in accordance with Section 15168 of the State CEQA Guidelines. This Supplemental EIR discloses any new impacts, or impacts of an intensity different than originally analyzed. It incorporates and updates the relevant setting, impact, mitigation measures, and other information from the previous program environmental documentation in a new document.

The level of detail contained throughout this SEIR is consistent with the requirements of CEQA and applicable court decisions. The *CEQA Guidelines* provide the standard of adequacy on which this document is based. The Guidelines state:

"An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but, the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure." (Section 15151).

1.4 PUBLIC REVIEW OF THE SUPPLEMENTAL EIR

This Draft SEIR will be circulated for public review in accordance with CEQA requirements. Following this, a Final SEIR will be prepared. The Final SEIR will include responses to written and verbal comments regarding Phase 2 of the General Plan Update arising during the public review period. Any changes to the text of the Draft SEIR will be noted.



This SEIR is to serve as an informational document for the public and City of Buellton decision-makers. The adoption of Phase 2 of the General Plan Update generally must follow the procedures set forth in California Government Code section 65350 et seq. The process will culminate with Planning Commission and City Council hearings to consider certification of a Final SEIR and a decision whether to approve the proposed project, possibly with conditions of approval. The Planning Commission's recommendation must be made by the affirmative vote of not less than a majority of its total membership. At the conclusion of the public hearing process, the City Council will be asked to approve Phase 2 of the General Plan Update with or without changes after having first taken action to certify the SEIR as to its compliance with the provisions of the CEQA Statutes and Guidelines.

When an agency decides whether to approve the project, it must consider the previous EIR (i.e., the 2005 Final EIR) as revised by the Supplemental EIR. A finding under CEQA Guidelines Section 15091 shall be made for each significant effect shown in the previous EIR as revised (*CEQA Guidelines, Section 15163.e*).

1.5 CONTENTS OF THE SUPPLEMENTAL EIR

The SEIR to be circulated will include only the following contents, and will not revisit the September 2005 Final EIR for Phase 1 of the General Plan Update in its entirety. Interested readers can review the Draft and Final EIR for the City of Buellton General Plan Land Use Element and Circulation Element Update at the City of Buellton Planning Department offices located at 107 West Highway 246, Buellton, California 93427. This SEIR includes the following sections:

- ***Introduction (Section 1.0)***, explains the relationship of this SEIR to previous environmental analysis and summarizes the legal authority for preparation of the SEIR.
- ***Description of General Plan Update Phase 2 (Section 2.0)***, includes a description of the proposed element updates and proposed General Plan Land Use Element amendments, and a revised projection of General Plan buildout.
- ***Environmental Impact Analysis of General Plan Update Phase 2 (Section 3.0)***, includes evaluation of environmental impacts related to aesthetics and community design, air quality, biological resources, cultural and historic resources, geologic hazards, hydrology and water quality, land use, agriculture, and housing, noise, public facilities and infrastructure, recreation, safety, transportation and circulation, and long-term impacts/growth inducement. This information is presented in a manner to update information included in the 2005 Final EIR for the General Plan Land Use Element and Circulation Element Update. This section includes only information that differs substantively from what is included in the 2005 Final EIR.
- ***References and Preparers (Section 4.0)***, includes a full reference list and summary of the preparers of this SEIR.
- ***Glossary and Acronyms (Section 5.0)***, contains a glossary of planning terms and acronyms used in this SEIR, to aid the reader.



The Alternatives section of the 2005 Final EIR was prepared in accordance with Section 15126(d) of the *CEQA Guidelines* and focused on alternatives that are capable of eliminating or reducing significant adverse effects associated with the project while feasibly attaining most of the basic objectives of the project. In addition, the 2005 Final EIR identifies the "environmentally superior" alternative from the alternatives assessed. The alternatives evaluated in the 2005 Final EIR include the CEQA-required "No Development" Alternative and Buildout Under the Existing Land Use and Circulation Element "No Project" Alternative, an alternative that included a set of nine Affordable Housing Overlay Zone (AHOZ) key development sites, and an alternative that included a set of eight AHOZ key development sites. This alternatives analysis is incorporated by reference into this SEIR (refer to Section 1.2).

1.6 AREAS OF CONCERN

Pursuant to State CEQA Guidelines § 15123, this EIR acknowledges the areas of controversy and issues to be resolved which are known to the City of Buellton or were raised during the scoping process. A Notice of Preparation was prepared and circulated for a 30-day public review period that began on February 23, 2006 and ended March 24, 2006. Comment letters were received from four public agencies (i.e., Santa Barbara County Air Pollution Control District, California Department of Transportation, California Department of Fish and Game, and California Department of Conservation) in response to the NOP. NOP comment letters are included in Appendix A of this SEIR.

The primary environmental area of concern raised by the commenting agency includes:

- ❖ Impacts on public health by mixing incompatible uses
- ❖ Circulation improvements on Highways 101 and 246
- ❖ Pedestrian and bike paths
- ❖ Impacts on protected plant and animal species and habitats
- ❖ Direct, indirect and cumulative impacts on biological resources
- ❖ Impacts on wetlands and watercourses
- ❖ Impacts on Land Conservation (Williamson) Act lands and other agricultural lands



2.0 DESCRIPTION OF GENERAL PLAN UPDATE PHASE 2

The “proposed project” is Phase 2 of the City of Buellton General Plan Update, which includes updates of the Conservation and Open Space, Economic Development, Noise, Parks and Recreation, Public Facilities and Services, and Safety Elements, and amendments to the City’s adopted Land Use Element. The project constitutes the second and final phase of the City’s General Plan Update program. The Phase 2 General Plan Update Elements further identify the community’s vision for its development through the year 2025, as previously established in the Phase 1 General Plan Housing, Land Use, and Circulation Element Updates.

2.1 PHASE 2 GENERAL PLAN ELEMENT UPDATES

Phase 2 of the General Plan Update includes comprehensive updates to the Conservation and Open Space, Economic Development, Noise, Parks and Recreation, Public Facilities and Services, and Safety Elements. The full text of the proposed Phase 2 General Plan Update element goals, policies, and programs are contained in Appendix A of this SEIR.

Most of the physical changes that are anticipated to occur as a result of the General Plan Update were associated with implementation of the Phase 1 Land Use, Housing, and Circulation Elements and were addressed in the 2005 Final EIR. The remaining Elements: Conservation and Open Space, Economic Development, Noise, Parks and Recreation, Public Facilities and Services, and Safety, provide policy direction that guides the nature of land use and circulation changes. Many of the goals, policies, and programs in the Phase 2 General Plan Update elements are specifically intended to mitigate the environmental effects associated with future growth in the City, as planned in the Phase 1 General Plan Update Land Use and Circulation Elements. The effect of each Phase 2 General Plan Update Element on the physical environment is described briefly below.

Conservation and Open Space Element. This portion of the General Plan is primarily concerned with the protection of natural resources, including open space, biological resources, water and mineral resources. Its policies also include the protection of agriculture, historic resources and the scenic qualities of the area. The effect of this element on the built environment is to minimize development in areas that could affect such resources or to identify design standards for new development to ensure that the resources are protected.

Economic Development Element. The Economic Development Element identifies the economic factors affecting the City, presents the economic development goals and policies, and formulates an Economic Development Plan. Its goals seek to attract new businesses offering high wage jobs, encourage existing business retention and expansion, attract tourism, and guide retail development. While this element encourages economic development and business growth, it does not propose physical changes to existing land use or circulation patterns.

Noise Element. The Noise Element describes the existing and projected future noise sources affecting the City, and includes goals and policies to minimize their impact on surrounding sensitive land uses. The major sources of noise include major roadways, and commercial or industrial uses. The Noise element does not propose physical changes to existing land use or circulation patterns. Policies and programs contained within the Noise



Element impose restrictions and conditions on the type of land uses that may be exposed to noise. In this sense, it guides the future land use pattern by separating incompatible land uses.

Parks and Recreation Element. This element describes the existing parks and recreation facilities in the City, and establishes standards to be achieved in terms of the number and type of facilities to be provided to serve the needs of current and future City residents. This element includes policies and programs for park requirements that in part affect the circulation and land use patterns of the City. The City Parks and Recreation Commission envisions a future passive use park, Sharon Place Park, north of Sharon Place, as well as a trail system. The Parks and Recreation Commission recommended approval of an update to the Parks and Recreation Master Plan in 2006.

Public Facilities and Services Element. The Public Facilities and Services Element plans for the provision of public facilities and services, including water supply, wastewater disposal, stormwater drainage, police protection, fire protection, schools, and libraries, in a manner that keeps pace with future development. The provision of these facilities and services would serve to mitigate public services and utilities impacts associated with future development in the City. Environmental impacts associated with the construction of potential future public facilities were addressed in the 2005 Final EIR. The Public Facilities and Services Element Update does not identify additional facility or service improvements beyond those addressed in the 2005 Final EIR.

Safety Element. The Safety Element includes policies to minimize risk from both natural and manmade hazards, including earthquakes, fires, floods, hazardous materials, radon, and highway accidents. The Safety Element programs are designed to avoid where possible exposure to risk and/or creation of risk altogether, and if this is not feasible, provide mitigation of potential impacts to acceptable levels. Measures to avoid and/or mitigate potential impacts that could theoretically arise from exposure to hazards, particularly those associated with new development, are provided.

For example, the Safety Element calls for restricted land uses in areas where known hazards (such as earthquake faults) occur. The Safety Element also includes measures that apply to building construction to safeguard them from hazards. Similar to the Conservation and Open Space Element, while no physical changes to the land use or circulation patterns of the City are proposed in the Safety Element, this element guides future land uses by directing them away from high hazard areas.

2.2 LAND USE ELEMENT AMENDMENTS

Phase 2 of the General Plan Update includes two proposed amendments to the adopted Land Use Element and one change to the zoning map.

The General Plan land use and zoning designations on 7 contiguous parcels on the block bounded by a public alley and Central Avenue, from Second Street to First Street (including 410/420, 430, 440, 450, 460, 470, and 480 Central Avenue, and 45 First Street), along with five properties south of First Street (30 First Street and 340, 360, 361, and 380 Central Avenue) would be changed from General Commercial (CR) to Multi-Family Residential, 16 units per acre (RM-16) use. Figures 2-1, 2-2, and 2-3 depict the proposed land use redesignation area, revised



zoning map, and revised General Plan land use map, respectively. The land use redesignation has been requested by the owner of these parcels. The redesignation of these parcels would extend the existing RM-16 zoning district adjacent to the site along Central Avenue to the north and west.

In addition, the City proposes to amend the Land Use Element to add the following new policy:

“Commercial Recreational Development

L-37 Encourage a redesignation of land use for the 24-acre parcel located east of Industrial Way and south and east of Zaca Creek (south half of APN 099-690-32) to commercial recreational use subject to the following: (i) the redesignation must be accompanied with, and be tied to, a specific Development Plan for the site; (ii) issues of access and integration with adjacent parcels must be addressed and resolved to the City's satisfaction; (iii) resource values and environmental impacts must be evaluated and appropriately mitigated; and (iv) provision must be made for future development of a linear park along the Santa Ynez River, in fee or by easement. The land use redesignation will not occur until all policy parameters are satisfied.”

It should be noted that the proposed addition of Land Use Element Policy L-37 would not result in physical changes to the parcel in question. Redesignation of the parcel would require separate environmental review pursuant to the California Environmental Quality Act (CEQA).

2.3 UPDATED BUILDOUT PROJECTION

Amendment of the Land Use Element to redesignate and re-zone 12 parcels along Central Avenue from General Commercial (CR) to Multi-Family Residential (RM-16) use would alter the City’s mix of land uses under year 2025 buildout conditions. Table 2-1 compares the year 2025 buildout scenarios in the City with the currently adopted land use mix and with the proposed Land Use Element amendment. Year 2025 buildout with the proposed Land Use Element amendment would include 11 additional multi-family residential units, and a reduction of 29,400 square feet of commercial use. It should be noted that the balance of the proposed Phase 2 General Plan Element Updates, including the proposed addition of Land Use Element Policy L-37, would not affect the buildout assumptions for the City.

Table 2-1. City of Buellton Year 2025 Scenarios

	Existing Development in City	Future Development Potential	Total in Year 2025 (Existing plus Potential)
Adopted General Plan			
Dwelling Units			
Multi-Family (Units)	568	1,660	2,228
Single-Family (Units)	1,204	143	1,347
Commercial Use (ft²)	2,874,176	411,753	3,285,929
Industrial Use (ft²)	985,719	815,380	1,801,099
Proposed Land Use Element Amendment			
Dwelling Units			
Multi-Family (Units)	568	1,671	2,239
Single-Family (Units)	1,204	143	1,347
Commercial Use (ft²)	2,874,176	382,350	3,256,526
Industrial Use (ft²)	985,719	815,380	1,801,099



2.4 PROJECT OBJECTIVES

State law (Government Code Section 65300) requires that each city and county adopt a comprehensive general plan. Phase 2 of the General Plan Update fulfills this requirement by updating the City's existing Conservation and Open Space, Economic Development, Noise, Parks and Recreation, Public Facilities and Services, and Safety Element, which were last comprehensively updated in 1993, and by amending the City's adopted Land Use Element. City decision-makers will use these Elements as a blueprint for:

- *Choices about the use of land;*
- *Provision of supporting infrastructure and public and human services;*
- *Protection of environmental resources; and*
- *Allocation of fiscal resources.*

The objectives of the General Plan Update are to:

- *Respond to changes that have occurred since initial General Plan adoption;*
- *Refine/update the provisions of the General Plan Elements in recognition of the changes that have occurred and the new opportunities that are now available as a result of these changes;*
- *Integrate these General Plan elements at a policy level into a cohesive document;*
- *Address geographic areas within the City that have distinct planning issues, constraints, and opportunities; and*
- *Comply with the state housing mandates and Regional Housing Needs Assessment (RHNA) goals for the provision of adequate housing sites.*

Phase 2 of the General Plan Update clarifies and articulates the City's intentions with respect to the rights and expectations of the community, including residents, property owners, and businesses. Through these Elements, the City informs these groups of its goals, policies, and standards, thereby communicating expectations of the public and private sectors for meeting community objectives.

2.5 REQUIRED APPROVALS

With recommendations from the Planning Commission, the City of Buellton City Council will need to take the following discretionary actions in conjunction with the proposed Phase 2 General Plan Update:

- *Certification of the Final SEIR on Phase 2 of the General Plan Update*
- *Approval of the proposed Phase 2 General Plan Update, General Plan Amendment and Rezone for Twelve Parcels*

The SEIR would also allow other actions to be considered by state and regional agencies, including the following:

- **California Department of Conservation, Division of Mines and Geology.** This department will review the Safety Element for compliance with state regulations.



- **California Department of Transportation (Caltrans).** This state department will use the SEIR and General Plan in assisting that agency's long-range forecasts, planning and programming efforts.
- **Santa Barbara County Association of Governments (SBCAG).** This regional agency will use the SEIR and General Plan in assisting that agency's long-range forecasts, planning and programming efforts.



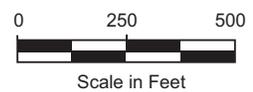
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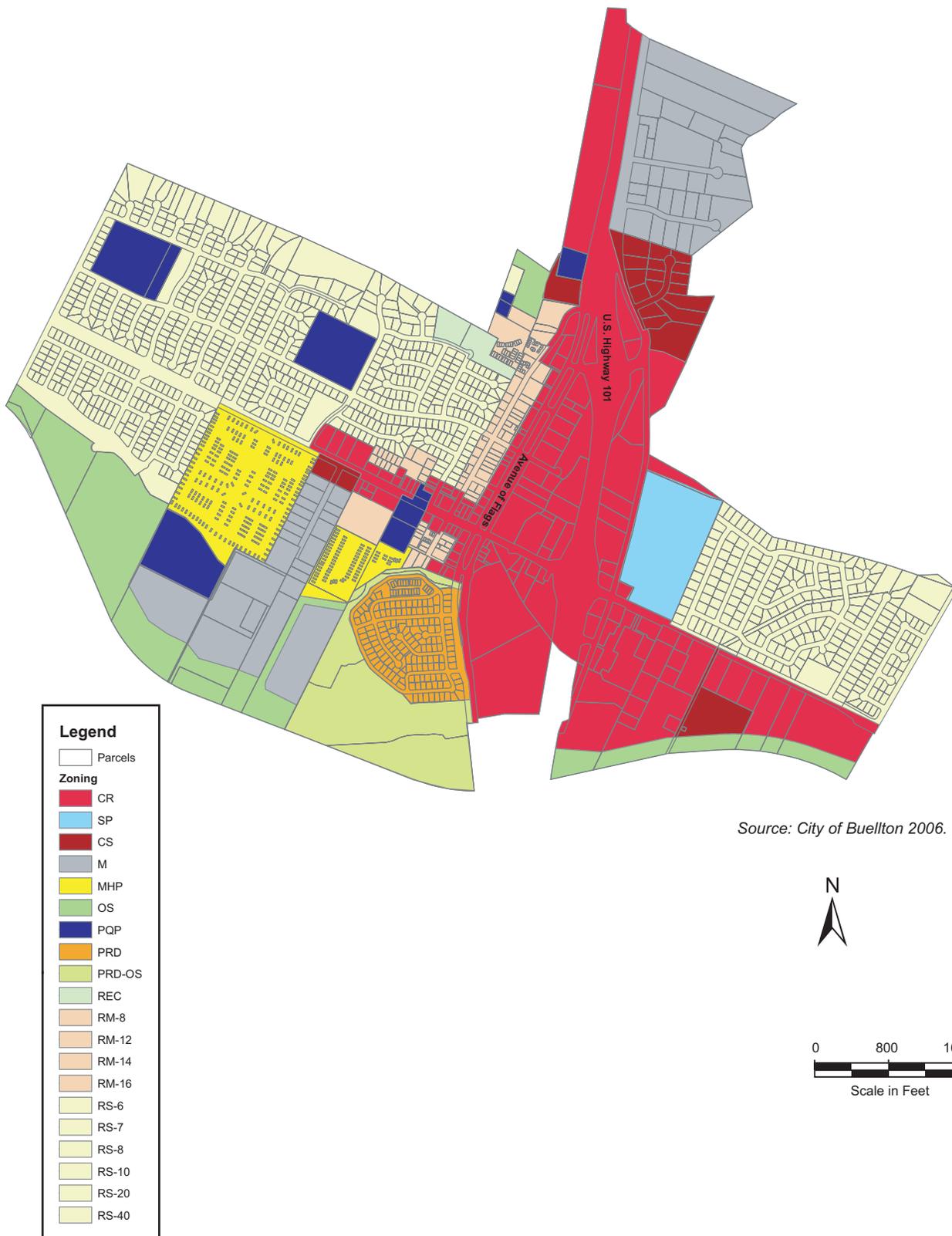
Source: City of Buellton May 2006.

 Parcels Proposed for Rezoning from General Commercial (CR) to Multi-family Residential, 16 Units Per Acre (RM-16).



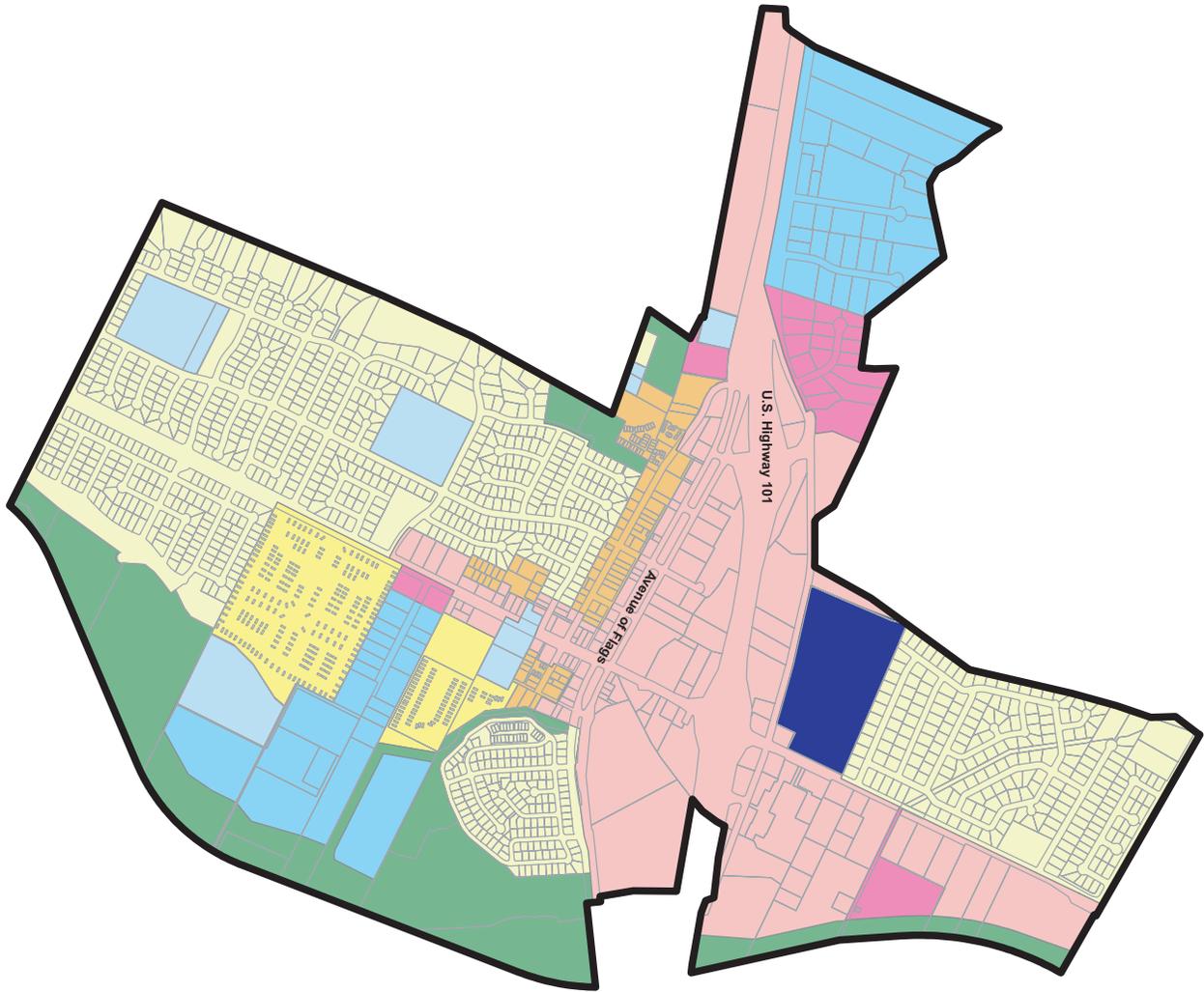
Central Avenue Parcels Proposed for Rezoning

Figure 2-1
City of Buellton

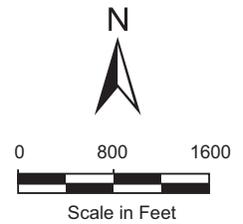
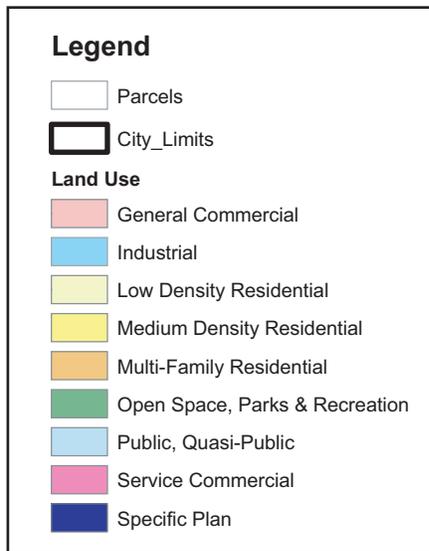


Proposed General Plan Zoning Map

Figure 2-2
 City of Buellton



Source: City of Buellton 2006.



Proposed General Plan Land Use Map

Figure 2-3
 City of Buellton

3.0 ENVIRONMENTAL IMPACT ANALYSIS OF GENERAL PLAN UPDATE PHASE 2

The focus of the Supplemental EIR impact analysis is on land use compatibility effects (aesthetics, noise, etc.) and per capita generation effects (schools, park demand, etc.) associated with the land use changes on the 12 Central Avenue parcels proposed for rezoning to Multi-Family Residential, 16 units per acre (RM-16). No other land use changes are proposed. In addition, this Supplemental EIR addresses impacts due to new policy guidance established by Phase 2 of the General Plan Update.

In general, buildout of the Phase 2 General Plan Update would have impacts of a similar magnitude to those expected under the buildout of the Phase 1 General Plan Update. Each environmental issue area evaluated for buildout of the Phase 1 General Plan Update is analyzed below for buildout of the Phase 2 General Plan Update. Because the proposed rezone would envision a slight increase in the number of residential units under buildout conditions (i.e., 11 additional units), it would result in marginally greater impacts for issues that are based primarily on numerical projections, such as air quality, water consumption, wastewater generation, and other public services and utilities. However, since the Final Program EIR for Phase 1 of the General Plan Update evaluated a reasonable worst-case scenario of full site disturbance of the identified Central Avenue parcels, the proposed rezoning of the Central Avenue parcels under Phase 2 of the General Plan Update would result in a similar amount of site disturbance, and no additional site disturbance impacts (e.g., biological resources, cultural and historic resources, geologic hazards, hydrology and water quality) would result. In addition, the proposed land use changes with Phase 2 of the General Plan Update would eliminate the commercial buildout potential of the identified Central Avenue parcels, which would reduce citywide commercial buildout by approximately 29,400 square feet.

Phase 2 of the General Plan includes an update of the City of Buellton General Plan Conservation and Open Space Element, Economic Development Element, Noise Element, Parks and Recreation Element, Public Facilities and Services Element, and Safety Element. It should be noted these elements are generally mitigative in nature, thereby reducing potential physical impacts. For example, the Conservation and Open Space Element establishes policies and programs to protect and preserve the natural resources in and around Buellton, including creeks, hillsides and scenic areas. The Public Facilities and Services Element includes policies to mitigate potential impacts from the development of public facilities. For example, Policy PF-7 requires that public facilities, such as wells, pumps, tanks, and yards be located and designed so that noise, light, odors, and appearances do not significantly affect nearby land uses.

Overall, policy guidance provided by the Conservation and Open Space Element, Economic Development Element, Noise Element, Public Facilities and Services Element, and Safety Element would not result in physical impacts. The Parks and Recreation Element includes policies to identify future locations for new municipal facilities, including Policy PR-2 (public swimming pool) and Policy PR-3 (community center). However, the Parks and Recreation Element does not identify potential sites for a public swimming pool or community center. Therefore, physical impacts that may result from implementation of these policies would be considered speculative at this time. Additional environmental review would be required prior to construction of these facilities once sites are identified.



Specific impacts associated with the proposed rezone of the 12 Central Avenue parcels are discussed below for the following environmental issue areas.

- **Aesthetics and Community Design**
- **Air Quality**
- **Biological Resources**
- **Cultural and Historic Resources**
- **Geologic Hazards**
- **Hydrology and Water Quality**
- **Land Use, Agriculture, and Housing**
- **Noise**
- **Public Services and Infrastructure**
- **Recreation**
- **Safety**
- **Transportation and Circulation**
- **Long-Term Impacts/Growth Inducement**

Aesthetics and Community Design. The proposed rezoning of the 12 Central Avenue parcels would result in the potential for 11 more residential units at buildout than expected under the Phase 1 General Plan Update. In addition, the proposed rezone with Phase 2 of the General Plan Update would eliminate the commercial buildout potential of the identified Central Avenue parcels, which would reduce citywide commercial buildout by approximately 29,400 square feet. Therefore, buildout of the identified Central Avenue parcels under Phase 2 of the General Plan Update would result in a similar amount of site disturbance and urban uses, but a more residential character, when compared to buildout under Phase 1 of the General Plan Update. Future development on the Central Avenue rezone parcels would be considered infill development consistent with the urban context of the area.

City of Buellton Zoning Ordinance requirements for both the General Commercial (CR) and Multi-Family Residential (RM) zoning designations set a maximum building height of 35 feet. The proposed rezone to Multi-Family Residential (RM) would result in larger setbacks from property lines, compared to the setback requirement applicable to the General Commercial (CR) zoning district. In addition, the proposed project development intensity would be reduced when compared to commercial development intensity allowable in the CR zoning district. Therefore, viewing corridor impacts, as addressed in the Final Program EIR, would be similar or slightly reduced with the proposed rezone compared to the Phase 1 General Plan Update.

Similarly, since the Final Program EIR for Phase 1 of the General Plan Update evaluated a reasonable worst-case scenario of full site disturbance of the identified parcels, the proposed rezoning would result in a similar amount of site disturbance, and therefore similar light and glare impacts. Implementation of mitigation measures outlined in the Final Program EIR, such as adherence to the City's Community Design Guidelines, compliance with General Plan policies, and the use of non-reflective exterior materials, would reduce impacts to a less than significant level.

Air Quality. The Phase 1 General Plan Update was determined to be inconsistent with the 2004 Clean Air Plan (CAP) population forecasts because it would generate an estimated 3,068 more residents than projected in the Santa Barbara County Association of Governments



(SBCAG) 2002 Regional Growth Forecast. The proposed rezoning of the 12 Central Avenue parcels would result in the potential for 11 more residential units at buildout than expected under the Phase 1 General Plan Update and an associated population increase of approximately 28 residents. Therefore, the proposed rezone would result in marginally greater impacts related to CAP inconsistency compared to the Phase 1 General Plan Update. Implementation of mitigation measures outlined in the Final Program EIR, such as compliance with General Plan policies and implementation of CAP Transportation Control Measures (TCMs), would be required. Impacts would remain significant and unavoidable.

Operational impacts related to vehicle emissions would be reduced with the proposed Central Avenue rezone compared to buildout of the area with the Phase 1 General Plan Update. Although the proposed rezone would result in the potential for 11 additional residential units and an associated 73 additional average daily trips, the proposed rezone would also result in a reduction of approximately 29,400 square feet of commercial space and an associated 1,260 fewer average daily trips. The proposed rezone would therefore result in a net decrease in vehicle trips (1,187 fewer ADT than Phase 1 buildout conditions). Therefore, impacts related to vehicle air emissions would be reduced under the proposed rezone compared to the Phase 1 General Plan Update.

The proposed rezone would result in residential uses located immediately adjacent to commercial uses to the east. Adjacent commercial uses include an existing dry cleaning business on Avenue of Flags that would be considered a source of toxic air contaminants from the use of perchloroethylene, a substance that persists in the atmosphere long enough to contribute to localized contaminant exposure. The use of this substance by dry cleaners is regulated by the Santa Barbara County Air Pollution Control District (SBCAPCD), and the California Air Resources Board (ARB), which adopted an Airborne Toxic Control Measure (ATCM) for perchloroethylene from dry cleaning operations in 1993. Nevertheless, even with regulatory controls, residual emissions of this substance can result in adverse health effects. Buellton General Plan Conservation Element policy C/OS-24, which states that “the City shall, to the extent practicable, physically separate sensitive land uses from substantial sources of air pollution”, would reduce this impact to a less than significant level. Since the adjacent dry cleaning operation would be considered a substantial source of air pollution, future residential uses on the proposed rezone site would be required to be separated from the source when a development application is submitted. ARB recommends a setback distance of 300 feet from single-machine dry cleaning operations that use perchloroethylene (ARB; “Air Quality and Land Use Handbook: A Community Health Perspective”, April 2005). However, the ultimate buffer distance would be determined through the City’s development review process, in consultation with SBCAPCD.

Construction related emissions under the proposed rezone would be similar to the Phase 1 General Plan Update. Because the Final Program EIR for Phase 1 of the General Plan Update evaluated a reasonable worst-case scenario of full site disturbance of the identified parcels, the proposed rezone would result in a similar amount of anticipated site disturbance, and therefore similar construction-related air quality impacts, as identified in the Final Program EIR. Implementation of mitigation measures outlined in the Final Program EIR, such as standard dust control procedures, application of standard CBACT, and standard ozone precursor controls, would similarly reduce *impacts to a less than significant level*.



Biological Resources. Because the Final Program EIR for Phase 1 of the General Plan Update evaluated a reasonable worst-case scenario of full site disturbance, the proposed rezoning of the Central Avenue parcels under Phase 2 of the General Plan Update would result in a similar amount of site disturbance. The proposed rezone parcels are located in an urban area. No protected habitats or water features are located on the parcels. Therefore, the proposed rezone would result in similar impacts related to biological resources compared to the Phase 1 General Plan Update.

Cultural and Historic Resources. Since the proposed rezoning of the Central Avenue parcels under Phase 2 of the General Plan Update would result in a similar amount of site disturbance as anticipated in the Phase 1 General Plan Update. No known cultural or historic resources have been identified on the proposed rezone parcels. The proposed rezone would result in similar potential impacts related to previously unidentified cultural resources, and identified or unrecognized historic resources on the rezone site, as addressed in the Final Program EIR. Compliance with City General Plan Conservation and Open Space Element policies regarding the protection of cultural and historic resources would ensure that the proposed rezone would result in similar less than significant impacts.

Geologic Hazards. Since the proposed rezone would involve a similar future development area as anticipated under the Phase 1 General Plan Update, similar impacts related to potential ground shaking and soil hazards would result. The rezone parcels are not located in close proximity to the Santa Ynez River, Zaca Creek, or Thumbelina Creek and therefore would not be subject to liquefaction hazards associated with these watercourses. In addition, the proposed rezone parcels are not located on the outskirts of the City where steep slopes occur, and are therefore not susceptible to landslide hazards. Implementation of mitigation measures outlined in the Final Program EIR, including compliance with the Uniform Building Code, adherence to Safety Element policies, and implementation of the City's grading ordinance (Municipal Code Chapter 17.01), would reduce impacts to a less than significant level.

Hydrology and Water Quality. The 12 Central Avenue parcels are not located within a floodplain, flood hazard, or dam inundation area. Impacts related to flooding or dam inundation hazards, as discussed in the Final Program EIR, would therefore be less than significant. However, as both the Phase 1 General Plan Update and the proposed rezone would involve a similar amount of anticipated site disturbance on the 12 Central Avenue parcels, the amount of impervious surfaces introduced to the site would be similar. Therefore, the volume and rate of watershed runoff and pollutant loading from point and non-point sources would be similar. Implementation of mitigation measures outlined in the Final Program EIR, including the completion of site-specific drainage studies and plans, the use of pervious paving materials, implementation of storm water quality measures (including Best Management Practice (BMP) devices), and maintenance of BMP devices, would reduce impacts to a less than significant level.

Land Use, Agriculture, and Housing. The Phase 1 General Plan Update would result in *significant but mitigable* land use conflicts with adjacent existing and planned land uses. Mixed Use development under the Phase 1 General Plan Update (encouraged in areas with the General Commercial land use designation) would result in on-site compatibility issues between commercial and residential uses. With the Phase 2 General Plan Update, the 12 Central Avenue



parcels would be rezoned from General Commercial (CR) to Multi Family Residential (RM), thereby eliminating impacts related to potential on-site incompatibility between residential and commercial uses in mixed use developments. However, the conversion of the Central Avenue parcels to residential use would also increase the potential for land use incompatibility with adjacent off-site commercial uses. The City of Buellton Zoning Ordinance requires greater setbacks for the Multi-Family Residential (RM) zoning designation than the General Commercial (CR) designation, which would reduce impacts related to off-site compatibility. Overall, impacts related to incompatibilities with adjacent land uses would be similar with the proposed rezone, as compared to the Phase 1 General Plan Update.

According to the Final Program EIR, infill sites with the potential for future development may contain existing residences that would be demolished and replaced with new housing or other uses. This is considered a significant and unavoidable impact. The 12 Central Avenue parcels currently contain 13 residences. The parcels would be considered underutilized. Because the proposed rezone would result in the same amount of site disturbance on the infill site in question, the rezone would have the same potential for displacing existing residences as the Phase 1 General Plan Update. Compliance with General Plan Housing Element Policy L-15, which requires provision of relocation assistance to all persons displaced from residential units as a result of demolition or conversion, would reduce impacts to the extent feasible. However, no mitigation measures are available that could feasibly reduce this impact below threshold levels. Therefore, impacts with respect to displacement of existing residents would be similarly significant and unavoidable with the proposed rezone compared to the Phase 1 Update.

Impacts related to conversion of potential agricultural areas would be similarly less than significant, as the proposed rezone parcels would be considered infill parcels within an existing urban context. No active farmland or prime soils areas would be converted to urban use. Overall, impacts with respect to agriculture would be similar to the Phase 1 General Plan Update.

Noise. The proposed rezone would result in 1,187 fewer vehicle trips than the Phase 1 General Plan Update. Noise impacts associated with traffic generation at off-site receptors would therefore be somewhat reduced under the proposed rezone when compared to Phase 1 General Plan Update.

The proposed rezone would also result in similar impacts related to noise compatibility. Residential uses adjacent to commercial uses can result in noise nuisances to residential uses because of the traffic, loading docks, mechanical equipment (such as generator, heating, ventilation and air conditioning (HVAC) units), deliveries, trash hauling activities, and customer and employee use of the facilities associated with commercial uses. Mixed Use development under the Phase 1 General Plan Update (encouraged in areas with the General Commercial land use designation) would result in on-site noise compatibility issues between commercial and residential uses. With the Phase 2 General Plan Update, the 12 Central Avenue parcels would be rezoned from General Commercial (CR) to Multi Family Residential (RM), thereby eliminating impacts related to potential on-site incompatibility between residential and commercial uses in mixed use developments. However, the conversion of the Central Avenue parcels to residential use would also increase the potential for noise incompatibility with adjacent off-site commercial uses. The City of Buellton Zoning Ordinance requires greater setbacks for the Multi-Family Residential (RM) zoning designation than the General



Commercial (CR) designation, which would reduce impacts related to noise incompatibility with off-site uses. Overall, impacts related to incompatibilities with adjacent land uses would be similar with the proposed rezone, as compared to the Phase 1 General Plan Update.

The proposed rezone would result in a greater number of residential uses that would be considered sensitive noise receptors that could be exposed to roadway noise from Central Avenue and the Avenue of Flags. However, due to the relatively low traffic volumes on these roadways, this impact would be considered less than significant.

Because the proposed rezoning of the Central Avenue parcels would result in a similar amount of site disturbance at buildout, the proposed rezone would result in similar impacts related to construction-related noise impacts, as compared to the Phase 1 General Plan Update. Implementation of mitigation measures in the Final Program EIR, including a Construction Noise Ordinance to limit the hours of construction activity, would reduce impacts to a less than significant level.

Public Services and Infrastructure. Impacts related to fire protection, police protection, community libraries, public schools, solid waste, water, and wastewater are described below.

Fire Protection, Police Protection, and Community Libraries. The proposed rezone would result in 11 additional residential units and an associated population of approximately 28 residents at buildout. As discussed in Section 4.9 *Public Services and Infrastructure* of the Final Program EIR, the existing Fire Department staffing level would accommodate buildout of the Phase 1 General Plan Update. Although demand for fire protection and emergency medical services would be incrementally increased under the Phase 2 General Plan Update, existing Fire Department staffing levels are adequate to accommodate the proposed rezone while maintaining the desired level of fire protection services (1.3 firefighters per 1,000 residents). Similarly, the proposed rezone would place marginally greater demand on police protection services compared to the Phase 1 General Plan Update. However, this growth would not be accommodated by existing Police Department staffing levels. The payment of development impact fees would reduce impacts to a less than significant level. In addition, the payment of required development impact fees would reduce impacts on library facilities and services, which would experience increased demand under buildout of the Phase 2 General Plan Update. Impacts to fire protection, police protection, and community libraries would be less than significant.

Schools. As discussed in Section 4.9 *Public Services and Infrastructure* of the Final Program EIR, the Phase 1 General Plan Update would generate approximately 1,872 students at the K through 8 grade level and approximately 156 students at the 9 through 12 grade level. Using student generation factors provided in the Final Program EIR (0.52 students per multi-family unit for grades K through 8 and 0.0771 per multi-family unit for grades 9 through 12), the proposed rezone would generate an additional 6 new students in the K through 8 grade levels and 1 new student at the 9 through 12 grade level. Therefore, the proposed rezone would result in marginally greater impacts to schools compared to the Phase 1 General Plan Update, although impacts would remain less than significant with the payment of required statutory school fees.



Solid Waste. Although the proposed rezone would result in the potential for 11 additional residential units and an associated 84 additional pounds per day of solid waste (based on an average of 3 pounds per resident per day), the proposed rezone would also result in a reduction of approximately 29,400 square feet of commercial space and an associated 345 fewer pounds per day of solid waste (based on an average of 6.9 pounds per employee per day and 1 employee per 585 square feet of commercial space). The proposed rezone would therefore result in a net decrease in solid waste generation (261 pounds per day less than Phase 1 buildout conditions). This would slightly reduce impacts related to landfill capacity, which are considered less than significant in the Final Program EIR.

Water. Although the proposed rezone would result in the potential for 11 additional residential units and an associated demand of 2.86 acre-feet per year (AFY) (based on a water demand factor of 0.26 AFY/unit), the proposed rezone would also result in a reduction of approximately 29,400 square feet of commercial space and an associated demand decrease of 3.23 AFY (based on a water demand factor of 0.11 AFY/1,000 square feet). The proposed rezone would therefore result in a net decrease in water service demand (0.37 AFY less than Phase 1 buildout conditions). This would slightly reduce impacts related to water demand, which are considered less than significant in the Final Program EIR.

Wastewater. Although the proposed Central Avenue rezone would result in 11 additional residential units and therefore an increase in wastewater flow, the rezone would also result in the loss of approximately 29,400 square feet of commercial space and therefore reduce commercial-related wastewater flow. Assuming that 90% of water demand becomes wastewater, the rezone would result in a net decrease of 330 gallons per day (or 0.00033 million gallons per day [mgd]). Although impacts would be incrementally reduced, wastewater flow would still exceed the current treatment capacity of the City's wastewater treatment plant. Impacts would remain less than significant, however, with the payment of required impact fees to fund improvements and offset impacts on the treatment plant.

Recreation. The proposed rezone would result in 11 additional residential units and an associated population of approximately 28 residents at buildout. As discussed in Section 4.9 *Public Services and Infrastructure* of the Final Program EIR, the City's current Quimby Act parkland to population ratio is 5 acres per 1,000 residents. Using this ratio, the proposed Central Avenue rezone would increase demand for parkland by 0.14 acres compared to the Phase 1 General Plan Update, resulting in a total deficiency of approximately 17.14 acres of parkland by the year 2025. The proposed rezone would result in greater impacts when compared to the Phase 1 Update.

The City requires new residential development to either dedicate parkland or pay park-in-lieu fees to fund park development and maintenance. Even with payment of these fees, no mitigation measures are feasible to achieve consistency with the City parkland to population ratio standards. Therefore, the proposed rezone would result in similar significant and unavoidable impacts.

Safety. The proposed rezone would result in 11 additional residential units and an associated population of approximately 28 residents at buildout, and would therefore increase the likelihood of residents being exposed to hazardous materials releases from the adjacent commercial uses. However, the proposed rezone would eliminate on-site commercial uses at buildout, which



would reduce the potential for exposure to hazardous materials. As described in the Final Program EIR, the proposed rezone parcels are not known to contain hazardous materials. Implementation of mitigation measures outlined in the Final Program EIR, including procedures in the event that hazardous materials are discovered on the parcels, would reduce impacts to a less than significant level. Overall, impacts related to potential hazardous material exposure would be similar compared to the Phase 1 General Plan Update.

In addition, because the proposed rezoning of the Central Avenue parcels would result in a similar amount of site disturbance, the proposed rezone would result in similar levels of potential future demolition as the Phase 1 Update. Therefore, demolition-related hazardous material impacts would be the same under both scenarios. Implementation of mitigation measures outlined in the Final Program EIR, including asbestos sampling and supervision and lead-based paint management, would reduce impacts to a less than significant level.

The proposed rezone would not result in impacts related to risk of upset and aerially-deposited lead (ADL) due to the distance between the proposed rezone parcels and Highways 101 and 246.

Transportation and Circulation. Although the proposed Central Avenue rezone would result in 11 additional residential units and therefore an increase in vehicle trips, the rezone would also result in the loss of approximately 29,400 square feet of commercial space and therefore reduce commercial-related daily trips. Overall, the rezone would result in a net decrease of 1,187 vehicle trips. This would slightly reduce impacts related to intersection levels of service (LOS), which are considered significant and unavoidable in the Final Program EIR. Impacts related to intersection LOS would be somewhat reduced under the proposed rezone compared to the Phase 1 General Plan Update. As with Phase 1 of the General Plan Update, programmed circulation improvements would address LOS deficiencies over time. However, impacts would remain significant and unavoidable because of the uncertainty of funding and timing of future improvements, and uncertainty regarding Caltrans approval for improvements within their jurisdiction.

Although the proposed rezone would result in fewer impacts related to LOS, because the rezone would result in 11 additional residential units and an associated population of approximately 28 residents, it would increase impacts related to demand for pedestrian and bicycle facilities and bus services. According to the Final Program EIR, these impacts are less than significant following implementation of Phase 1 General Plan Update policies that promote such facilities and services. Overall, impacts related to pedestrian, bicycle and bus facilities would be similarly less than significant with the proposed rezone, as compared to the Phase 1 Update.

Long Term Impacts/Growth Inducement. As stated in the Final Program EIR, the Phase 1 General Plan Update could indirectly induce both population and economic growth in the City, although the level of growth would depend upon a variety of factors, including the local economy and associated demand for housing in the area. The proposed rezone would result in 11 additional residential units and an associated population of approximately 28 residents at buildout, when compared to the Phase 1 General Plan Update. However, neither the Phase 1 General Plan Update nor the proposed rezone change the existing City Limits or Sphere of Influence or require additional regional transportation facilities beyond those already identified



in SBCAG's Regional Transportation Plan (RTP). Therefore, growth inducing impacts would be similar with the proposed rezone, as compared to the Phase 1 General Plan Update.

The Final Program EIR discusses the following significant irreversible impacts associated with the Phase 1 General Plan Update: (1) the alteration of the character or environment of infill areas; (2) the reduction of transportation levels of service of certain intersections in the City to unacceptable levels; (3) the displacement of existing residents associated with new construction under future buildout conditions; and (4) the increased consumption of non-renewable resources such as oil and natural gas.

Because the proposed rezone would result in the same amount of site disturbance on the Central Avenue rezone parcels, the rezone would have the same impacts related to alteration of character and the same potential for displacing existing residences on the site as the Phase 1 General Plan Update (refer to the *Aesthetics and Community Design* and *Land Use, Agriculture, and Housing* discussions above). In addition, although the proposed rezone would result in a net decrease of 1,187 vehicle trips, impacts related to intersection LOS would remain significant and unavoidable (refer to *Transportation and Circulation* discussion above). Since the proposed rezone would result in 11 additional residential units and an associated population of approximately 28 residents, impacts related to the consumption of non-renewable resources would be similarly significant and unavoidable with the proposed rezone, as compared to the Phase 1 General Plan Update.



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4.1 REFERENCES

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Pacific Region News Release: Critical Habitat Designated for California Red-legged Frog. <http://www.r1.fws.gov/news/2001-43.htm>. March 6, 2001.

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Woodman, Craig F., Rudolph, James L., Rudolph, Teresa P. (editors). *Western Chumash Prehistory: Resource Use and Settlement in the Santa Ynez River Valley.* 1991.

4.1.2 Agencies/Individuals Contacted

Adam Estabrook, Engineer Inspector, County of Santa Barbara Fire Department, City of Buellton, Written Communication, 2006.

Bill Albrecht, Public Works Director. 2006.

Kyle Abello, Buellton Recreation Coordinator, City of Buellton. Written Communication. 2006.

Lt. Leland Bentley, Station Commander, Buellton Police Department. Written Communication. 2006.

Tom Cooper, Superintendent, BUSD. Written Communication. 2006.

Colleen Hankins, Accounting, County of Santa Barbara Public Works Department. 2006.

4.2 LIST OF PREPARERS

This EIR was prepared by Rincon Consultants, Inc. under contract to the City of Buellton. Mr. Marc Bierdzinski, Planning Director, was the project manager for the City of Buellton Planning Department. Persons involved in data gathering analysis, project management, and quality control include:

Rincon Consultants:

John Rickenbach, AICP, Principal-in-charge
Richard Daulton, Project Manager
Trevor Keith, Associate Environmental Planner
Megan Edgar, Associate Environmental Planner
Tim Dodson, Associate Environmental Planner
Kevin Merk, Senior Plant Ecologist/Restoration Specialist
Joanne Dramko, GIS Specialist



Katherine Warner, Graphic Designer
Kathy Babcock, Graphic Designer

Associated Transportation Engineers

Richard Pool, Principal
Darryl Nelson, Traffic Engineer

MNS Engineers

Tom Evans, Consulting Engineer
Jeff Edwards, Principal Project Manager
Travis Smith, GIS Specialist

City of Buellton Staff

Marc Bierdzinski, AICP, Planning Director
Angela Perez, Assistant Planner



5.0 GLOSSARY & ACRONYMS

5.1 GLOSSARY

This glossary is provided to the reader as a reference. These summaries are not intended as comprehensive definitions, and the terms should be considered in the context in which they are used. Because of the many sources of technical information, several terms and conventions have been used throughout the document.

100-YEAR FLOOD ZONE:	Land area having a one percent chance of being flooded during a specified year.
A-WEIGHTED DECIBEL:	Also called dBA. A number representing the sound level which is frequency weighted in accordance to a prescribed frequency response established by the American National Standards Institute (ANSI-S1.4-1971) and accounts for the response of the human ear.
ACTIVE FAULT:	A fault on which movement has occurred during the past 10,000 years and which may experience recurring movement, typically indicated by small periodic displacement or seismic activity.
AESTHETICS:	Referring to the way in which beauty is perceived.
AFFORDABLE HOUSING:	Housing capable of being purchased or rented by a household with very low, low, or moderate income, based on that household's ability to make monthly payments necessary to obtain housing. Housing is considered affordable when a household is paying less than 30 percent of its gross income (GMI) for housing including utilities.
AIR QUALITY:	A measure of health-related and visual characteristics of the air often derived from quantitative measurements of the concentrations of specific injurious or contaminating substances.
ALTERNATIVES:	Courses of action which may meet the objectives of a proposal at varying levels of accomplishment, including the most likely future conditions without the project or action.
AMBIENT CONDITIONS:	The initial background concentration sensed/measured at a monitoring/ sampling site, as in air quality or noise.



AMBIENT NOISE:	The background noise associated with a given environment, usually a composite of sounds from many sources near and far.
AQUIFER:	A layer of earth, porous rock, sand, or gravel beneath the surface of the earth through which water can seep or be held in natural storage. Aquifers generally contain sufficient water to be used as a water supply.
ARTERIAL:	A signalized street that serves primarily through traffic and provides access to abutting properties as a secondary function.
AREA OF INTEREST:	An area designated by LAFCo that surrounds each City. Each City's AOI abuts another City's AOI boundaries. The AOI includes the City, as well as its Sphere of Influence, and a large area surrounding the Sphere. The area outside the Sphere is typically not planned for by the individual cities. The AOI represents the City's possible eventual area of expansion, if LAFCo were to approve an expansion of the Sphere of Influence and ultimate annexation into this area.
ATTAINMENT AREA:	An area considered to have air quality as good as or better than the National Ambient Air Quality Standard as defined in the Clean Air Act. An area may be an attainment area for one pollutant and a nonattainment area for others.
CARBON MONOXIDE (CO):	A colorless, odorless gas that is toxic because of its tendency to reduce the oxygen-carrying capacity of the blood.
CITY LIMIT:	The corporate boundary of a City. This is the area over which a City has jurisdictional control. When land is annexed to a City, it is included in the City Limit. However, the City's General Plan typically also plans for areas outside the City Limits, but within the Sphere of Influence.
CLEAN AIR ACT (CAA):	The CAA legislates that air quality standards set by federal, state, and county regulatory agencies establish maximum allowable emission rates and pollutant concentrations for sources of air pollution on federal and private property. Also regulated under this law is proper removal and safe disposal of asbestos from buildings other than schools.



CNEL:	A noise compatibility level established by California Administrative Code, Title 21, Section 5000. The 24-hour average A-weighted sound level with a 5 dB weighting added to levels occurring between 10:00 p.m. and 7:00 a.m.
CONTAMINATION:	The degradation of naturally occurring water, air, or soil quality either directly or indirectly as a result of human activities.
CONTIGUOUS:	Lands or legal subdivisions having a common boundary; lands having only a common corner are generally not contiguous.
CRITERIA POLLUTANTS:	The Clean Air Act required the EPA to set air quality standards for common and widespread pollutants after preparing “criteria documents” summarizing scientific knowledge on their health effects. Currently, standards are in effect for six criteria pollutants: sulfur dioxide, carbon monoxide, particulate matter, nitrogen dioxide, ozone, and lead.
CULTURAL RESOURCE:	Prehistoric or historic districts, sites, buildings, objects, or other physical evidence of human existence considered important to a culture, subculture, or community for scientific, traditional, religious, or any other reason.
CUMULATIVE IMPACT:	As defined by CEQA, cumulative impact refers to two or more individual effects that, when considered together, are considerable or which compounds or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonable foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.
DECIBEL (dB):	A unit of measurement on a logarithmic scale which describes the magnitude of a particular quantity of sound pressure or power with respect of a standard reference value.
DEVELOPED:	Said of land, a lot, a parcel, or an area that has been built upon, or where public services have been installed prior to residential or commercial construction.



DISPERSION:	The process by which atmospheric pollutants disseminate because of wind and vertical stability.
EASEMENT:	A right given by the owner of land to another party for specific limited use of that land. An easement may be acquired by a government through dedication when the purchase of an entire interest in the property may be too expensive or unnecessary.
EMISSION FACTOR:	The rate at which pollutants are emitted into the atmosphere by one source or a combination of sources.
ENDANGERED SPECIES:	A species that is threatened with extinction throughout all or a significant amount of its range.
ENVIRONMENT:	The physical conditions that exist within the area that will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. The area involved shall be the area in which significant effects would occur either directly or indirectly as a result of the project. The “environment” includes both natural and man-made conditions.
FAULT:	Fracture in the earth’s crust accompanied by a displacement of one side of the fracture with respect to the other and in a direction parallel to the fracture.
FLOODPLAIN:	The relatively flat land positioned adjacent to a river channel that is covered by water when a river overflows its banks.
FOOTPRINT (Building):	The outline of the ground area covered by a building.
GENERAL PLAN:	A compendium of city or county policies regarding long-term development, in the form of maps and accompanying text. The General Plan is a legal document required of each local agency, such as the City of Anaheim, by the State of California Government Code Section 65301 and adopted by the City Council or Board of Supervisors.
GRADING:	Alteration of existing slope and shape of the ground surface.
HAZARDOUS MATERIAL:	A substance or mixture of substances that poses a substantial present or potential risk to human health or the environment. Any substance designated by the EPA to be reported if a designated quantity of the substance is spilled



in the waters of the United States or if it is otherwise released into the environment.

HAZARDOUS WASTE:

A waste or combination of wastes which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may either cause or significantly contribute to an increase in mortality or an increase in serious irreversible illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed. Regulated under the Resource Conservation and Recovery Act (RCRA).

IMPACT:

“Effects” and “impacts” are usually synonymous. Direct or primary effects are caused by the project and occur at the same time and place; indirect or secondary effects are caused by the project and are later in time or farther removed in distance but are still reasonably foreseeable. Indirect or secondary effects may include growth-inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate and related effects on air and water and other natural systems, including ecosystems.

INDIRECT IMPACT:

Effects caused by an action that are later in time or farther removed in distance but are still reasonably foreseeable. Indirect effects may include growth-inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.

INDIRECT SOURCE:

Any structure or installation that attracts an activity that creates emissions of pollutants. For example, a major employment center, a shopping center, an airport, or a stadium can all be considered to be indirect sources.

INFRASTRUCTURE:

The basic installations and facilities on which the continuance and growth of a locale depend (roads, schools, power plants, transportation, and communication systems).

INITIAL STUDY:

Under CEQA, a preliminary analysis prepared by the Lead Agency to determine whether an EIR or a Negative Declaration must be prepared to identify the significant environmental effects to be analyzed in an EIR.



LAND USE:	The purpose or activity for which a piece of land or its buildings is designed, arranged, or intended, or for which it is occupied or maintained.
LEAD AGENCY:	The public agency that has the principle responsibility for carrying out or approving a project. The Lead Agency will decide whether an EIR or Negative Declaration will be required for the project and will cause the document to be prepared.
LEVEL OF SERVICE (LOS):	In transportation analysis, a qualitative measure describing operational conditions within a traffic stream and how they are perceived by motorists and/or pedestrians. In public services, a measure describing the amount of public services available to community residents, generally expressed as the number of personnel providing service per 1,000 population.
MITIGATION MEASURE:	Mitigation includes avoiding the impact altogether by not taking a certain action or parts of an action; minimizing impacts by limiting the degree or magnitude of the action and its implementation; rectifying the impact by repairing, rehabilitating, or restoring the affected environment; reducing or eliminating the impact over time by preservation and maintenance during the life of the action; and compensating for the impact by replacing or providing substitute resources or environments.
MOBILE SOURCES:	A source of air pollution that is related to transportation vehicles, such as automobiles or buses.
MULTI-FAMILY HOUSING:	Townhouse or apartment units that accommodate more than one family though each dwelling unit is only occupied by one household.
NITROGEN OXIDES (NO _x):	Gases formed primarily by fuel combustion, which contribute to the formation of acid rain. Hydrocarbons and nitrogen oxides combine in the presence of sunlight to form ozone, a major constituent of smog.
NOISE:	Any sound that is undesirable because it interferes with speech and hearing, or intense enough to damage hearing, or is otherwise annoying.
NOISE BARRIER:	A wall or other solid structure constructed with the objective of attenuating (i.e., reducing) noise behind the barrier; commonly, a noise wall along a roadway.



NOTICE OF COMPLETION:	A brief notice filed with the California Office of Planning and Research (OPR) by a Lead Agency when it has completed a draft EIR and is prepared to make it available for review.
NOTICE OF DETERMINATION:	A brief notice to be filed by a public agency after it approves or determines to carry out a project that is subject to the requirements of CEQA.
NOTICE OF PREPARATION:	A brief notice sent by a Lead Agency to notify the Responsible Agencies, Trustee Agencies, and involved federal agencies that the Lead Agency plans to prepare an EIR for the project. The purpose of the notice is to solicit guidance from those agencies as to the scope and content of the environmental information to be included in the EIR. Public agencies are free to develop their own formats for this notice.
OZONE (O ₃):	A major ingredient of smog. Ozone is produced from reactions of hydrocarbons and nitrogen oxides in the presence of sunlight and heat.
PARTICULATE MATTER:	PM ₁₀ is a fractional sampling of particle sizes that approximate the extent to which particles with aerodynamic equivalent diameters smaller than fifty (50) microns penetrate to the lower respiratory tract. The "10" in PM ₁₀ refers to a 50 percent collection efficiency size range, not an upper size limit.
PEAK HOURS:	The hour of highest traffic volume on a given section of roadway between 7:00 a.m. and 9:00 a.m. or between 4:00 p.m. and 6:00 p.m.
PERMIT:	An authorization, license, or equivalent control document to implement the requirements of an environmental regulation.
PLANNING AREA:	Refers to any area for which a plan includes regulatory information.
POINT SOURCE:	A pollutant source that is fixed in location and that releases pollutants through a relatively small area, such as an air emissions stack or a pipeline outfall.
PRECURSOR:	A chemical compound that leads to the formation of a pollutant. Reactive organic gases and nitrogen oxides are precursors of photochemical oxidants.



REMEDiate:	To correct, or clean up (especially hazardous materials or wastes).
RESPONSIBLE AGENCY:	A public agency which proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term “Responsible Agency” includes all public agencies other than the Lead Agency that have discretionary approval power over the project.
SEICHE:	An wave generated by an earthquake in an enclosed body of water such as a lake, reservoir or bay.
SEISMICITY:	Relative occurrence of earthquakes with respect to frequency and distribution.
SIGNIFICANT IMPACT:	As defined by the California Environmental Quality Act, a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.
SPHERE OF INFLUENCE:	An area surrounding the City Limit that a City may plan for within its General Plan. However, the City has no jurisdictional control over areas in the Sphere, but outside the City Limit. A City may apply to LAFCo to annex areas within its Sphere. After annexation, the City assumes jurisdictional control.
STATIONARY SOURCE:	A source of air pollution that is not mobile, such as a heating plant or an exhaust stack from a laboratory.
STUDY AREA:	For the General Plan, the Study Area includes the ultimate Sphere of Influence after plan adoption. Consequently, the EIR uses this as its Study Area.
THREATENED SPECIES:	Plant or wildlife species likely to become endangered in the foreseeable future.
TOPOGRAPHY:	The physical shape of the ground surface.
TOXIC:	Harmful to living organisms.



TRIP:	The one-way movement from origin to destination, with each trip having two trip ends.
TRIP GENERATION:	The number of vehicle trip ends associated with (i.e., produced by) a particular land use or traffic study site. A trip end is defined as a single vehicle movement. Roundtrips consist of two trip ends.
TRUSTEE AGENCY:	<p>A state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. Trustee Agencies generally include:</p> <ul style="list-style-type: none">(a) The California Department of Fish and game with regard to the fish and wildlife of the state, to designated rare or endangered native plants, and to game refuges, ecological reserves, and other areas administered by the department.(b) The State Lands Commission with regard to state-owned "sovereign" lands such as the beds of navigable waters and state school lands.(c) The State Department of Parks and Recreation with regard to units of the State Park System.(d) The University of California with regard to sites within the Natural Land and Water Reserves System.
ZONING:	The division of a municipality into districts for the purpose of regulating land use, types of buildings, required yards, necessary off-street parking, and other prerequisites to development. Zones are generally shown on a map and the text of the zoning ordinances specifies requirement for each zoning category.

5.2 LIST OF ACRONYMS

ACM	Asbestos Containing Materials
ADL	Aerially-Deposited Lead
AF	Acre-feet
AHO	Affordable Housing Ordinance
AHOZ	Affordable Housing Overlay Zone
APCD	Air Pollution Control District
ATE	Associated Transportation Engineers
BFE	Base Flood Elevation
BMP	Best Management Practices
BOD	Biological Oxygen Demand
BUSD	Buellton Union School District
Caltrans	California Department of Transportation
CAP	Clean Air Plan



CARB	California Air Resources Board
CBACT	Best Available Control Technology for Construction Equipment
CBDES	California Basic Educational Data System
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFGC	California Fish and Game Code
CHP	California Highway Patrol
CMP	Congestion Management Program
CNDDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CO	Carbon Monoxide
Corps	U.S. Army Corps of Engineers
CR	General Commercial Zoning District
CRLF	California Red-legged frog
CS	Commercial Service Zoning District
CTS	California tiger salamander
dB	Decibels
dBA	A-weighted Decibels
DTSC	Department of Toxic Substances Control
DWR	California Department of Water Resources
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
ESU	Evolutionary Significant Unit
FEMA	Federal Emergency Management Act
FESA	Federal Endangered Species Act
GEO	General Education Obligation
HAPP	Housing Assistance Payment Program
HCD	State Housing and Community Development
HMBP	Hazardous Materials Business Plan
HVAC	Heating, Ventilation and Air Conditioning Units
HWMP	Hazardous Waste Management Plan
LAFCO	Local Agency Formation Commission
LBP	Lead Based Paint
LBV	Least Bell's Vireo
Ldn	Day-Night Average Noise Level
Leq	Equivalent Noise Level
LOS	Level of Service
LUST	Leaking Underground Storage Tank
M	Industrial Zoning District
MBTA	Migratory Bird Treaty Act
MRF	Materials Recovery Facilities
NESHAP	National Emission Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NMFS	National Marine Fisheries Service
NO2	Nitrogen Dioxide
NOX	Nitrogen Dioxides



NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
OS	Open Space Zoning District
OSHA	Occupational Safety and Health Administration
PM10	Particulate Mater less Than 10 Microns in Diameter
PM2.5	Particulate Mater less Than 2.5 Microns in Diameter
Ppm	Parts per Million
RCRIS	Resource Conservation and Recovery Information System
RGF	SBCAG Regional Growth Forecast
RHNA	Regional Housing Needs Allocation
RM	Residential Multi-family Zoning District
ROG	Reactive Organic Gases
RS	Residential Single-family Zoning District
RTP	Regional Transportation Plan
RV	Recreational Vehicle
RWQCB	Regional Water Quality Control Board
SBCAG	Santa Barbara County Association of Governments
SCCAB	South Central Coast Air Basin
SO2	Sulfur Dioxide
SOI	Sphere of Influence
SWPPP	Storm Water Pollution Prevention Plan
SWWF	Southwestern Willow Flycatcher
SYRWCDID#1	Santa Ynez River Water Conservation District Improvement District #1
SYVUHSD	Santa Ynez Valley Union High School District
TCM	Transportation Control Measure
TDS	Total Dissolved Solids
TNCI	The Natelson Company
TSGS	Two-striped Garter Snake
UBC	Uniform Building Code
ULE	Upper Level Earthquake
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
VMT	Vehicle Miles Traveled



APPENDIX A

Notice of Preparation and Responses



**Notice of Preparation of a Supplemental Environmental Impact Report
for Phase 2 of the City of Buellton General Plan Update
Buellton, California**

Lead Agency:

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

Contact:

Marc Bierdzinski, AICP
Planning Director

Consulting Firm:

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

Contact:

Richard Daulton
Planning Manager

Summary: The City of Buellton will prepare a Supplemental Environmental Impact Report (SEIR) for Phase 2 of the Buellton General Plan Update. The SEIR will be a supplement to the EIR prepared for Phase 1 of the Buellton General Plan Update, which included updates of the Land Use Element and Circulation Element (SCH#2005011097). We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed program. Your agency will need to use the SEIR prepared by our agency when considering your permit or other approval for the project. The SEIR is intended to serve as an informational document to inform decision-makers and the general public of the environmental consequences of the proposed action.

Due to the time limits mandated by State law, your response to this notice must be sent at the earliest possible date but *not later than 30 days from receipt of this notice*. Please send your response to the City of Buellton at the address shown above. We will need the name for a contact person in your agency.

A copy of the Initial Study is not attached.

Project Title: City of Buellton General Plan Update Phase 2

Project Location: The program area includes the City of Buellton in its entirety. Certain proposed Conservation and Open Space, Economic Development, Noise, Parks and Recreation, Public Facilities and Services, and Safety Element policies or programs will focus on specific individual properties. In addition, the proposed Land Use Element Amendment proposes to rezone and redesignate 7 specific contiguous parcels on the block bounded by a public alley and Central Avenue, from Second Street to First Street (including 410/420, 430, 440, 450, 460, 470, and 480 Central Avenue, and 45 First Street), along with five properties south of First Street (30 First Street and 340, 360, 361, and 380 Central Avenue).

Project Description: The "proposed project" is Phase 2 of the City of Buellton General Plan Update, which includes updates of the Conservation and Open Space, Economic Development, Noise, Parks and Recreation, Public Facilities and Services, and Safety

Elements, and amendments to the City's adopted Land Use Element. The project constitutes the second and final phase of the City's General Plan Update program. The General Plan land use and zoning designations on 7 contiguous parcels on the block bounded by a public alley and Central Avenue, from Second Street to First Street (including 410/420, 430, 440, 450, 460, 470, and 480 Central Avenue, and 45 First Street), along with five properties south of First Street (30 First Street and 340, 360, 361, and 380 Central Avenue) would be changed from General Commercial (CR) to Multi-Family Residential, 16 units per acre (RM-16) use. In addition, the Land Use Element would be amended to include a policy that encourages the redesignation of land use for the 24-acre parcel located east of Industrial Way and south and east of Zaca Creek (south half of APN 099-690-32) to commercial recreational use.

Potential Environmental Effects: Key issues that the EIR will address include aesthetics, agricultural resources, air quality, biological resources, cultural and historic resources, drainage and water quality, geology, land use and housing, noise, public services, recreation, safety, transportation/circulation, and utilities.

Scoping Meeting: The public is encouraged to attend the upcoming scoping meeting for this project, the purpose of which will be to:

- ♦ Discuss the environmental documentation process;
- ♦ Present key characteristics of the proposed program;
- ♦ Take public input about the scope of environmental issues to be analyzed in the SEIR; and
- ♦ Discuss the timing for public input into the SEIR process.

The scoping meeting will be held at Buellton City Council Chambers, **Monday, March 20, 2006, from 5:30 p.m. to 7:00 p.m.** We hope you can attend this meeting, and encourage written comments. If you cannot attend this meeting, you will still have the opportunity to voice your concerns about the project at a future public hearing. If you have any questions regarding this project or the upcoming scoping meeting, please contact Marc Bierdzinski, Planning Director at the City of Buellton (805-688-7474), or Richard Daulton, Planning Manager at Rincon Consultants (805-547-0900).

Prepared By:

Marc Bierdzinski, AICP
Planning Director
City of Buellton

Signature

Date



STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Arnold
Schwarzenegger
Governor

Sean Walsh
Director

Notice of Preparation

February 23, 2006



To: Reviewing Agencies

Re: Buellton General Plan Land Use Element and Circulation Element Updates
SCH# 2005011097

Attached for your review and comment is the Notice of Preparation (NOP) for the Buellton General Plan Land Use Element and Circulation Element Updates draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Marc Bierdzinski
City of Buellton
140 West Highway 246
PO Box 1819
Buellton, CA 93427

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely;

SM Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

Document Details Report
State Clearinghouse Data Base

SCH# 2005011097
Project Title Buellton General Plan Land Use Element and Circulation Element Updates
Lead Agency Buellton, City of

Type NOP Notice of Preparation

Description The proposed project is Phase 2 of the City of Buellton General Plan Update, which includes updates of the Conservation and Open Space, Economic Development, Noise, Parks and Recreation, Public Facilities and Services, and Safety Elements, and amendments to the City's adopted Land Use Element. The project constitutes the second and final phase of the City's General Plan Update program.

Lead Agency Contact

Name Marc Blerdzinski
Agency City of Buellton
Phone (805) 688-7474 **Fax**
email
Address 140 West Highway 246
PO Box 1819
City Buellton **State** CA **Zip** 93427

Project Location

County Santa Barbara
City Buellton
Region
Cross Streets Various
Parcel No. Various
Township **Range** **Section** **Base**

Proximity to:

Highways 101, 246
Airports
Railways
Waterways Santa Ynez River, Zaca Creek, Thumbelina Creek
Schools
Land Use Various

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Department of Conservation; Office of Historic Preservation; Department of Forestry and Fire Protection; Department of Parks and Recreation; Native American Heritage Commission; Office of Emergency Services; Department of Health Services; Department of Fish and Game, Region 5; California Highway Patrol; Caltrans, District 5; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 3

Date Received 02/23/2006 **Start of Review** 02/23/2006 **End of Review** 03/24/2006

NOP Distribution List

County: Santa Barbara

SCH#

2005011007

- Resources Agency
- Resources Agency
Nadell Gayou
- Dept. of Boating & Waterways
David Johnson
- California Coastal Commission
Elizabeth A. Fuchs
- Colorado River Board
Gerald R. Zimmerman
- Dept. of Conservation
Roseanne Taylor
- California Energy Commission
Roger Johnson
- Dept. of Forestry & Fire Protection
Allen Robertson
- Office of Historic Preservation
Wayne Donaldson
- Dept. of Parks & Recreation
Environmental Stewardship Section
- Reclamation Board
DeeDee Jones
- S.F. Bay Conservation & Dev't. Comm.
Steve McAdam
- Dept. of Water Resources
Nadell Gayou
- Conservancy
- Fish and Game
- Dept. of Fish & Game
Scott Flint
- Environmental Services Division
- Fish & Game Region 1
Donald Koch
- Fish & Game Region 2
Banky Curtis
- Fish & Game Region 3
Robert Floerke
- Fish & Game Region 4
Mike Mulligan
- Fish & Game Region 5
Don Chadwick
Habitat Conservation Program
- Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program
- Fish & Game Region 6 I/M
Tammy Allen
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M
George Isaac
Marine Region
- Other Departments
- Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture
- Dept. of General Services
Public School Construction
- Dept. of General Services
Robert Sleppy
Environmental Services Section
- Dept. of Health Services
Veronica Rameriz
Dept. of Health/Drinking Water
- Independent Commissions, Boards
- Delta Protection Commission
Debbie Eddy
- Office of Emergency Services
Dennis Castriello
- Governor's Office of Planning & Research
State Clearinghouse
- Native American Heritage Comm.
Debbie Treadway

- Public Utilities Commission
Ken Lewis
- State Lands Commission
Jean Sarino
- Tahoe Regional Planning Agency (TRPA)
Cherry Jacques
- Business, Trans. & Housing
- Caltrans - Division of Aeronautics
Sandy Hesnard
- Caltrans - Planning
Terri Pancovic
- California Highway Patrol
John Olejnik
Office of Special Projects
- Housing & Community Development
Lisa Nichols
Housing Policy Division
- Dept. of Transportation
- Caltrans, District 1
Rex Jackman
- Caltrans, District 2
Marcellino Gonzalez
- Caltrans, District 3
Katherine Eastham
- Caltrans, District 4
Tim Sable
- Caltrans, District 5
David Murray
- Caltrans, District 6
Marc Blimbaum
- Caltrans, District 7
Cheryl J. Powell

- Caltrans, District 8
Dan Kopulsky
- Caltrans, District 9
Gayle Rosander
- Caltrans, District 10
Tom Dumas
- Caltrans, District 11
Mario Orso
- Caltrans, District 12
Bob Joseph
- Cal EPA
- Air Resources Board
- Airport Projects
Jim Lerner
- Transportation Projects
Kurt Karperos
- Industrial Projects
Mike Tollstrup
- California Integrated Waste Management Board
Sue O'Leary
- State Water Resources Control Board
Jim Hockenberry
Division of Financial Assistance
- State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality
- State Water Resources Control Board
Steven Herrera
Division of Water Rights
- Dept. of Toxic Substances Control
CEQA Tracking Center
- Department of Pesticide Regulation

- Regional Water Quality Control Board (RWQCCB)
- RWQCB 1
Cathleen Hudson
North Coast Region (1)
- RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)
- RWQCB 3
Central Coast Region (3)
- RWQCB 4
Jonathan Bishop
Los Angeles Region (4)
- RWQCB 5S
Central Valley Region (5)
- RWQCB 5F
Central Valley Region (5)
Fresno Branch Office
- RWQCB 5R
Central Valley Region (5)
Redding Branch Office
- RWQCB 6
Lahontan Region (6)
- RWQCB 6V
Lahontan Region (6)
Victoryville Branch Office
- RWQCB 7
Colorado River Basin Region (7)
- RWQCB 8
Santa Ana Region (8)
- RWQCB 9
San Diego Region (9)
- Other



STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

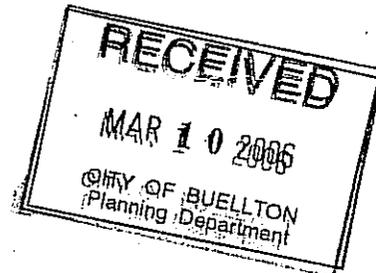


Arnold
Schwarzenegger
Governor

Sean Walsh
Director

Memorandum

Date: March 3, 2006
To: All Reviewing Agencies
From: Scott Morgan, Senior Planner
Re: SCH # 2005011097
Buellton General Plan Land Use Element and Circulation Element
Updates



The State Clearinghouse received the above-referenced Notice of Preparation (NOP) on February 23, 2006 and sent it to your agency for review and comment. It has come to our attention that the title the SCH used was inconsistent with the title the Lead Agency used. Please note the correct title for this project is:

Phase 2 of the City of Buellton General Plan Update

Please note the change in your records. We apologize for any inconvenience. All other project information remains the same.

cc: Marc Bierdzinski
City of Buellton
Planning Department
P.O. Box 1819
Buellton, CA 93427

NOP Distribution List

County: Santa Barbara

SCH#

20050110

- Resources Agency
- Fish & Game Region 3
Robert Floerke
- Fish & Game Region 4
Mike Mulligan
- Fish & Game Region 5
Don Chadwick
Habitat Conservation Program
- Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program
- Fish & Game Region 6 I/M
Tammy Allen
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M
George Isaac
Marine Region
- Other Departments
- Food & Agriculture
Steve Shaifer
Dept. of Food and Agriculture
- Dept. of General Services
Public School Construction
- Dept. of General Services
Robert Sleppy
Environmental Services Section
- Dept. of Health Services
Veronica Rameriz
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Dennis Castrillo
- Governor's Office of Planning
& Research
State Clearinghouse
- Native American Heritage
Comm.
Debbie Treadway
- Fish and Game
- Depart. of Fish & Game
Scott Flint
Environmental Services Division
- Fish & Game Region 1
Donald Koch
- Fish & Game Region 2
Banky Curtis

- Public Utilities Commission
Ken Lewis
- State Lands Commission
Jean Sario
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Cherry Jacques
- Business, Trans & Housing
- Caltrans - Division of Aeronautics
Sandy Hesnard
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Terr Pencovic
- California Highway Patrol
John Olejnik
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- RWQCB 6V
Lahontan Region (6)
Victorville Branch Office
- RWQCB 7
Colorado River Basin Region (7)
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Santa Ana Region (8)
- RWQCB 9
San Diego Region (9)
- Other



Santa Barbara County
Air Pollution Control District

Our Vision  Clean Air

RECEIVED

MAR 15 2006

CITY OF BUELLTON
Planning Department

March 13, 2006

Marc P. Bierdzinski, Planning Director
City of Buellton
Planning Department
P.O. Box 1819
Buellton, California 93427

RE: Phase 2 of General Plan Update, Notice of Preparation of Supplemental Environmental Impact Report

Dear Mr. Bierdzinski:

The Santa Barbara County Air Pollution Control District appreciates the opportunity to comment on the NOP for the above mentioned project.

The project description mentions rezoning General Commercial areas to Multi-Family Residential. Decision-makers should be made aware that establishing policies to locate housing next to common commercial uses such as dry cleaners, autobody shops, and very large gas stations may expose residents to health risk as these uses emit toxic pollutants.

The California Air Resources Board (ARB), in their *Air Quality and Land Use Handbook (April 2005)*, issued recommendations for the siting of sensitive land uses (such as residential communities and parks) near certain types of commercial uses. The *Handbook* can be found on the ARB's website at <http://www.arb.ca.gov/ch/handbook.pdf>.

We look forward to reviewing the Draft SEIR for this project.

Sincerely,

Frances Gilliland
Air Quality Specialist III
Technology and Environmental Assessment Division

cc: TEA Chron File

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805. 549-3101)
FAX (805. 549-3077)
TDD (805. 549-3259)
<http://www.dot.ca.gov/dist05/>



*Flex your power!
Be energy efficient!*

March 17, 2006

SB-VAR-VAR
SCH#2005011097

Marc Bierdzinski
City of Buellton
140 West Highway 246
P. O. Box 1819
Buellton, CA 93427

PHASE 2 OF THE CITY OF BUELLTON GENERAL PLAN UPDATE

Dear Mr. Bierdzinski:

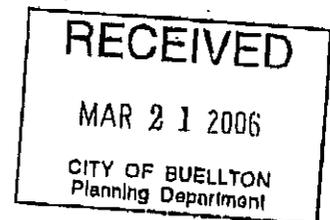
The California Department of Transportation (Department) District 5, Development Review, has reviewed the above-referenced document and offers the following comments for your consideration:

1. It is requested that language be included to allow for the expansion of Route 246 to 4 lanes east of 101 to the end of the city. This is consistent with the Department's transportation concept report for this route.
2. It is also suggested that mention be made within the document of the positive environmental effects of safe pedestrian and bike paths and the economic benefit of walkable communities.

District 5 staff has been and will continue to be committed to working very closely with you to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel. Please don't hesitate to call me at (805) 549-3615 if you have questions or concerns.

Sincerely,

TAMARA S. BABCOCK
Associate Transportation Planner
District 5 Development Review Coordinator



PHASE 2 OF THE CITY OF BUELLTON GENERAL PLAN UPDATE - Bierdzinski

March 17, 2006

Page 2

cc: Gary Ruggerone (D5)
Jim McKrell (D5)
Tim Rochte (D5)
David M. Murray (D5)
Jim Mills (D5)
Pat Mickelson (D5)
Steve Senet (D5)
Michael Powers (SBCAG)
File

State of California - The Resources Agency

ARNOLD SCHWARZENEGGER, Governor

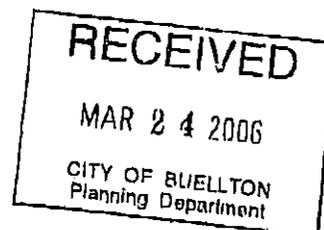


DEPARTMENT OF FISH AND GAME

http://www.dfg.ca.gov
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201



March 24, 2006



Marc Blardzinski
City of Buellton Planning Department
P.O. Box 1819
Buellton, CA 93427

**Notice of Preparation of a Draft Supplemental Environmental Impact Report
for Phase 2 of the City of Buellton General Plan Update
SCH #2005011097**

The Department of Fish and Game (Department) appreciates this opportunity to comment on the above-referenced project, relative to impacts to biological resources. The proposed project involves updates to the City of Buellton General Plan, including (but not limited to) Conservation and Open Space and Parks and Recreation.

To enable Department staff to adequately review and comment on the proposed project we recommend the following information, where applicable, be included in the Draft Environmental Impact Report:

1. A complete, recent assessment of flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.
 - a. A thorough recent assessment of rare plants and rare natural communities, following the Department's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities (attachment).
 - b. A complete, recent assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Recent, focused, species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and U.S. Fish and Wildlife Service.
 - c. Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, § 15380).
 - d. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 324-3812 to obtain current information on any previously reported sensitive species and habitats, including Significant Natural Areas.

Mr. Marc Blerdzinski
March 24, 2006
Page 2 of 4

identified under Chapter 12 of the Fish and Game Code. Also, any Significant Ecological Areas (SEAs), Significant Natural Areas (SNAs), or Environmentally Sensitive Habitats (ESHs) or any areas that are considered sensitive by the local jurisdiction located in or adjacent to the project area must be addressed.

2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. This discussion should focus on maximizing avoidance, and minimizing impacts.
 - a. CEQA Guidelines, § 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.
 - b. Project impacts should also be analyzed relative to their effects on off-site habitats and populations. Specifically, this should include nearby public lands, open space, adjacent natural habitats, and riparian ecosystems. Impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be fully evaluated and provided. The analysis should also include a discussion of the potential for impacts resulting from such effects as increased vehicle traffic and outdoor artificial night lighting.
 - c. A cumulative effects analysis should be developed as described under CEQA Guidelines, § 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.
 - d. Impacts to migratory wildlife affected by the project should be fully evaluated. This can include such elements as migratory butterfly roost sites and neo-tropical bird and waterfowl stop-over and staging sites. All migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of birds and their active nests, including raptors and other migratory nongame birds as listed under the MBTA.
 - e. Impacts to all habitats from City or County required Fuel Modification Zones (FMZ). Areas slated as mitigation for loss of habitat shall not occur within the FMZ.
 - f. Proposed project activities (including disturbances to vegetation) should take place outside of the breeding bird season (February 1- August 15) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). If project activities cannot avoid the breeding bird season, nest surveys should be conducted and active nests should be avoided and provided with a minimum buffer as determined by a biological monitor (the Department recommends a minimum 500 foot buffer for all active raptor nests).

Mr. Marc Bierzinski
March 24, 2006
Page 3 of 4

3. An EIR shall describe feasible measures which could minimize significant adverse impacts (CEQA Guidelines §15126.4(a)(1)). Mitigation measures for project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid or otherwise minimize impacts. Compensation for unavoidable impacts through acquisition and protection of high quality habitat elsewhere should be addressed.
 - a. The Department considers Rare Natural Communities as threatened habitats having both regional and local significance. Thus, these communities should be fully avoided and otherwise protected from project-related impacts. The List of California Terrestrial Natural Communities is available on request or may be viewed and downloaded online by visiting the Department's website at http://www.dfg.ca.gov/whdab/html/natural_communities.html.
 - b. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.
4. A range of alternatives should be analyzed to ensure that alternatives to the proposed project are fully considered and evaluated. A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources including wetlands/riparian habitats, alluvial scrub, coastal sage scrub, native woodlands, etc. should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.
5. A California Endangered Species Act (CESA) Permit must be obtained, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to the proposed project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit. For these reasons, the following information is requested:
 - a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.
 - b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.
6. The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent, ephemeral, or perennial, must be retained and provided with substantial setbacks which

Mr. Marc Biedajnski
March 24, 2006
Page 4 of 4

preserve the riparian and aquatic habitat values and maintain their value to on-site and off-site wildlife populations.

- a. The Department requires a streambed alteration agreement, pursuant to Section 1500 et seq. of the Fish and Game Code, with the applicant prior to any direct or indirect impact to a lake or stream bed, bank or channel or associated riparian resources. The Department's issuance of a stream bed alteration agreement may be a project that is subject to CEQA. To facilitate our issuance of the agreement when CEQA applies, the Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency) document for the project. To minimize additional requirements by the Department under CEQA the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources.

The Department suggests a pre-project or early consultation planning meeting for all projects. To make an appointment, please call Martin Potter, Wildlife Biologist, at (805) 840-3677. Thank you for this opportunity to provide comment.

Sincerely,



For Larry L. Eng, Ph.D.
Regional Manager
South Coast Region

attachment

cc: Ms. Morgan Wehtje
Department of Fish and Game
Camarillo, California

Mr. Martin Potter
Department of Fish and Game
Ojai, California

Mr. Scott Morgan
State Clearinghouse
Sacramento, California

Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities

State of California
THE RESOURCES AGENCY
Department of Fish and Game
December 9, 1983
Revised May 8, 2000

The following recommendations are intended to help those who prepare and review environmental documents determine when a botanical survey is needed, who should be considered qualified to conduct such surveys, how field surveys should be conducted, and what information should be contained in the survey report. The Department may recommend that lead agencies not accept the results of surveys that are not conducted according to these guidelines.

1. Botanical surveys are conducted in order to determine the environmental effects of proposed projects on all rare, threatened, and endangered plants and plant communities. Rare, threatened, and endangered plants are not necessarily limited to those species which have been "listed" by state and federal agencies but should include any species that, based on all available data, can be shown to be rare, threatened, and/or endangered under the following definitions:

A species, subspecies, or variety of plant is "endangered" when the prospects of its survival and reproduction are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, or disease. A plant is "threatened" when it is likely to become endangered in the foreseeable future in the absence of protection measures. A plant is "rare" when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens.

Rare natural communities are those communities that are of highly limited distribution. These communities may or may not contain rare, threatened, or endangered species. The most current version of the California Natural Diversity Database's List of California Terrestrial Natural Communities may be used as a guide to the names and status of communities.

2. It is appropriate to conduct a botanical field survey to determine if, or to the extent that, rare, threatened, or endangered plants will be affected by a proposed project when:
 - a. Natural vegetation occurs on the site, it is unknown if rare, threatened, or endangered plants or habitats occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
 - b. Rare plants have historically been identified on the project site, but adequate information for impact assessment is lacking.
3. Botanical consultants should possess the following qualifications:
 - a. Experience conducting floristic field surveys;
 - b. Knowledge of plant taxonomy and plant community ecology;
 - c. Familiarity with the plants of the area, including rare, threatened, and endangered species;
 - d. Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
 - e. Experience with analyzing impacts of development on native plant species and communities.
4. Field surveys should be conducted in a manner that will locate any rare, threatened, or endangered species that may be present. Specifically, rare, threatened, or endangered plant surveys should be:
 - a. Conducted in the field at the proper time of year when rare, threatened, or endangered species are both evident and identifiable. Usually, this is when the plants are flowering.

When rare, threatened, or endangered plants are known to occur in the type(s) of habitat present in the project area, nearby accessible occurrences of the plants (reference sites) should be observed to determine that the species are identifiable at the time of the survey.

- b. Floristic in nature. A floristic survey requires that every plant observed be identified to the extent necessary to determine its rarity and listing status. In addition, a sufficient number of visits spaced throughout the growing season are necessary to accurately determine what plants exist on the site. In order to properly characterize the site and document the completeness of the survey, a complete list of plants observed on the site should be included in every botanical survey report.
 - c. Conducted in a manner that is consistent with conservation ethics. Collections (voucher specimens) of rare, threatened, or endangered species, or suspected rare, threatened, or endangered species should be made only when such actions would not jeopardize the continued existence of the population and in accordance with applicable state and federal permit requirements. A collecting permit from the Habitat Conservation Planning Branch of DFG is required for collection of state-listed plant species. Voucher specimens should be deposited at recognized public herbaria for future reference. Photography should be used to document plant identification and habitat whenever possible, but especially when the population cannot withstand collection of voucher specimens.
 - d. Conducted using systematic field techniques in all habitats of the site to ensure a thorough coverage of potential impact areas.
 - e. Well documented. When a rare, threatened, or endangered plant (or rare plant community) is located, a California Native Species (or Community) Field Survey Form or equivalent written form, accompanied by a copy of the appropriate portion of a 7.5 minute topographic map with the occurrence mapped, should be completed and submitted to the Natural Diversity Database. Locations may be best documented using global positioning systems (GPS) and presented in map and digital forms as these tools become more accessible.
5. Reports of botanical field surveys should be included in or with environmental assessments, negative declarations and mitigated negative declarations, Timber Harvesting Plans (THPs), EIR's, and EIS's, and should contain the following information:
- a. Project description, including a detailed map of the project location and study area.
 - b. A written description of biological setting referencing the community nomenclature used and a vegetation map.
 - c. Detailed description of survey methodology.
 - d. Dates of field surveys and total person hours spent on field surveys.
 - e. Results of field survey including detailed maps and specific location data for each plant population found. Investigators are encouraged to provide GPS data and maps documenting population boundaries.
 - f. An assessment of potential impacts. This should include a map showing the distribution of plants in relation to proposed activities.
 - g. Discussion of the significance of rare, threatened, or endangered plant populations in the project area considering nearby populations and total species distribution.
 - h. Recommended measures to avoid impacts.
 - i. A list of all plants observed on the project area. Plants should be identified to the taxonomic level necessary to determine whether or not they are rare, threatened or endangered.
 - j. Description of reference site(s) visited and phenological development of rare, threatened, or endangered plant(s).
 - k. Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms.
 - l. Name of field investigator(s).
 - j. References cited, persons contacted, herbaria visited, and the location of voucher specimens.

Mar-23-2006 09:25

From-DIVISION OF LAND RESOURCE PROTECTION

10163273430

ARNOLD SCHWARZENEGGER, GOVERNOR

STATE OF CALIFORNIA, RESOURCES AGENCY

DEPARTMENT OF CONSERVATION

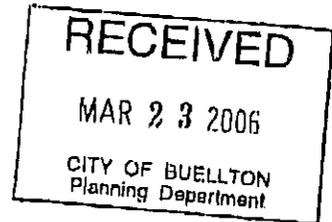
DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0880 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov



March 22, 2006



Marc P. Bierdzinski, AICP, Planning Director
Buellton Planning Department
P.O. Box 1819
Buellton, CA 93427

Subject: Notice of Preparation (NOP) of a Draft Supplemental Environmental Impact Report (DSEIR) for Phase 2 of the Buellton General Plan Update **SCH# 2005011097**

The Department of Conservation's Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The Division has reviewed the above NOP and offers the following recommendations for the DSEIR with respect to the project's potential impacts on agricultural land.

The proposed project involves updates of the Conservation and Open Space, Economic Development, Noise, Parks and Recreation, Public Facilities and Services, and Safety elements; and amendments to the previously updated Land Use Element. The NOP notes that the DSEIR will address agricultural resources, land use and housing, and other issues. Therefore, the Division recommends that, at a minimum, the following items be addressed to document and treat project impacts on agricultural land and land use.

Agricultural Setting of the Project

The DSEIR should describe the project setting in terms of the actual and potential agricultural productivity of the land. The Division's Santa Barbara County Important Farmland Map, which defines farmland according to soil attributes and land use, can be used for these purposes. In addition, we recommend including the following information to characterize the agricultural land resource setting of the project.

- Current and past agricultural use of the project area. Include data on the types of crops grown, and crop yields and farmgate sales values.

Marc P. Bierdzlinski, AICP, Planning Director
March 22, 2006
Page 2 of 4

- Economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies. State and Federal agencies such as the UC Cooperative Extension Service and USDA are sources of economic multipliers.

Project Impacts on Agricultural Land

- Type, amount, and location of farmland conversion resulting directly and indirectly (growth-inducement) from project implementation.
- Impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, etc.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. This would include impacts from the proposed project as well as impacts from past, current and probable future projects.

Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (California Code of Regulations Section 15064.7). The Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model, a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website noted later in this letter.

Williamson Act Lands and Conservation Easement Lands

A project is deemed to be of statewide, regional or area-wide significance if it will result in cancellation of a Williamson Act contract for a parcel of 100 or more acres [California Code of Regulations Section 15206(b)(3)]. Since there are agricultural preserves and lands under Williamson Act contract in the Buellton area, the Division recommends that the following information be provided in the DSEIR:

- A map detailing the location of agricultural preserves and contracted land within each preserve. The DSEIR should also tabulate the number of Williamson Act acres, according to land type (e.g., prime or non-prime agricultural land), which could be impacted directly or indirectly by the project.
- A discussion of Williamson Act contracts that may be terminated in order to accommodate the project. The DSEIR should discuss the impacts that termination of Williamson Act contracts would have on nearby properties also under contract; i.e., growth-inducing impacts (in the sense that the removal of contract protection not only lifts a barrier to development, but results in higher property taxes, and thus, an incentive to shift to a more intensive land use, such as urban development).

As a general rule, land can be withdrawn from Williamson Act contract only through the nine-year nonrenewal process. Immediate termination via cancellation is reserved for "extraordinary", unforeseen situations (See Sierra Club v. City of

Marc P. Ellerdzinski, AICP, Planning Director
March 22, 2006
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Hayward (1981) 28 Cal.3d 840, 852-855)). The County would have to approve a request for contract cancellation, and base that approval on specific findings that are supported by substantial evidence (Government Code Section 51282). If Williamson Act contract cancellation is proposed, we recommend that a discussion of the findings be included in the DSEIR. Finally, the notice of the hearing to approve the tentative cancellation, and a copy of the landowner's petition, must be mailed to the Director of the Department of Conservation ten (10) working days prior to the hearing. (The notice should be mailed to Bridgett Luther, Director, Department of Conservation, c/o Division of Land Resource Protection, 801 K Street MS 13-01, Sacramento, CA 95814-3528.)

- An agricultural preserve is a zone authorized by the Williamson Act and established by the local government to designate land qualified to be placed under the Act's 10-year contracts. Preserves are also intended to create a setting for contract-protected lands that is conducive to continuing agricultural use. Therefore, the uses of agricultural preserve land must be restricted by zoning or other means so as not to be incompatible with the agricultural use of contracted land within the preserve (Government Code Section 51230). Therefore, the DSEIR should also discuss any proposed general plan designation or zoning within agricultural preserves affected by the project.

Mitigation Measures and Alternatives

Feasible alternatives to the project's location or configuration that would lessen or avoid farmland conversion impacts should be considered in the DSEIR. Similarly, while the direct conversion of agricultural land is often deemed to be an unavoidable impact by California Environmental Quality Act (CEQA) analyses, mitigation measures must nevertheless be considered.

The Division recommends the purchase of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land, as well as for the mitigation of growth inducing and cumulative impacts on agricultural land. We highlight this measure because of its growing acceptance and use by lead agencies as mitigation under CEQA.

Mitigation using conservation easements can be implemented by at least two alternative approaches: the outright purchase of conservation easements tied to the project, or via the donation of mitigation fees to a local, regional or statewide organization or agency, including land trusts and conservancies, whose purpose includes the purchase, holding and maintenance of agricultural conservation easements. Whatever the approach, the conversion of agricultural land should be deemed an impact of at least regional significance and the search for mitigation lands conducted regionally, and not limited strictly to lands within Buellton or Santa Barbara County.

Marc P. Blerdzinski, AICP, Planning Director
March 22, 2006
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Information about conservation easements is available on the Division's website, or by contacting the Division at the address and phone number listed below. The Division's website address is:

<http://www.conservation.ca.gov/DLRP/>

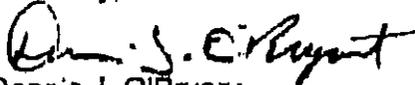
Of course, the use of conservation easements is only one form of mitigation that should be considered. The following mitigation measures could also be considered:

- Increasing home density or clustering residential units to allow a greater portion of the development site to remain in agricultural production.
- Protecting nearby farmland from *premature* conversion through the use of less than permanent long-term restrictions on use such as 20-year Farmland Security Zone contracts (Government Code Section 51296) or 10-year Williamson Act contracts (Government Code Section 51200 et seq.).
- Establishing buffers such as setbacks, berms, greenbelts, and open space areas to separate farmland from incompatible urban uses.
- Investing in the commercial viability of the remaining agricultural land in the project area through a mitigation bank which invests in agricultural infrastructure, water supplies and marketing.

The Department believes that the most effective approach to farmland conservation and impact mitigation is one that is integrated with general plan policies. For example, the measures suggested above could be most effectively applied as part of a comprehensive agricultural land conservation element in the City's general plan. Mitigation policies could then be applied systematically toward larger goals of sustaining an agricultural land resource base and economy. Within the context of a general plan mitigation strategy, other measures could be considered, such as the use of transfer of development credits, mitigation banking, and economic incentives for continuing agricultural uses.

Thank you for the opportunity to comment on the NOP. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact the Division at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 324-0850.

Sincerely,



Dennis J. O'Bryan
Acting Assistant Director

cc: Cachuma FCD
920 E. Stovrell Road
Santa Maria, CA 93454

APPENDIX B

Draft Phase 2 Element Update Goals, Policies and Programs



APPENDIX B - DRAFT PHASE 2 ELEMENT UPDATE GOALS, POLICIES AND PROGRAMS

CONSERVATION/OPEN SPACE GOALS, POLICIES AND PROGRAMS

Goals

1. Protect the town's natural, cultural, visual, and historical resources.
2. Provide continuing community education that underscores the value of the area's cultural, scenic, and natural resources.

Water Resources and Water Quality

3. Improve and maintain water quality of the region.

Agricultural Lands/Soils and Open Space

4. Provide open space that meet the needs of present and future City residents and visitors.
5. Manage urban development to protect open space areas that provide for public health and safety.
6. Provide a "greenbelt" or open spaces around the City's perimeter to: (a) define the urban limit of Buellton, (b) provide a physical separation between urban communities, (c) protect important agricultural areas from urban uses and maintain agriculture as an economically viable activity, (d) maintain the area's scenic beauty, and (e) protect the community's quality of life.
7. Provide for passive recreation on areas kept open (such as along the Santa Ynez River) where such low intensity uses will not damage the resources that are being protected.

Plant, Animal and Related Habitat Protection

8. Protect resources (such as creeks, sensitive habitat, and agriculture), and be sensitive to the factors which allow these resources to remain viable.

Tree Preservation

9. Preserve and protect important oak trees within the City.

Visual Resources

10. Preserve and protect important views and scenic resources within the City.



Air Quality

11. Improve and maintain healthful air quality in Buellton and the Santa Ynez Valley.

Archaeological, Cultural and Historical Resources

12. Preserve and identify cultural, archaeological, and historic resources that define the historic significance of the City of Buellton and the Santa Ynez Valley.

Energy Resources

13. Conserve non-renewable resources and widely used renewable sources of energy.
14. Encourage increased energy efficiency in the City.

Mineral Resources

15. Manage the mineral resource extraction such that it limits the environmental impacts to biological resources and surrounding residents.

Policies

Water Resources and Water Quality

- C/OS-1 Encourage efficient water use by existing and future development.
- C/OS-2 Encourage implementation of Best Management Practices to eliminate/minimize the impacts of urban run-off and improve water quality.

Agricultural Lands/Soils and Open Space

- C/OS-3 Encourage the preservation of open space within the City.
- C/OS-4 Encourage Santa Barbara County to:
- a. Maintain agriculturally productive lands for agricultural uses, and require urban uses to locate within the City;
 - b. Maintain agricultural land use designations on agricultural lands, and agricultural lands in the County's agricultural preserve program; and
 - c. Locate new highways and other similar linear projects away from agricultural land as feasible, or along the border of agricultural lands rather than dividing viable agricultural land.
- C/OS-5 Encourage Santa Barbara County to require public and private development to:
- a. Locate urban uses within the City;
 - b. Maintain large parcel agricultural zoning and prohibit the subdivision of agricultural lands to smaller lots unless such development: (1) is part of a cluster project, (2) the project will not conflict with adjacent agricultural



operations; (3) will not substantially hamper or discourage long-term agricultural operations either onsite or on adjacent agricultural lands; and (4) will not substantially impact adjacent agricultural production, individually or cumulatively; and

- c. Incorporate design, construction, and maintenance techniques that protect agriculture and minimize conflicts with adjacent uses.

C/OS-6 Encourage activities that support local agriculture, such as farmers markets and other special events.

C/OS-7 Support the County's right-to-farm ordinance and other efforts to reduce potential impacts caused by urban development located contiguous to county agricultural lands. These additional measures may include establishing a buffer on land to be developed between new urban development and surrounding agricultural lands.

Plant, Animal and Related Habitat Protection

C/OS-8 Support state and federal laws and policies to preserve populations of rare, threatened, and endangered species and sensitive habitats by ensuring development does not adversely affect such species or habitats or by mitigating adverse effects in accordance with state and federal regulations.

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

C/OS-10 Require new development to provide sufficient open space.

C/OS-11 The City should limit the recreational activities in open space areas with sensitive habitats to those activities that have minimal impact on sensitive habitats, such as hiking and other passive uses.

Tree Preservation

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

C/OS-13 Development should be designed to avoid major native trees. When considering the approval of activities that result in the removal of mature trees, the following factors shall be considered:

- a. The size, age, health and species of tree(s) to be removed.
- b. Whether or not the removal of the tree(s) is necessary for the reasonable development and use of the site.
- c. Whether the tree(s) to be removed is (are) a native or introduced species.



Scenic Resources

C/OS-14 Encourage new development to protect visual amenities, including hillsides, by implementing the standards in the Community Design Guidelines.

Air Quality

C/OS-15 Encourage the improvement of air quality in Buellton and in the region by implementing the measures described in the Santa Barbara County Air Quality Management Plan. Such measures include, but are not limited to, new or expanded sidewalks, bicycle and pedestrian paths, safe street and parking lot crossings, planting of shade trees, theft proof and well lit bicycle storage facilities, and placement of parking lots and building entrances to favor pedestrians rather than cars.

C/OS-16 The City shall, to the extent practicable, physically separate sensitive land uses from substantial sources of air pollution.

Archaeological, Cultural and Historical Resources

C/OS-17 Encourage the preservation of cultural resources consistent with state and federal requirements by ensuring development does not adversely affect such resources or by mitigating adverse effects in accordance with state and federal regulations.

Energy Resources

C/OS-18 Encourage the conservation of energy resources in new and existing development through the use of “green construction and building practices”, as described in the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED)[™] rating system.

C/OS-19 Encourage a City wide recycling effort that reduces waste and promotes the use of recycled paper products in governmental and private offices.

Mineral Resources

C/OS-20 Commercial mining operations should be prohibited within the City due to environmental and aesthetic concerns, as well as neighborhood compatibility issues associated with urban uses adjacent to mining operations.

C/OS-21 Encourage Santa Barbara County to require mining operations to:

- a. Provide a buffer between existing or likely adjacent uses and the mining operation to minimize incompatibility with other nearby uses, and environmental and aesthetic impacts associated with that mining operation.
- b. Require reclamation plans to mitigate environmental impacts and incorporate an adequate security to guarantee proposed reclamation.
- c. Minimize impacts to local residents and City roadways.



- C/OS-22 Discourage urban uses adjacent to mining if such uses would be incompatible with mining operations, or would restrict future extraction of significant mineral resources.

Programs

Water Resources and Water Quality

1. Encourage the efficient use of water through the use of reclaimed water, efficient low flow fixtures and irrigations systems, and reducing urban runoff through the use of natural drainage, drought tolerant landscaping, and efficient irrigation systems in major renovation and new development projects.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

2. Encourage new developments to incorporate stormwater treatment practices that allow percolation to the underlying aquifer and minimize offsite surface runoff utilizing methods such as pervious paving material for parking and other paved areas to facilitate rainwater percolation and retention/detention basins that limit runoff to pre-development levels.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

Agricultural Lands/Soils and Open Space

3. In assessing the impacts of new urban development on agricultural lands, take into account the soil resource quality of the site, the size of the site, water resource availability, and surrounding agricultural and protected resource lands.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

4. Work with land conservation organizations, and actively seek local, state, and federal funds to preserve hillsides located within the City Limits and Sphere of Influence.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department



Plant, Animal and Related Habitat Protection

5. Adopt and maintain a creek preservation and management ordinance to be incorporated into the zoning ordinance.

Responsible Agency/Department: Planning Department
Timeframe: 2007-2010
Funding: General fund, developer fees
Monitoring: Planning Department

6. The City shall:
- a. Require new development to protect, maintain, and/or restore creeks and riparian habitat to protect the community's water quality, wildlife diversity, aesthetic values, and recreation opportunities, where feasible and where protection or restoration does not interfere with good flood control practices.
 - b. Only allow creek alterations if no practicable alternative is available, to protect public health and safety, or to implement good flood control practices. If alterations are allowed the proposed project should utilize natural creek alterations as a first priority (i.e., stabilization methods which maintain an earthen channel and provide additional riparian vegetation). If the first priority method is demonstrated to be infeasible, a second priority would be the utilization of gabions, rocks, and other bank stabilization methods which allow plantings (both trees and shrubs) within the bank protection. If the first and second priority methods are demonstrated to be infeasible, a third priority would be hard bank protection which does not allow for plantings (such as solid walls). Notwithstanding the above priorities, the Planning Commission or City Council may allow other alterations to creeks, in consultation with regional, state, and federal agencies as appropriate, to allow reasonable development of property to achieve other goals, policies and programs of the General Plan.
 - c. Require public or private development to locate development outside the 50-foot creek corridor setback area and 200-foot Santa Ynez River setback area except in the following cases: (1) no practicable alternative is available; (2) the proposed location is necessary to protect public health and safety; (3) the location is necessary for the repair of roads, bridges, trails, or similar infrastructure; or (4) the location is necessary for the construction of new roads, bridges, trails, or similar infrastructure where the Planning Director determines the project has minimized environmental impacts through project design and infrastructure placement.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

7. If a project proposes to encroach into a creek corridor or creek setback, the City shall require public and private development to: (1) replace riparian vegetation in accordance with U.S. Fish and Wildlife Service and California Department of Fish and Game



standards, as applicable, (2) restore another section of creek, and/or (3) pay a mitigation fee for restoration elsewhere.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

8. Require public and private development on sites that contain or are located adjacent to creeks and/or riparian habitat to:
- a. Preserve creek corridors and creek setback areas through easements or dedications. Parcel lines (in the case of a subdivision) or easements (in the case of a subdivision or other development) shall be located to optimize resource protection. If a creek is proposed within an open space parcel or easement, allowed uses and maintenance responsibilities within that parcel or easement should be clearly defined and conditioned prior to map or project approval.
 - b. Designate such easement or dedication areas (as enumerated in a above) as open space.
 - c. Enhance creek corridors and their habitat value by: (1) providing an adequate creek setback, (2) maintaining creek corridors in an essentially natural state, (3) employing creek restoration techniques where restoration is needed to achieve a natural creek corridor, (4) restoring riparian vegetation within creek corridors, and where possible, within creek setback areas, (5) prohibiting the planting of invasive, non-native plants (such as vinca major and eucalyptus), and (6) avoiding tree removals within creek corridors.
 - d. Provide recreation and public access near creeks consistent with this Element.
 - e. Utilize design, construction, and maintenance techniques that:
 1. Ensure that development near a creek will not cause, or make worse, natural hazards (such as erosion, sedimentation, flooding, or water pollution);
 2. Include erosion and sediment control practices such as: (a) turbidity screens and other management practices. These methods shall be used as necessary to minimize siltation, sedimentation, and erosion. Such erosion and sediment controls shall be left in place until disturbed areas are stabilized with permanent vegetation that will prevent the transport of sediment off site, and (b) temporary vegetation sufficient to stabilize disturbed areas.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

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



Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

10. Landscaping plans for new development shall employ native varieties of plants that are drought tolerant. Invasive species shall be excluded from all landscaping plans.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

Tree Preservation

11. When mature non-native trees are removed to accommodate new development, they shall be replaced at a ratio of at least two new trees for every one tree removed, or such additional number and size of trees as considered appropriate by the reviewing body at the time of approval of such development. Mature native trees, including oaks, shall be replaced at a ratio of at least 5 new trees for every one tree removed. Replacement trees for removed native or non-native trees should be native, from locally-sourced stock, using species indicated on the City's approved tree planting list.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

12. Develop and implement a Tree Protection Ordinance that establishes standards and protocol for the protection of trees. The ordinance should include the following components:
- a. Methods to identify and protect the critical root zones of existing trees during construction, including setbacks, fencing, and irrigation requirements.
 - b. Prohibitions on tree removal prior to issuance of a grading permit on sites with active development applications.
 - c. Identification of the characteristics of protected trees (species, size, age, health, etc.).
 - d. Specifications regarding the species and mass of replacement trees.
 - e. Required maintenance standards to assure the survival of replacement trees
 - f. Penalties for violations
 - g. A requirement for developers to post a construction bond to assure financial responsibility for the protection of trees on-site.

Responsible Agency/Department: Planning Department
Timeframe: 2007-2009
Funding: General fund
Monitoring: Planning Department



13. Continue to trim and maintain trees within the public rights-of-way to protect public health and safety. The City will encourage the continued maintenance of trees on private property and, where necessary, may require trees to be trimmed or other maintenance when necessary to protect the public health and safety.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

Scenic Resources

14. Require new public or private development to protect scenic resources by:
- a. Prohibiting structures that silhouette along ridgelines or hilltops from a public viewpoint;
 - b. Utilizing natural landforms and vegetation for screening structures, access roads, building foundations, and cut and fill slopes;
 - c. Requiring landscaping which provides a landscape transition between developed areas and adjacent open space or undeveloped areas; and is compatible with the scenic resource being protected;
 - d. Incorporating sound Natural Resource Conservation Service practices and minimizing land alterations. Land alterations should be minimized by: keeping cuts and fills to a minimum; limiting grading to the smallest practical area of land; limiting land exposure to the shortest practical amount of time; replanting graded areas to insure establishment of plant cover before the next rainy season; and creating grading contours that blend with the natural contours on site or look like contours that would naturally occur;
 - e. Designing roads, parking, and utilities to minimize visual impacts. Proposed utilities, as well as existing utilities located on any portion of a development site shall be placed underground, unless determined unreasonable or impractical by the Planning Director. Roadways and parking should fit the natural terrain; and
 - f. Designing projects to fit the site's scale and character. Structures should be designed and located so: roof lines and vertical architectural features blend with and do not detract from the natural background or ridge outline; residential density and massing is decreased with increased elevation where it would mar the scenic quality of the scenic resource; they fit the natural terrain, and they utilize building materials, colors, and textures that blend with the natural landscape and avoid the creation of high-contrast situations.
 - g. Complying with and implementing the City's Urban Design Plan and Community Design Guidelines, as applicable.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund, developer fees
Monitoring: Planning Department



15. Require public or private development to:
- a. Locate structures, accessory structures, paving, and grading at the base of a hill (generally that area below 15 percent slope) unless: (1) no practicable alternative is available, (2) the location on a greater slope or at a greater elevation provides more aesthetic quality, or (3) the location is necessary to protect public health and safety.
 - b. Utilize design, construction, and maintenance techniques that: (1) preserve and enhance the hillsides; (2) ensure that development near or on portions of a hill do not cause, or make worse natural hazards (such as erosion, sedimentation, fire, or water quality concerns); (3) include erosion and sediment control practices including temporary vegetation sufficient to stabilize disturbed areas; (4) minimize risk to life and property from slope failure, landslides, and flooding; (5) maintain the character and visual quality of the adjacent hillside.
 - c. Incorporate recreation and public access on or near hillsides consistent with this Element and the Parks and Recreation Element and Parks and Recreation Master Plan.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund, developer fees
Monitoring: Planning Department

16. Investigate and implement, as feasible, a variety of alternative funding sources to enhance important visual resources, including but not limited to:
- a. Infrastructure financing for improvement and potential maintenance of public landscaping, particularly along streets and other visible public travel routes;
 - b. Bond programs such as property acquisition, improvement, and maintenance for corridor visual improvements; and/or
 - c. Encourage Caltrans to preserve or enhance existing trees and landscaping along the Highway 101 corridor.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund, developer fees
Monitoring: Planning Department

Air Quality

17. Utilize the CEQA process to identify and reduce the potentially significant adverse air quality impacts of new development.

Responsible Agency/Department: Planning Department, APCD
Timeframe: Ongoing
Funding: General fund, developer fees
Monitoring: Planning Department

See also Programs 8, 13, and 14 in the Buellton General Plan Circulation Element regarding air quality.



Archaeological, Cultural and Historical Resources

18. Notify and consult with Native American groups regarding major land use decisions, consistent with Senate Bill (SB) 18.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

19. If development of a site uncovers cultural resources, the guidance of Section 15064.5 of the State CEQA Guidelines (Sections 15000 et seq. of the California Code of Regulations) shall be followed for identification, documentation and preservation of the resource.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

20. Consider developing and implementing a historic preservation program with the following components:
- a. Create and maintain an inventory of potentially historical and/or architecturally important structures. The historic resources inventory shall serve as a resource document which can be used as a foundation for future designation of historic landmarks and/or districts, reviewing and evaluating proposed alterations or removal of structures and proposed development on sites identified therein.
 - b. Develop a procedure for designating protected historical and/or architecturally important structures.
 - c. Provide information to assist property owners with voluntarily historic preservation contracts with the State that allow for property tax relief in exchange for guarantees of preservation (i.e., Mills Act contracts).
 - d. Encourage and facilitate private preservation and restoration efforts.
 - e. Establish a program to relocate reusable older buildings from or into redevelopment projects as a means of historic preservation.

Responsible Agency/Department: Planning Department
Timeframe: 2007-2010
Funding: General fund
Monitoring: Planning Department

21. Document and record data or information relevant to prehistoric and historic cultural resources which may be impacted by proposed development. Require the preparation of archaeological studies, historical resources studies, and/or preliminary evaluation reports by qualified professionals for new developments on sites that could potentially contain an important cultural resource.



Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

Energy Resources

22. Encourage new development projects to use building materials and methods that increase efficiency beyond State Title-24 standards. The use of solar energy is encouraged.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

23. Encourage developers to implement “green construction and building practices”, as described in the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED)[™] rating system, by expediting discretionary and permit processing for projects that employ these practices, and devising a program to publicly acknowledge individuals and businesses that use such practices.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

Mineral Resources

24. Review mining permit applications within Santa Barbara County which are located near the City of Buellton. Review development applications within the City of Buellton for land use compatibility with adjacent mining operations, as applicable.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

ECONOMIC DEVELOPMENT GOALS, POLICIES AND PROGRAMS

Goals

1. Maintain and support a healthy and diverse local economy that meets the present and future employment, shopping, recreational, public safety and services needs of Buellton residents.



Business Retention and Expansion

2. Encourage existing business retention and expansion.

Business Attraction

3. Attract new businesses offering high wage jobs.

Tourism and Retail

4. Attract tourism by supporting tourist-serving businesses and promoting Buellton as an attractive destination.
5. Promote development that meets the retail needs of the community.

Economic Revitalization

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

Policies

Business Retention and Expansion

- E-1 Support an active business retention and expansion program for existing businesses.
- E-2 Leverage redevelopment funds and private funds by targeting federal, state, and local resources to the existing commercial areas.

Business Attraction

- E-3 Encourage economic development activities which provide the opportunity for employment of local residents and/or increased municipal revenues.
- E-4 Encourage and actively attract business functions (e.g., health care facilities and related businesses) that engage high skilled and semi-skilled labor and/or that offer higher paying wage scales.
- E-5 Consider incentives for new development that provides a substantial benefit to the community, such as higher-paying jobs or expanded services.
- E-6 Consider having the Chamber of Commerce establish an economic development committee.

Tourism and Retail

- E-7 Encourage the expansion of Buellton's hospitality businesses.



- E-8 Support expanded and new festivals and special events that draw upon the diversity of Buellton’s population and physical landscape through the efforts of the City’s Special Events Committee.
- E-9 Support regional links between Buellton and tourist destinations in the Santa Ynez and Lompoc Valleys, such as area wineries, parks, trails, and golf courses.
- E-10 Promote retention and establishment of retail uses which serve local needs and broaden the selection of conveniently located goods and services.
- E-11 Promote the overlap between visitor and resident serving retail uses by encouraging retail goods and services that serve both market segments.

Economic Revitalization

- 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.

Refer to the Land Use Element for policies and programs related to establishment of a civic center, combined City/County government complex downtown.

Programs

It should be noted that the program timeframes identified below represent tentative estimates. Actual timeframes for program implementation will depend upon staff and funding availability, and other factors.

Business Retention and Expansion

- 1. 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.
Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General Fund
Monitoring: Planning Department
- 2. Devise strategies to retain, enhance, and expand the City’s existing economic assets (i.e., special events, hospitality establishments and automobile dealerships).
Responsible Agency/Department: Planning Department
Timeframe: Ongoing



Funding: General Fund and Redevelopment Tax Increment
Monitoring: Planning Department

Business Attraction

3. Establish a business attraction strategy linked to public facility investments (e.g., civic center development, streetscene improvements, and Zaca Creek restoration).

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General Fund and Redevelopment Tax Increment
Monitoring: Planning Department

4. Develop an economic development program to help achieve the economic goals, policies, and programs of the General Plan.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General Fund
Monitoring: Planning Department

Tourism and Retail

5. Develop incentives for new hotels, restaurants, and companies offering travelers' facilities and services.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General Fund and Redevelopment Tax Increment
Monitoring: Planning Department

Economic Revitalization

6. Use redevelopment to help revitalize Avenue of Flags and other portions of the City within the redevelopment plan area.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General Fund and Redevelopment Tax Increment
Monitoring: Planning Department

7. Investigate further redevelopment opportunities east of the Buellton Town Center to consolidate irregularly configured lots and improve circulation.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing



Funding: General Fund and Redevelopment Tax Increment
Monitoring: Planning Department

8. Form a task force for establishing an economic development committee.

Responsible Agency/Department: Chamber of Commerce/City Council
Timeframe: 2007-2009
Funding: General Fund
Monitoring: Chamber of Commerce/City Council

NOISE GOALS, POLICIES AND PROGRAMS

Goal

1. Maintain acceptable noise levels for sensitive and non-sensitive land uses consistent with City standards (refer to Figure N-1).
2. Protect noise sensitive uses from areas with high ambient noise levels.
3. Integrate noise considerations into the community planning process to prevent noise/land use conflicts.
4. Regulate construction-related noise to reduce impacts on adjacent land uses.

Policies

- N-1 Noise/land use compatibility shall be as determined by Figure N-1. In general, areas within Buellton shall be considered impacted by noise if exposed to noise levels on the exterior of a building that exceeds 65 dB, and on the interior of a building exceeding 45 dBA. New development producing stationary noise levels that exceed 65 dB will not be permitted in areas containing residential or other noise sensitive land uses.
- N-2 New residential development should maintain appropriate setbacks from Highways 246 and 101 that include landscaping, berms and sound mitigation walls, as generally illustrated by Photo 1, as needed to reduce noise levels to acceptable levels, as determined by a qualified consultant.





Photo 1: Appropriate Noise Abatement in the City, Employing a Combination of Roadway Setbacks, Vegetative Screening, Berms, and Sound Walls

- N-3 New residential development shall comply with the State Noise Insulation Standards.
- N-4 New commercial and industrial development should incorporate design elements to minimize the noise impact on surrounding residential neighborhoods.
- N-5 New mixed-use developments should be designed to prevent transfer of noise and vibration from the commercial or industrial use to the residential use.
- N-6 New mixed-use developments should locate balconies of residential units away from the primary street and commercial or industrial noise sources.
- N-7 Noise generated by construction activities should be limited to daytime weekday hours to reduce nuisances at nearby noise receptors in accordance with the hours set in the adopted Standard Conditions of Approval.

Programs

1. Enforce the standards contained in the Noise Element.

Responsible Agency/Department: Planning, Police and Building Departments
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

2. Enforce development guidelines and setback requirements as part of the zoning ordinance that include design standards for sound mitigation. The City will use the Community Design Guidelines in the review of sound mitigation design.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department



3. Require acoustical analyses for new residential developments within the mapped 60 decibel (dBA) Ldn or greater contour, or within any area designated for commercial or industrial use, and require noise abatement with the following goals:
- Exterior noise in private exterior spaces of new residences and other noise sensitive uses that are used for recreation (such as patios and gardens) does not exceed 60 dBA Ldn,
 - Exterior noise in common open space areas does not exceed 65 dBA Ldn; and
 - Interior noise in habitable rooms of new residences does not exceed 45 dBA Ldn with all windows closed.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

4. Encourage developers to incorporate acoustical site planning into their projects. Recommended measures include:
- Incorporating buffers and/or landscaped earth berms;
 - Orienting windows and outdoor living areas away from unacceptable noise exposure;
 - Incorporating state-of-the-art structural sound attenuation and setbacks.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

5. Encourage, where feasible, alternative sound attenuation measures other than the traditional wall barrier. These may include berms, a combination of berms and landscaping, or locating buildings away from the roadway or other noise source.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

6. The operation of tools or equipment used in construction, drilling, repair, alteration or demolition should be limited to between the hours of 7 A.M. and 6 P.M. Monday through Friday, and between 9 A.M. and 5 P.M. on Saturdays. No heavy equipment related construction activities should be allowed on Sundays or holidays, except with the express written permission of the Planning Director, or in case of an emergency.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing



Funding: General fund
Monitoring: Planning Department

PARKS AND RECREATION GOALS, POLICIES AND PROGRAMS

Goal

1. Provide ample, safe, affordable and accessible parks, recreation, and trail facilities and programs to meet the current and future needs of Buellton’s various age and interest groups.

Policies

Parks and Recreation Resources

- PR-1 Strive to achieve a ratio of five acres of parkland per 1000 residents.
- PR-2 Neighborhood or mini-parks should be developed on the east and west sides of Highway 101.
- PR-3 Work with Santa Barbara County, the City of Solvang, and other public or private individuals to provide a community park located within Buellton or within 10 miles of the City.
- PR-4 The City should encourage the development of a public swimming pool in conjunction with the Buellton Union School District or a private entity.
- PR-5 Encourage the development of a community center within the City of Buellton.
- PR-6 Make all parks, greenbelts, open space areas and recreation facilities attractive, safe and easy to maintain.
- PR-7 Require creation of parks, and/or greenbelts by new project developers in all residential projects. Where it is infeasible to include these elements in a project, the developer shall be required to pay parkland in lieu fees (“Quimby” fees) for the acquisition, design, and construction of new parks and pedestrian/bicycle trails throughout the City, and toward a new community center and pool.
- PR-8 In such cases where parkland is being dedicated as part of new development, park fees which would otherwise be charged to the new development shall be adjusted.
- PR-9 Recreation programs for persons of all age groups should continue to be expanded in Buellton.
- PR-10 Encourage the creation and expansion of private recreation programs and facilities, especially for youths, and consider such uses in commercial and industrial zones.



- PR-11 Encourage the use of school facilities for community recreation programs, with the cooperation of the school district.
- PR-12 Land dedicated or otherwise acquired for park development shall be suitable in size, shape, and topography, and free of unacceptable hazards in accordance with the City's Parks and Recreation Master Plan.

Trails and Bikeways

- PR-13 Explore the possibility of creating a physical link for pedestrian and bicycle traffic between parks and recreation facilities.
- PR-14 Work to provide a trail and/or linear park along the Santa Ynez River, following the entire length of the Santa Ynez River within the City limits, a trail along portions of the Zaca Creek corridor, a loop trail around the City, and connections to future regional trails.
- PR-15 Encourage the implementation of a Buellton Bikeway Plan.

Refer also to Land Use Element Policy L-37 regarding the planned Santa Ynez River trail.

Parks and Recreation Master Plan

- PR-16 Encourage the implementation of an updated Buellton Parks and Recreation Master Plan.

Programs

Parks and Recreation Resources

- 1. Continue to apply a parkland in-lieu fee and/or a parks and recreation impact fee and use the fees to help install the facilities described in the Parks and Recreation Master Plan and this General Plan Element.

Responsible Agency/Department: Planning Department,
Timeframe: Ongoing
Funding: General fund; in lieu fees
Monitoring: Planning Department

- 2. Review the long term use of City-owned land and consider using such land for a community center. Included in such consideration will be the possibility of exchanging vacant or underutilized city land in locations not suitable for this use for other parcels which may be more appropriate for the use.

Responsible Agency/Department: Planning Department
Timeframe: 2007-2010
Funding: General fund
Monitoring: Planning Department



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.

Responsible Agency/Department: Administration, Planning and Public Works
Timeframe: Ongoing
Funding: General fund; Redevelopment funds; fees
Monitoring: Planning Department

4. Establish an impact fee for new development to pay, in addition to any applicable parkland in lieu fee or parkland dedication, to offset the development's proportional share of the cost of a new community center.

Responsible Agency/Department: Planning Department
Timeframe: 2006-2008
Funding: General fund
Monitoring: Planning Department

Trails and Bikeways

5. Plan trails that link urban centers in the City with open space and natural areas, and require development projects to include trails when appropriate.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund; fees
Monitoring: Planning Department

6. Acquire and develop river trails along the Santa Ynez River corridor and portions of the Zaca Creek corridor by requiring land dedication or easements, or otherwise acquiring land along the waterway corridors.

Responsible Agency/Department: Planning Department
Timeframe: 2006-2012
Funding: General fund; fees
Monitoring: Planning Department

7. Work with Santa Ynez Valley communities, the Buellton Union School District, Santa Barbara County and other agencies to provide regional trail connections throughout the Santa Ynez Valley.

Responsible Agency/Department: Planning Department
Timeframe: 2006-2012
Funding: General fund
Monitoring: Planning Department



8. Establish and update as necessary a Buellton Bikeway Plan.

Responsible Agency/Department: Administration, Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

Parks and Recreation Master Plan

9. Maintain and update as necessary the Parks and Recreation Master Plan. The master plan should include but not be limited to the following:

- A funding, budgeting and capital improvement program to provide, expand, maintain and operate the parks and recreation facilities and programs in Buellton;
- Criteria for selecting park sites;
- Specific plans for recreational facilities to be included in parks;
- A program for the development and implementation of recreation programs to meet the present and future needs of Buellton residents of all ages; and
- A plan for infrastructure improvements necessary to accommodate needed park facilities
- Maintenance and operations plans for park and recreational facilities and programs which may include a "joint use" agreement with the Buellton Union School District.

Responsible Agency/Department: Administration, Planning Department
Timeframe: Ongoing
Funding: General fund; fees
Monitoring: Planning Department

PUBLIC FACILITIES AND SERVICES GOALS, POLICIES AND PROGRAMS

Goals

1. Provide the level of public facilities and services desired by the residents at an equitable cost.
2. Ensure the provision of public facilities and services keeps pace with new development.

Water Supply

3. Provide a water distribution and storage system adequate for existing and future development.



Wastewater Treatment

4. Provide adequate sanitary sewer and wastewater treatment plant capacity adequate for existing and future development.

Storm Drainage

5. Provide stormwater drainage facilities to facilitate recreational, habitat, safety, and aesthetic benefits that accommodate existing and future needs.

Solid Waste Disposal

6. Ensure the provision of adequate solid waste disposal services and facilities to meet the disposal demands of the City through buildout and ensure protection of the public's health, safety and welfare.

Police and Fire Protection Services

7. Ensure the provision of adequate police and fire facilities and staffing levels in the City through buildout.

School Services

8. Work with the schools to help ensure the provision of high quality education facilities and resources for community members in the City through buildout.

Library Services

9. Ensure the provision of adequate library services to meet the educational, informational, and cultural needs of community members in the City through buildout.

Policies

- PF -1 When deemed appropriate by the City, fiscal impact analyses may be required to determine possible fiscal effects on the City and other affected public agencies; the studies may be used to formulate conditions of approval for new projects.
- PF -2 New development should not be allowed until adequate public services and facilities to serve such development are provided.
- PF -3 New development shall pay its fair share to provide additional facilities and services needed to serve such development.
- PF -4 Public facilities, such as wells, pumps, tanks, and yards shall be located and designed so that noise, light, odors, and appearances do not substantially affect nearby land uses.



PF -5 User fees will be charged to recover the costs of City-provided services, except when administration of such fees makes them not cost effective, or fees are waived or reduced to explicitly promote some other public benefit.

Water Supply and Wastewater Treatment

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

PF -7 Gravity flow for sewer service shall be employed wherever feasible.

PF -8 New development shall be required to maintain a minimum of 20% available sewage collection capacity in affected City sewage collection systems.

Storm Drainage

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

Solid Waste Disposal

PF-10 Encourage applicants for discretionary development projects to employ practices that reduce the quantities of wastes generated and engage in recycling activities to further reduce the volume of waste disposed of in landfills.

Police and Fire Protection Services

PF-11 Encourage site planning which helps reduce crime surveillance through appropriate lighting, access, ease of features such as alarms and security systems as may be required by the police department.

PF-12 Ensure optimum firefighting and emergency response capabilities.

School Services

PF-13 Cooperate with the Buellton Union School District and Santa Ynez Valley Union High School District to plan new schools and support facilities to assure that the number, type and location of school facilities is commensurate with planned City growth. Such cooperation will include but not be limited to notifying the school districts of subdivision applications and other residential development proposals, and encouraging residential developers to confer with the school districts regarding school capacity and timing issues. The City will require the payment of school impact fees in accordance with State law.



Library Services

PF-14 Expand library services as needed to meet the educational, informational, and cultural needs of community members, continuing to take advantage of advances in information technology.

Programs

1. Maintain, and revise as necessary, master plans for sewer, water, and storm drainage.

Responsible Agency/Department: Public Works Department, City Engineer
Timeframe: Ongoing
Funding: General fund, developer fees
Monitoring: Public Works Department, City Engineer

2. Adopt and update annually a capital improvement program for sewer, water, drainage, fire, police and other facilities. Such CIP shall indicate capital projects, estimated costs, time frames, responsible agencies or departments, and possible funding sources.

Responsible Agency/Department: Public Works Department, City Engineer, Sheriff's Department, Fire Department
Timeframe: Ongoing
Funding: General fund, developer fees
Monitoring: Public Works Department, Administration

3. Review public facilities such as sewer collection and wastewater treatment annually for capacity issues and forecasting of needs concurrent with the City's growth projections.

Responsible Agency/Department: Public Works Department, City Engineer
Timeframe: Ongoing
Funding: General fund, developer fees
Monitoring: Public Works Department, City Engineer

4. Continue to require and apply development impact fees to offset the cost of needed public facilities and services generated by new development.

Responsible Agency/Department: Public Works Department, City Engineer, Planning Department
Timeframe: Ongoing
Funding: General fund, developer fees
Monitoring: Public Works Department, City Engineer, Planning Department

Water Supply and Wastewater Treatment

5. Pursuant to California Government Code 65589.7, grant a priority for the provision of water and sewer services to proposed developments that include housing affordable to lower income households. The City shall not deny water or sewer service to, or reduce



the amount of water or sewer service applied for, such proposed developments, except upon making specified findings that the denial, condition, or reduction is necessary due to the existence of one or more of the following:

- The City does not have sufficient water supply, or is operating under a water shortage emergency, or does not have sufficient water treatment or distribution capacity, or does not have sufficient sewer treatment or collection capacity, to serve the needs of the proposed development, as demonstrated by a written engineering analysis and report;
- The City is subject to a compliance order issued by the State Department of Health Services that prohibits new water connections, or is under an order issued by a Regional Water Quality Control Board that prohibits new sewer connections; or
- The applicant has failed to agree to reasonable terms and conditions relating to the provision of service generally applicable to development projects seeking service from the City, including, but not limited to, the requirements of local, state, or federal laws and regulations or payment of a fee or charge imposed.

Responsible Agency/Department: Public Works Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Public Works Department

Storm Drainage

6. Improve drainage systems throughout the City, including facilities carrying storm flows along Highway 101 to the Santa Ynez River, to provide adequate drainage as determined necessary by Caltrans and the City Engineer, in accordance with the Storm Water Management Plan.

Responsible Agency/Department: Public Works Department, City Engineer
Timeframe: 2007-2010
Funding: General Fund
Monitoring: Public Works Department, City Engineer

Solid Waste Disposal

7. Work with the Santa Barbara County Association of Governments and the California Integrated Waste Management Board to expand solid waste disposal capacity and encourage recycling, source reduction, waste composting, and public information programs.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department



Police and Fire Protection Services

8. Continue and update as necessary police and fire protection service standards to help ensure that adequate service levels are maintained.

Responsible Agency/Department: Administration, Sheriff's Department, Fire Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Administration

9. Continue to refer development plans to the Fire Department to assure adequacy of structural fire protection, access for firefighting, water supply, and vegetation clearance, and to the Sheriff's Department to assure adequacy of defensible space and patrol access.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

School Services

10. Work with the school district to consider establishing a task force to evaluate the feasibility of implementing a new high school in the City or Sphere of Influence.

Responsible Agency/Department: Santa Ynez Union High School District/City Council
Timeframe: 2007-2010
Funding: General fund
Monitoring: Santa Ynez Union High School District/City Council

Library Services

11. Work with the Zone II Library System to investigate the need for expansion of and/or improvements to the Buellton Library and to identify funding sources, partnerships, and capital strategies to implement such improvements

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

See also Policy 30 and Program 13 in the Buellton General Plan Conservation and Open Space Element regarding recycling.



SAFETY GOALS, POLICIES AND PROGRAMS

Goals

1. Identify hazardous areas and to discourage to the maximum extent feasible development of areas subject to hazards.

Flood Hazards

2. Protect the lives and property of the residents and visitors of Buellton from unnecessary risk due to flooding.

Seismic and Geological Hazards

3. Protect the lives and property of the residents and visitors of Buellton from unnecessary risk due to seismic and geological hazards.

Wildland and Urban Fire Hazards

4. Protect the lives and property of the residents and visitors of Buellton from unnecessary risk due to wildland and urban fires.

Hazardous Materials and Risk of Upset

5. Protect the lives and property of the residents and visitors of Buellton from unnecessary risk due to hazardous materials, risk of upset, and other man-made hazards.
6. Maintain an emergency preparedness plan in accordance with the National Incident Management System (NIMS) / Standardization Emergency Management System (SEMS) in order to respond to natural and man-made disasters.

Policies

Flood Hazards

- S-1 New development (habitable structures including commercial and industrial buildings) shall be set back at least 200 feet from the bank of the Santa Ynez River. A lesser setback may be allowed if a hydro-geologic study by a qualified professional can certify that a lesser setback will provide an adequate margin of safety from erosion and flooding due to the composition of the underlying geologic unit, to the satisfaction of the County Flood Control District, and a lesser setback will not adversely impact sensitive riparian corridors or associated plant and animal habitats, as determined by a qualified biologist, or planned trail corridors. Passive use trails may be allowed within setback areas.
- S-2 All direct disturbance from new development, including grading and structures shall be set back at least 50 feet from the top of bank of creeks, including Zaca Creek and



Thumbelina Creek, except where culverted. Passive use trails may be allowed within setback areas.

- S-3 New development in mapped flood prone areas shall be subject to the requirements of the Federal Emergency Management Agency.
- S-4 As a condition of approval, continue to require any new development to minimize flooding problems identified by the National Flood Insurance Rate Program.
- S-5 Recognize the risk of dam inundation and have evacuation plans in place.

Seismic and Geological Hazards

- S-7 All new development shall satisfy the requirements of the California Building Code regarding seismic safety.
- S-8 Restrict development of critical facilities, such as hospitals, fire stations, emergency management headquarters, and utility lifelines, including sewage treatment plants, and places of large congregations, in areas determined as high risk geologic hazard zones, as feasible.
- S-9 Geologic studies shall be required as a condition of project approval for new development on sites with slopes greater than 10%, and in areas mapped by the Natural Resource Conservation Service (NRCS) as having moderate or high risk of liquefaction, subsidence and/or expansive soils.
- S-10 Require that adequate soils, geologic and structural evaluation reports be prepared by registered soils engineers, engineering geologists, and/or structural engineers, as appropriate, for all new development proposals for subdivisions or structures for human occupancy.
- S-11 Maintain and enforce applicable codes and other regulations to minimize the loss of life and damage to structures during an earthquake or other geologic disaster.
- S-12 Minimize erosion hazards, new development should incorporate features into site drainage plans that would reduce impermeable surface area, increase surface water infiltration, and/or minimize surface water runoff during storm events. Such features may include:
 - Additional landscape areas,
 - Parking lots with bio-infiltration systems,
 - Permeable paving designs, and
 - Storm water detention basins.
- S-13 Continue to participate in the National Flood Insurance Rate Program and continue to consult with the Santa Barbara County Flood Control District with regard to land use planning in flood prone areas of the City.



Wildland and Urban Fire Hazards

- S-14 Work with the Santa Barbara County Fire Department to ensure that existing and future development is not exposed to unnecessary risk due to wildland and urban fire hazards.

Hazardous Materials and Risk of Upset

- S-15 Enforce the applicable provisions of the Santa Barbara County Hazardous Waste Management Plan and all other applicable State, federal and local regulations dealing with the use, storage, disposal and transportation of hazardous materials.
- S-16 Continue to comply with the emergency management standards outlined by the National Incident Management System (NIMS) / Standardization Emergency Management System (SEMS), and maintain an up to date emergency preparedness plan that identifies the authority, responsibility, function, and operation of the City during an emergency.
- S-17 Maintain mutual aid agreements with County and other jurisdictions for assistance in emergencies.
- S-18 Support the efforts of the County Fire Department, the County Environmental Health Department, the County Sheriff, and the California Highway Patrol to require the proper use, transportation, treatment, and disposal of hazardous materials.
- S-19 Manage contaminant release risks associated with the City’s municipal water treatment facilities.

Programs

- 1. Update the Impact Fee Schedule on a regular basis to ensure that public safety facilities and services required by new development are paid for by those developments.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

Flood Hazards

- 2. Amend the zoning ordinance to require new development (habitable structures including commercial and industrial buildings) to maintain a minimum 200 foot setback from the banks of the Santa Ynez River, and a minimum 50 foot setback from Zaca and Thumbelina Creeks, except where a hydro-geologic study prepared by a qualified professional certifies that a lesser setback will provide an adequate margin of safety from erosion and flooding due to the composition of the underlying geologic unit, to the satisfaction of the County Flood Control District, and a lesser setback will not adversely



impact sensitive riparian corridors or associated plant and animal habitats, as determined by a qualified biologist, or planned trail corridors.

Responsible Agency/Department: Planning Department
Timeframe: 2007-2010

Funding: General fund
Monitoring: Planning Department

3. Continue to participate in the National Flood Insurance Rate Program.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

4. The Police and Fire Departments will maintain a dam failure evacuation plan with guidance for public officials on emergency notification and evacuation instructions, including use of the emergency alert system to notify the public.

Responsible Agency/Department: Fire and Police Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

Seismic and Geological Hazards

5. Review and update the Subdivision Ordinance and Grading Ordinance as needed to reflect the policies of the General Plan.

Responsible Agency/Department: Planning Department
Timeframe: 2007-2009
Funding: General fund
Monitoring: Planning Department

6. With development applications, the City will require the submission of a geological report that addresses liquefaction hazards, as well as soils and other geological constraints, or a request for a waiver of such a report if the proposed development is located within 1,000 feet of the Santa Ynez River, Zaca Creek, or Thumbelina Creek and the development proposal is one of the following:

- a. Any subdivision of land subject to the Subdivision Map Act for which the eventual construction of a structure for human occupancy is contemplated; or
- b. Structures for human occupancy, except single-family dwellings and mobile homes, to be built or placed on lots previously approved through the building permit process.



Structures for human occupancy may only be constructed or placed on the site if the approved geological report shows that no undue hazard would be created. Mitigation measures may be required for human occupancy structures, based on the recommendation in the geological report.

Waiver of the geological report is allowed in certain situations where it can be shown as follows: (1) that groundwater or geologic conditions do not constitute a liquefaction hazard; or (2) that satisfactory mitigation of the potential hazard is possible, as submitted by a qualified engineer or geologist.

Responsible Agency/Department: Public Works Department/City Engineer
Timeframe: Ongoing
Funding: General fund
Monitoring: Public Works Department/City Engineer

Wildland and Urban Fire Hazards

7. Require new development to provide fire flow, emergency access, hydrants, fire breaks and/or fire resistant vegetation consistent with Fire Department requirements for the fire hazard severity of the site.

Responsible Agency/Department: Planning Department, Fire Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department, Fire Department

Hazardous Materials and Risk of Upset

8. Maintain all City water treatment facilities in accordance with the 2006 Offsite Consequence Analysis (OCA), California Accidental Release Prevention Program (Cal-ARP), including studying the possibility of using solid chlorine pellets rather than gas, and respond to the unlikely event of a contaminant release from such facilities in accordance with City's emergency response procedures.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

9. Adopt new municipal code provisions that ensure commercial and industrial uses in mixed use projects do not pose substantial health risks to residential components.

Responsible Agency/Department: Planning Department
Timeframe: 2007-2010
Funding: General fund
Monitoring: Planning Department



10. Require proponents of development projects on or immediately adjacent to lands historically used for commercial, industrial, or agricultural purposes to perform hazardous materials assessment for soil and groundwater contamination, in accordance with the American Society for Testing and Materials (ASTM) standards. If contamination is identified that exceeds regulatory action levels, the City will require the project proponent to undertake remediation procedures prior to grading and development under the supervision of the County Fire Department, Department of Toxic Substances Control, and/or Regional Water Quality Control Board, depending on the nature of the contaminant release.

Responsible Agency/Department: Planning Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department

11. Work with the California Department of Transportation (Caltrans) to require all transportation of hazardous materials to follow Caltrans approved routes.

Responsible Agency/Department: Public Works Department
Timeframe: Ongoing
Funding: General fund
Monitoring: Planning Department



APPENDIX C

Buellton General Plan Land Use Element and Circulation Element Update Program EIR Mitigation Monitoring and Reporting Program



MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in this Environmental Impact Report, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring and Reporting Program (MMRP).

In order to implement this MMRP, the City of Buellton shall designate a Project Mitigation Monitoring and Reporting Coordinator (“Coordinator”). The coordinator shall be responsible for ensuring that the mitigation measures incorporated into the project are complied with during project implementation. Further, the coordinator will distribute copies of the MMRP to those responsible agencies identified in the MMRP, which have partial or full responsibility for implementing certain measures. Failure of a responsible agency to implement a mitigation measure shall not in any way prevent the lead agency from implementing the proposed project.

The following table shall be used as the coordinator’s checklist to determine compliance with required mitigation measures.



Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
<p>the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible.</p> <ul style="list-style-type: none"> • Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less. • Gravel pads must be installed at all access points to prevent tracking of mud on to public roads. • If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin. • After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. 		monitor as necessary to ensure compliance with dust control measures.					

Key: BPD - Buellton Planning Department
 BPWD - Buellton Public Works Department
 APCD - Santa Barbara County Air Pollution Control District

DTSC - Department of Toxic Substances Control
 Caltrans - California Department of Transportation

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
the following: fuel injection timing retard of 2 degrees; installation of high pressure injectors; coating of internal combustion surfaces (cylinder head, pistons, and valves); and/or use of reformulated diesel fuel.	features shall occur prior to project construction.						
AQ-3(c) Standard Ozone Precursor Controls. At all times, ozone precursor emissions shall be controlled not only through the routine maintenance of all construction equipment, but construction activities shall also be required to utilize new technologies to control ozone precursor emissions including: <ul style="list-style-type: none"> • Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) should be utilized wherever feasible. • The engine size of construction equipment shall be the minimum practical size. • The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time. • Construction equipment shall be 	The applicants for future development projects and agents thereof shall maintain construction equipment and demonstrate the use of required emissions control technologies.	Perform periodic spot checks during construction to ensure compliance with requirements.	Periodically during construction.	BPD			

Key: BPD - Buellton Planning Department
BPWD - Buellton Public Works Department
APCD - Santa Barbara County Air Pollution Control District

DTSC - Department of Toxic Substances Control
Caltrans - California Department of Transportation

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
<p>maintained in tune per the manufacturer's specifications.</p> <ul style="list-style-type: none"> • Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or precombustion chamber engines. • Catalytic converters shall be installed on gasoline-powered equipment, if feasible. • Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available. • Diesel powered equipment should be replaced by electric equipment whenever feasible. • Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite. 							
BIOLOGICAL RESOURCES							
<p>B-6(a) Prohibition of Invasive Plants. Plants considered to be invasive by the California Exotic Pest Plant Council shall be prohibited in new development adjacent to permanent open space/natural areas within the City. Wherever site development is proposed adjacent to a special-status plant habitat</p>	<p>The applicants for future development projects shall submit the landscape plans for approval by a City-approved biologist. A list of locally non-invasive plants shall be included in the approved landscape guidelines. Non-native landscaping shall be removed</p>	<p>Review plans prior to issuance of grading permits. Review landscaping prior to</p>	<p>Plan review once. Site-inspect as necessary during and following construction.</p>	<p>BPD</p>			

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an appropriate buffer of fire retardant and native vegetation shall remain or be established between the sensitive area and the proposed development.	from the site.	occupancy for non-natives.					
<p>B-7(a) Wildlife Surveys and Mitigation. A wildlife survey shall be conducted by a qualified biologist for proposed development areas that may contain sensitive wildlife as defined by the City or appropriate state or federal regulatory agencies. Such surveys would be required prior to potential development, rather than prior to adoption of the Land Use Element Update. Appropriate mitigation measures shall be identified by a qualified biologist, and may include one or more of the following measures, as applicable:</p> <p>i. <u>Ground Disturbance Timing.</u> In order to avoid impacts to nesting birds including the ground-nesting northern harrier, or other birds protected under the Migratory Bird Treaty Act, all initial project specific ground disturbing activities and tree removal as a result of future development shall be limited to the</p>	The applicants for future development projects shall submit the results of the surveys, as applicable, for approval by BPD.	Review survey results prior to issuance of grading permits. Site-inspect as necessary during construction.	Review survey results once. Site-inspect as necessary during construction.	BPD			

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<p>time period between September 15 to March 1. If initial development project specific site disturbance, grading, and tree removal cannot be conducted during this time period, pre-construction surveys for active nests within the limits of proposed grading areas should be conducted by a qualified biologist two weeks prior to any construction activities. If active nests are located, then all construction work must be conducted outside a non-disturbance buffer zone at a distance established by the city in consultation with the CDFG. No disturbance to the nest shall occur until the adults and young are no longer reliant on the nest site.</p> <p>ii. <u>Pet Brochure</u>. Applicants of residential projects adjacent to open space or other habitat areas shall be required to prepare a brochure that informs prospective homebuyers about the impacts associated with non-native animals, especially cats and dogs, and other non-native animals, to sensitive habitat areas. The brochure shall also describe</p>							

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<p>appropriate buffer for fire safety and native vegetation shall remain or be established between the habitat area and the proposed development.</p> <p>v. Migration Corridors. Natural migration corridors including the Santa Ynez River, Zaca Creek, Thumbelina Creek, and the tributary drainages throughout the City shall be maintained in a manner designed to promote wildlife movement and protection and the safe and accessible passage of wildlife under busy roadways. New roadways that cross migration/movement corridors shall be designed to accommodate wildlife passage.</p>							
CULTURAL AND HISTORIC RESOURCES							
<p>CR-1(a) Halt Work Order for Archaeological Resources. If archaeological resources are exposed during construction of individual projects pursuant to the Land Use or Circulation Elements, all earth disturbing work within the vicinity of the find must be temporarily suspended until an archaeologist has evaluated the nature and significance of the find. After the</p>	<p>This condition shall be in effect for future development projects throughout project construction.</p>	<p>Check plans prior to approval of Permits and spot check in the field during construction.</p>	<p>As necessary, during construction.</p>	<p>BPD</p>			

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find has been appropriately mitigated, work in the area may resume. A representative should monitor any mitigation excavation associated with Native American materials.							
GEOLOGY AND HAZARDS							
<p>G-4(a) Grading and Erosion Control Plan. A grading and erosion control plan that minimizes erosion, sedimentation and unstable slopes shall be prepared and implemented by the applicants for development projects, prior to issuance of Grading Permits. It must include one or more of the following erosion reduction methods, as determined by the City Engineer:</p> <p>a. Methods such as retention basins, drainage diversion structures, spot grading, silt fencing/coordinated sediment trapping, straw bales, and sand bags shall be used to minimize erosion on slopes and siltation into Santa Ynez River, Zaca Creek and Thumbelina Creek during grading and construction activities.</p> <p>b. Graded areas shall be revegetated</p>	<p>The applicants for future development projects shall submit the grading and erosion control plan for review and approval to BPD prior to approval of permits for grading. This condition shall be noted on grading plans. The applicants shall notify BPD prior to commencement of grading. Components of the grading and erosion control plan shall be implemented throughout all grading activities. Components of the grading and erosion plans shall be implemented prior to land use clearance for the first structure.</p>	<p>During construction, Site-inspect to assure implementation of approved plans. Monitor technical aspects of the grading activities.</p>	<p>As necessary, during construction.</p>	<p>BPD, BPWD</p>			

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<p>within 4 weeks of grading activities with deep-rooted, native, drought-tolerant species to minimize slope failure and erosion potential. If determined necessary by the Planning Department, irrigation shall be provided. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.</p> <p>c. After construction of tract improvements, exposed areas shall be stabilized to prevent wind and water erosion, using methods approved by the Planning Department and APCD. These methods may include importing of topsoil is to be imported and spread on the ground surface in areas having soils that can be transported by the wind, and/or the mixing of the highly erosive sand with finer-grained materials (silt or clay) in sufficient quantities to prevent its ability to be transported by wind. The topsoil or silt/clay mixture is to be used to stabilize the existing soil to prevent its ability to be transported by wind. As a minimum, six inches of</p>							

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topsoil or silt/clay/sand mixture is to be used to stabilize the wind-erodible soils. d. Where necessary, site preparation shall include the removal of all or a portion of the expansive soils at the building sites and replacement with compacted fill. e. Where necessary, construction on transitional lots shall include overexcavation to expose firm sub-grade, use of post tension slabs in future structures, or other geologically acceptable method. f. Landscaped areas adjacent to structures shall be graded so that drainage is away from structures. g. Irrigation shall be controlled so that overwatering does not occur. An irrigation schedule shall be reviewed and approved by Planning and Building prior to land use clearance for grading. h. Grading on slopes steeper than 5:1 shall be designed to minimize surface water runoff. i. Fills placed on slopes steeper than 5:1 shall be properly benched prior to placement of fill. j. Brow ditches and/or berms shall							

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<p>be constructed and maintained above all cut and fill slopes, respectively.</p> <p>k. Cut and fill benches shall be constructed at regular intervals.</p> <p>l. Retaining walls shall be installed to stabilize slopes where there is a 10-foot or greater difference in elevation between buildable lots.</p> <p>m. The applicant shall limit excavation and grading to the dry season of the year (typically April 15 to November 1, allowing for variations in weather) unless a Planning Department Building and Safety approved erosion control plan is in place and all measures therein are in effect.</p> <p>n. The applicant shall post a bond with the County and hire a Planning Department-qualified geologist or soils engineer prior to land use clearance for grading, and to ensure that erosion is controlled and mitigation measures are properly implemented.</p>							
HYDROLOGY AND WATER QUALITY							
HWQ-2(a) Dam Inundation	The disclosure shall be provided	Review the	Once.	BPWD			

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<p>Notification. Prior to development within the areas subject to inundation should dam failure occur, upon the transfer of real property or rental agreements on development sites within the dam inundation hazard area depicted on Figure 4.6-2, the transferor shall deliver to the prospective occupants a written disclosure statement that shall make all prospective occupants aware that this area is located within a dam failure inundation hazard area.</p>	<p>by the property transferor to prospective homeowners and renters upon the transfer of real property and execution of leases on the project site. Updated disclosure notifications shall be provided to existing and prospective homeowners on the project site as necessary if substantial new information regarding dam inundation at the applicable site.</p>	<p>disclosure statement prior to occupancy of proposed residential units.</p>					
<p>HWQ-3(a) Site Specific Drainage Study and Plan. A site-specific drainage study and plan shall be prepared for all development on sites greater than one acre within the City unless otherwise determined by the City Engineer. The applicants for development projects shall be required to submit hydrology calculations, prepared by a Civil Engineer, to the City Engineer for review and approval. The drainage calculations shall demonstrate that the existing storm drain systems maintained by Caltrans and the City (as applicable) have adequate capacity to accommodate the proposed project. If</p>	<p>The applicants for future development projects shall prepare a drainage study and plan and submit to BPD and BPWD for review. All components of the drainage plan shall be implemented.</p>	<p>Review plans prior to approval of building permits. Review plan implementation prior to issuance of occupancy permits. Site-inspections to be conducted prior to, during and subsequent to</p>	<p>Plan review once. Conduct site-inspections periodically during construction.</p>	<p>BPD, BPWD</p>			

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capacity is not available in the existing systems using the design criteria of the governing agency, then the applicant shall construct new downstream drainage improvements; improve the existing system, or other acceptable alternative, as approved by the City Engineer, prior to project occupancy. A rainfall frequency of twenty-five (25) years shall be used for sizing piping and inlet structures. If no overland escape is available, 100 year flows shall be used as the basis of design. Santa Barbara County Engineering Design Standards shall be used. Storm drainage run-off shall be conducted to the public street in a safe and adequate manner per Santa Barbara County Standards.		construction of structures.					
HWQ-3(b) Pervious Paving Material. Future development projects shall be encouraged to develop plans/practices for minimizing runoff rates and volumes of stormwater on-site to allow percolation to the underlying aquifer. Some methods that may be used to facilitate groundwater recharge and reduce surface water runoff may include, but are not limited to, the use of pervious paving material within parking	The applicants for future development projects shall incorporate the listed provision into development plans or shall submit proof of unfeasibility prior to initiation of construction.	Site-inspect to ensure development is in accordance with approved plans prior to occupancy clearance. Verify installation in accordance	Once.	BPD, BPWD			

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lots and other paved areas to facilitate rainwater percolation.		with approved design plans.					
HWQ-4(a) Storm Water Quality Measures. A Best Management Practice (BMP) device shall be installed to intercept water flowing off of proposed parking lots and roadway surfaces for urban infill projects. Whenever feasible, the preferred approach to treating surface runoff will be the use of drainage swales. The chosen method for treating runoff will be a proven and documented pollution prevention technology device that removes oil and sediment from stormwater runoff, and retains the contaminants for safe and easy removal. The chosen device shall possess design features to prevent resuspension of previously collected contaminants and materials, and contain a built-in diversion structure to divert intense runoff events and prevent scouring of the previously collected sediments. The filter devices shall be sized to capture all dry weather surface runoff and accommodate the first flush (one inch) during storm events. The storm water quality system must be	The applicants for future development projects shall incorporate the listed provision into development plans.	Site-inspect to ensure development is in accordance with approved plans prior to occupancy clearance. Verify installation in accordance with approved design plans.	Once.	BPD, BPWD			

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reviewed and approved by the City and Regional Water Quality Control Board.							
HWQ-4(b) Stormwater BMP Maintenance Plan. All stormwater BMP devices in new development shall be required to be cleaned and maintained in accordance with the manufacturer's maintenance specifications. The timing shall be at least twice per year: just prior to the onset of the rainy season (i.e. November 1st) and immediately after the end of the rainy season (i.e. May 1st).	The applicants for future development projects greater than one acre in size shall prepare a Stormwater BMP Maintenance Plan and submit to BPD and BPWD for review.	Review plan prior to approval of building permits. Review plan implementation prior to issuance of occupancy permits. Site-inspections to be conducted prior to, during and subsequent to construction of structures.	Plan review once. Conduct site-inspections periodically after construction.	BPD, BPWD			
LAND USE, AGRICULTURE, AND HOUSING							
LU-1(a) Notice of Intent to Apply Herbicides or Pesticides. The City shall work with the Santa Barbara County Agricultural Commissioner to implement a spray notice (Notice of Intent to Spray), which would be provided to sensitive uses within 200	The City will encourage the County Agricultural Commissioner to submit an NOI to BPD and residences within 200 feet from cultivated agriculture prior to spraying.	Prior to spraying.	As needed.	BPD			

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feet of cultivated agriculture, in order to provide a minimum 24-hour advance notice of pesticide or herbicide spraying within the 200 foot area.							
LU-1(b) Maintain 200-Foot Agricultural Buffer. A minimum 200-foot buffer between the nearest property line of property currently in the County Agriculture zoning district and any habitable structures in the City shall be maintained.	The applicants for future development projects shall incorporate required buffers on site plans.	Review site plans for conformance to this requirement prior to the commencement of construction.	Once.	BPD			
LU-2(a) Displacement Dispensation. Projects which displace permanent RV residents within established RV parks shall abide by one of the following measures: Measure #1. Each RV space that is occupied by the same party for 90 or more consecutive days as measured from the project application date hereinafter defined as “Baseline Displacement”, and each RV space that is occupied by the same party for 90 or more consecutive days as of the date final zoning clearance for the project is granted (if different from or in addition to the RV spaces identified as Baseline	The applicants for future development projects shall provide replacement housing/ relocation assistance as applicable.	Review documentation of occupancy of displaced individuals prior to grading permits.	Review occupancy documentation and the provision of relocation assistance once. Review plan implementation as necessary.	BPD			

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<p>Displacement), shall be subject to the replacement housing and relocation assistance parameters of Housing Element Programs 6 and 15. As used herein, the term “application date” means the date on which application was filed for discretionary approval of the project. The project applicant shall bear the burden of proving the status of occupancy as of the application date and date of zoning clearance, and data shall be obtained and verified by such methods as may be necessary and reasonable to ensure full, true and complete information from which to base determinations in accordance with the standards set forth in the City’s Affordable Housing Ordinance codified in Chapter 19.16 of the Buellton Municipal Code.</p> <p>Measure #2. The project applicant shall prepare an RV Park Closure Plan to provide replacement housing and relocation assistance for extended stay occupants displaced by the project. The RV Park Closure Plan shall be subject to review and approval by the City as a condition prior to granting final zoning clearance, allowing demolition and</p>							

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<p>clearance of the site. The Closure Plan, at a minimum, shall include the following components and shall generally conform the requirements of Government Code Section 65863.7 with respect to content and tenant noticing:</p> <ul style="list-style-type: none"> • The number and occupancy characteristics of extended stay occupants living within the existing RV Park. • The incomes, financial capacity and replacement housing needs of the extended stay occupants. • The availability, cost differential and means of providing replacement housing. • The impact of RV Park closure on the extended stay occupants and types, amounts and timing of relocation assistance to be provided (i.e., advisory services, moving costs, replacement housing payments, etc.). 							
NOISE							
N-1(a) Acceptable Noise Levels. Residential structures located within unacceptable noise contours shall provide attenuation of indoor noise	The applicants for future development projects shall submit for BPD review an on-site noise study performed by an acoustical	Review the noise study and subsequent	Review noise study and building plans once. Site-	BPD			

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limited to between the hours of 8:00 AM and 5:00 PM on weekdays and 9:00 AM and 4:00 PM on Saturdays. No deliveries shall occur on Sundays.	and renters upon the transfer of real property and execution of leases on the project site.	to occupancy of proposed commercial or residential units, whichever occurs first.					
N-2(b) Truck Idling Limitations. The owners or operators of commercial uses on mixed-use development sites shall post a sign at each loading area which states that the idling time for delivery truck engines shall be limited to no more than three minutes.	The disclosure shall be provided by the property transferor to prospective commercial owners and renters upon the transfer of real property and execution of leases on the project site.	Review the disclosure statement prior to occupancy of proposed commercial or residential units, whichever occurs first.	Once.	BPD			
N-2(c) Common Wall Insulation. Common walls between horizontal (side-by-side) and vertical (stacked) mixed use commercial/residential development shall be noise-insulated to provide attenuation of indoor noise levels.	The applicants for future development projects shall incorporate this requirement on building plans.	Review building plans for conformance to this requirement prior to the commencement of construction.	Once.	BPD			
N-2(d) Sound Barriers for External Equipment. External noise-generating equipment associated with commercial	The applicants for future development projects shall incorporate this requirement on building plans.	Review building plans for conformance to this requirement	Once.	BPD			

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uses (e.g., HVAC units, etc.) that are located in mixed use developments and/or adjacent to residential uses shall be shielded or enclosed with solid sound barriers.		prior to the commencement of construction.					
N-2(e) Disclosure of Nuisance. Upon the transfer of residential property on mixed-use sites, the transferor shall deliver to the prospective transferee a written disclosure statement which shall make prospective home buyers or renters aware that although potential impacts or conflicts between commercial and residential uses (e.g., noise) may be lessened by proper maintenance, some level of incompatibility between the two uses would remain.	The disclosure shall be provided by the property transferor to prospective homeowners and renters upon the transfer of real property and execution of leases on the project site.	Review the disclosure statement prior to occupancy of proposed commercial or residential units, whichever occurs first.	Once.	BPD			
N-3(a) Construction Noise Ordinance. The City shall adopt an ordinance to limit all construction activity to the hours between 8:00 AM and 5:00 PM on weekdays. Weekend construction would require special approval from the City Engineer and would be limited to between the hours of 9:00 AM and 4:00 PM.	The City shall adopt a Construction Noise Ordinance.	Prepare ordinance.	Once.	BPD			
N-4(a) Noise Study for Major	The applicant shall contract an	Review the	Review the	BPD, BPWD			

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<p>Transportation Improvements. Prior to implementation of circulation projects which modify, move, or create circulation facilities that may increase noise levels for sensitive receptors, a noise study shall be conducted by a qualified professional. If the noise study concludes that City noise level standards will be exceeded, the recommendations of the noise study to reduce noise to an acceptable level shall be implemented. The recommendations may include one or more of the following methods to reduce noise levels: construction of sound walls, implementation of vegetative and/or earthen berms adjacent to transportation facilities, structural noise reducing improvements to affected structures, and/or re-routing of transportation facilities.</p>	<p>acoustical engineer to perform an on-site noise study. All recommendations shall be incorporated into site design to reduce noise levels in accordance with City standards. Building plans depicting the required design features shall be submitted to the BPD for review and approval.</p>	<p>noise study and inspect the site for required setbacks or design features prior to occupancy clearance.</p>	<p>noise study and plan revisions once. Site review for compliance once.</p>				
SAFETY							
<p>S-1(a) Hazardous Materials Policy. The following new policy shall be incorporated into the Buellton General Plan Safety Element at the time that element is updated:</p> <ul style="list-style-type: none"> <i>Policy HZ-10:</i> The City should 	<p>The City shall incorporate the new policy into the Buellton General Plan Safety Element Update.</p>	<p>Prepare and incorporate the new policy.</p>	<p>Once.</p>	<p>BPD</p>			

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<p>establish procedures for processing projects which involve the use, storage, transport, handling and/or disposal of hazardous materials/wastes. These procedures shall include provisions for the involvement of the County Fire Department (permits, site plan review, etc.), submittal of additional information (such as a Business Plan, Waste Minimization Plan, risk assessment, etc.) and processing timeframes. A listing of land uses that typically use, store or generate hazardous materials/wastes should be developed, to be used by the Planning Department to determine project processing procedures. The City should consider establishing a procedure to identify existing, expanded and new businesses in the City which handle hazardous materials and/or generate hazardous waste.</p>							
<p>S-1(b) Previously Unidentified Hazardous Materials. In the event that hazardous waste and/or materials, including chemical odors or stained</p>	<p>The applicants for future development projects shall coordinate with applicable regulatory agencies regarding any</p>	<p>Prior to issuance of grading permits.</p>	<p>Review the remediation of identified contaminants</p>	<p>BPWD, DTSC</p>			

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soils, are encountered during construction of future development sites, the following actions shall be taken by the applicant or authorized agent thereof: (1) all work in the vicinity of the suspected contaminant will be halted; (2) all persons shall be removed from the area; (3) the site shall be secured under the direction of the County Fire Department; and (4) the City of Buellton Hazardous Waste/Materials Coordinator shall be notified. Work shall not recommence until such time as the find is evaluated and appropriate measures are implemented as necessary to the satisfaction of the California Department of Toxic Substances Control.	identified contamination.		once.				
S-3(a) Asbestos Sampling and Supervision. Prior to demolition of structures constructed prior to 1978, areas of the structures to be demolished shall be sampled as part of an asbestos survey in compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAP). If asbestos is found in any building, asbestos-related work, including demolition, involving 100 square feet or more of asbestos containing materials (ACMs) shall be	The applicants shall contract with a qualified hazardous materials inspector to conduct asbestos sampling and notify APCD as necessary. ACM supervision, if necessary, shall be undertaken by a licensed asbestos consultant approved by BPWD.	The APCD will review the demolition notification and BPWD will review the asbestos sampling prior to initiation of demolition activities. BPWD will field	Review notification once. Field verify as necessary during demolition.	BPWD, APCD			

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performed by a licensed asbestos abatement contractor under the supervision of a certified asbestos consultant and asbestos shall be removed and disposed of in compliance with applicable State laws. Regardless of whether asbestos is identified in any building, prior to demolition of existing structures the APCD shall be notified and an APCD Notification of Demolition and Renovation Checklist shall be submitted to both APCD and the Buellton Planning Department.		verify ACM supervision during demolition activities.					
S-3(b) Lead-Based Paint Management. If during demolition of structures constructed prior to 1978 paint is separated from the building material (e.g. chemically or physically), the paint waste will be evaluated independently from the building material by a qualified hazardous materials inspector to determine its proper management. All hazardous materials shall be handled and disposed in accordance with local, state and federal regulations. According to the Department of Toxic Substances Control (DTSC), if paint is not removed from the building material during	The applicants shall contract with a qualified hazardous materials inspector to evaluate and manage lead-based paint (LBP) materials during demolition activities. All identified LBP materials shall be disposed of prior to issuance of occupancy clearance.	Field verify proper LBP management during demolition activities	As necessary during demolition.	BPWD			

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demolition (and is not chipping or peeling), the material can be disposed of as construction debris (a non-hazardous waste). The landfill operator will be contacted prior to disposal of building material debris to determine any specific requirements the landfill may have regarding the disposal of lead-based paint materials. The disposal of demolition debris shall comply with any such requirements.							

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 BPWD - Buellton Public Works Department
 APCD - Santa Barbara County Air Pollution Control District

DTSC - Department of Toxic Substances Control
 Caltrans - California Department of Transportation