



CITY OF BUELLTON

PLANNING COMMISSION AGENDA

**Regular Meeting of December 21, 2017 – 6:00 p.m.
City Council Chambers
140 West Highway 246, Buellton, California**

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

CALL TO ORDER

Chair Brian Dunstan

PLEDGE OF ALLEGIANCE

Commissioner Patty Hammel

ROLL CALL

Commissioners Patty Hammel, Dan Heedy, Marcilo Sarquilla, Vice Chair Joe Padilla and Chair Brian Dunstan

REORDERING OF AGENDA

ELECTION OF OFFICERS

- 1. Election of Chair and Vice Chair**
- 2. Appointments to Green Team Committee (2)**

PRESENTATIONS

None

APPROVAL OF MINUTES

- 3. Minutes of the regular Planning Commission meeting of December 7, 2017**

PUBLIC COMMENTS

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

CONSENT CALENDAR

None

CONTINUED PUBLIC HEARINGS

4. **Resolution No. 17-14 – “ A Resolution of the Planning Commission of the City of Buellton, California, Approving the Mitigated Negative Declaration (17-MND-01) and Mitigation Monitoring and Reporting Program for The Network Project Project (BUE 5) Located at the Southern Terminus of Industrial Way, Assessor’s Parcel Numbers 099-690-045, 099-690-046 and 099-690-001, and Making Findings in Support:**

and

Resolution No. 17-15 - “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (16-FDP-07) and Lot Line Adjustment (17-LLA-03) for The Network (BUE 5) Project Located at the Southern Terminus of Industrial Way, Assessor’s Parcel Numbers 099-690-045, 099-690-046 and 099-690-001, and Making Findings in Support Thereof”

NEW PUBLIC HEARINGS

OTHER BUSINESS

WRITTEN COMMUNICATIONS

PLANNING COMMISSIONER COMMENTS

PLANNING DIRECTOR REPORT

ADJOURNMENT

To the next regularly scheduled Planning Commission meeting of Thursday, January 4, 2018 at 6:00 p.m. in the Council Chambers located at 140 West Highway 246.

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

CITY OF BUELLTON

PLANNING COMMISSION MEETING MINUTES

December 7, 2017 – 6:00 p.m.

City Council Chambers, 140 West Highway 246
Buellton, California

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Vice Chair Padilla led the Pledge of Allegiance

ROLL CALL

Present: Commissioners Patty Hammel, Dan Heedy, Marcilo Sarquilla,
Vice Chair Joe Padilla and Chairman Brian Dunstan

Staff: City Manager Marc Bierdzinski
Public Works Director Rose Hess
Contract City Planner Irma Tucker
Assistant Planner Andrea Keefer
Staff Assistant/Planning Technician Clare Barcelona

REORDERING OF AGENDA

The Agenda was reordered to allow item #3, Other Business, to be heard before item #2, New Public Hearings.

PRESENTATIONS

None

APPROVAL OF MINUTES

1. Minutes of the regular Planning Commission meeting of November 16, 2017

MOTION:

Commissioner Heedy moved and Vice Chair Padilla seconded the motion to approve the Minutes of November 16, 2017.

VOTE:

Motion passed with a 4-0 voice vote with abstention by Chair Dunstan due to his absence from the meeting.

PUBLIC COMMENTS

None

CONSENT CALENDAR

None

CONTINUED PUBLIC HEARINGS

None

OTHER BUSINESS

3. Discussion and Possible Uses for the City Owned Property at 480 Central Avenue

STAFF REPORT:

City Manager Marc Bierdzinski presented the staff report.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

DISCUSSION/SPEAKERS:

The Planning Commission reviewed potential land uses for the property the City recently purchased at 480 Central Avenue. The Commission was unanimous in that the lot should not be used for a public parking lot or a mixed use project. Three Commissioners favored apartments, one wanted to City to sell it, and one wanted to hold on to the property and develop it later (weed it and place decomposed granite in the interim). Staff will bring the discussion forward to City Council in early 2018

NEW PUBLIC HEARINGS

2. Resolution No. 17-14 – “ A Resolution of the Planning Commission of the City of Buellton, California, Approving the Mitigated Negative Declaration (17-MND-01) and Mitigation Monitoring and Reporting Program for The Network Project Project (BUE 5) Located at the Southern Terminus of Industrial Way, Assessor’s Parcel Numbers 099-690-045, 099-690-046 and 099-690-001, and Making Findings in Support:

and

Resolution No. 17-15 - “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (16-FDP-07) and Lot Line Adjustment (17-LLA-03) for The Network (BUE 5) Project Located at the Southern Terminus of Industrial Way, Assessor’s Parcel Numbers 099-690-045, 099-690-046 and 099-690-001, and Making Findings in Support Thereof”

Vice Chair Padilla recused himself from the Dais due to the proximity of his employment to the project.

STAFF REPORT:

Assistant Planner Andrea Keefer presented the staff report with a PowerPoint presentation.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

DISCUSSION/SPEAKERS:

Chair Dunstan opened the Public Hearing at 6:56 p.m.

Gavin Moores, Applicant, gave an overview of the project and noted that the Planning Commission's comments from the January conceptual review have been incorporated into the formal submission.

Paul Poirier, Architect, addressed the Commission in regards to roof articulation and height modification, parking, loading, restroom location and the placement of the roll up doors. He went on to explain the reason for the string lighting is that the proposed parking lot is located in the flood plain and that junction boxes are required to be located outside the flood plain.

The Commission discussed the following:

- Proposed string lighting in the parking lot versus pole lighting;
- Location of the retention basin to be determined;
- The possibility of a future bus stop;
- Fencing options;
- Location of trash enclosures;
- Circulation concerns in regards to deliveries

MOTION:

Commissioner Heedy moved and Commissioner Hammel seconded the motion keep the Public Hearing open and continued to December 21, 2017.

VOTE:

Motion passed with a 4-0 voice vote.

WRITTEN COMMUNICATIONS

None

PLANNING COMMISSIONER COMMENTS

Commissioner Heedy questioned the vehicle parking at the former China Panda site on the Avenue of Flags. Mr. Bierdzinski stated that code enforcement action is currently underway.

PLANNING DIRECTOR REPORT

Contract City Planner Irma Tucker updated the Commission on the status of the Specific Plan document and mentioned several upcoming projects.

Assistant Planner Andrea Keefer updated the Commission on the status of the proposed Bowling Alley.

ADJOURNMENT

Chair Dunstan adjourned the meeting at 7:28 p.m. to the next regular scheduled meeting of the Planning Commission to be held December 21, 2017 at the City Council Chambers, 140 West Highway 246, Buellton.

Brian Dunstan, Planning Commission Chair

ATTEST:

Clare Barcelona, Planning Commission Secretary

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

CITY OF BUELLTON
Planning Commission Agenda Staff Report

Planning Director Review: MPB
Planning Commission Agenda Item No: 4

To: The Honorable Chair and Commission Members

From: Andrea Keefer, Assistant Planner

Meeting Date: December 21, 2017

Subject: Resolution No. 17-14 - "A Resolution of the Planning Commission of the City of Buellton, California, Approving the Mitigated Negative Declaration (17-MND-01) and Mitigation Monitoring and Reporting Program for The Network Project (BUE 5) Located at the Southern Terminus of Industrial Way, Assessor's Parcel Numbers 099-690-045, 099-690-046 and 099-690-001, and Making Findings in Support Thereof";

and

Resolution No. 17-15 - " A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (16-FDP-07) and Lot Line Adjustment (17-LLA-03) for The Network (BUE 5) Project Located at the Southern Terminus of Industrial Way, Assessor's Parcel Numbers 099-690-045,099-690-046 and 099-690-001, and Making Findings in Support Thereof "

BACKGROUND/DISCUSSION

Owner: Mojo Development V LLC

Agent: Gavin Moores

General Plan Designation: Industrial and Open Space, Parks & Recreation

Zoning: M (Industrial and Manufacturing) and OS (Open Space)

APN: 099-690-045,099-690-046 and 099-690-001

This is the continued Public Hearing from the December 7th meeting. The environmental document review period was from November 21st through December 21st. At the December 7th public hearing, the Planning Commission reviewed the project with the applicant and staff. Because the 30-day environmental review period had not been completed, a decision on the project was deferred until the December 21st public hearing.

The required 30-day public review period for the environmental document is complete, and a decision on the project can now be made by the Planning Commission.

Mojo Development V LLC, property owner, and Gavin Moores, agent (“Applicant”) have submitted an application for a Final Development Plan (16-FDP-07) and Lot Line Adjustment (17-LLA-03). The 5.08-acre property is located at the southern terminus of Industrial Way in Buellton on Assessor’s Parcel Numbers 099-690-045, 099-690-046. A new off-site retention basin to serve the project will be located on Assessor’s Parcel Number 099-690-001 (Attachment 1 - Vicinity Map).

The proposed project consists of a Final Development Plan (16-FDP-07) and Lot Line Adjustment (17-LLA-03) for a single-story building that encompasses 66,822 square feet and parking and landscaping and associated improvements in support of those facilities. There are outdoor patio/plaza areas included around the proposed building, located on the south side of the building and on the north west corner. The property is currently vacant.

Under the City’s General Plan, the southern portion of the property is designated as OS (Open Space) and the northern portion is M (Industrial and Manufacturing). All habitable structures are located on the northern portion of the site, which has a zoning designation of M (Industrial and Manufacturing). The proposed structure is located outside of the 200-foot setback area, however, it is located within the 100-year floodplain boundary. Therefore, the building is required to be built a minimum of 2 feet above base flood elevations. Parking is located primarily at the southern portion of the site. Additional parking is located around the perimeter of the building on all sides. There is one primary access point located at the north east corner of the project site that is provided via easement agreement. There is a secondary access point proposed that is required located between two buildings on the adjacent property to the east. As part of the project conditions of approval, an easement agreement will be required to allow use of this access area for large trucks and maneuvering. At the south eastern corner of the site, there is a proposed emergency access location. An easement will also be required for this access point.

The project consists of the following applications:

- **Final Development Plan (16-FDP-07):** Proposal for a one-story (45 feet tall from finish floor) 66,822 square foot industrial building and parking and landscaping and associated improvements in support of those facilities.
- **Lot Line Adjustment (17-LLA-03):** Required to remove the existing lot line that runs through the project site. Project site is currently two separate lots. The lot line adjustment would make the property one lot in order to comply with setbacks and building code requirements.

A Height Limit Modification is required for the exception to the height measurement standard. Further details regarding this are described below in the staff report. The complete set of project plans, is provided as Attachment 2. Full size plans have been provided to the Planning Commission.

General Plan and Zoning Consistency

The project site is designated as M (Industrial and Manufacturing) and OS (Open Space) under the City's General Plan. The proposed structure will be built completely within the northern portion of the site designated as Industrial and Manufacturing, with a corresponding zoning of Industrial (M). Proposed uses that are known at this time have been determined to be consistent with the General Plan and zoning designations. All future proposed uses will be required to be consistent with the General Plan and Zoning designation.

The consistency of the proposed project with the applicable General Plan policies is described in the paragraphs below.

Land Use Element

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

Consistent: Adequate infrastructure exists in the area to serve the proposed project.

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

Consistent: The project will include bike racks to encourage bicycle use, and will maintain access to an existing easement along the Santa Ynez River, which is planned to accommodate a future multi-purpose trail under the City's 2012 Bicycle and Pedestrian Master Plan.

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

Consistent: Lighting fixtures consistent with this policy and the Community Design Guidelines are shown on the project plans. A photometric lighting plan was included with the project plans and the lumens are within the standards required by the Buellton Municipal Code.

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

Consistent: The project will add industrial development along Industrial Way.

Circulation Element

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

Consistent: The project will include bike racks to encourage bicycle use, and will maintain access to an existing easement along the Santa Ynez River, which is planned to accommodate a future multi-purpose trail under the City's 2012 Bicycle and Pedestrian Master Plan.

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

Consistent: Based on the traffic study prepared for the project, all roads and intersections would operate at LOS "C" or better.

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

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

Policy C-16: The City shall require the provision of adequate off-street parking in conjunction with all new development. Parking shall be located convenient to new development and shall be easily accessible from the street.

Consistent: The on-site parking meets Municipal Code requirements.

Policy C-20: In the process of considering development proposals the City shall use the full amount of discretion authorized in the municipal code and CEQA for setting conditions of approval to require new development to provide bicycle storage and parking facilities on-site as well as reserve an offer of dedication of right-of-way necessary for bikeway improvements.

Consistent: The project will include bike racks to encourage bicycle use, and will maintain access to an existing easement along the Santa Ynez River, which is planned to accommodate a future multi-purpose trail under the City's 2012 Bicycle and Pedestrian Master Plan.

Conservation and Open Space Element

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

Consistent: Development must follow all applicable regulations set forth by the Regional Water Quality Control Board and City of Buellton standards.

Policy 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.

Consistent: Implementation of mitigation measures will ensure that compliance with state and federal regulations regarding such species.

Noise Element

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

Consistent: The project is in an industrial-zoned area, surrounded by mostly existing industrial and commercial uses. The majority of the activities associated with the project will occur inside an enclosed building. The project also includes an outdoor patio/plaza area and two loading areas for large trucks.

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

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

Public Facilities and Services Element

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

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

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

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

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

Consistent: The entire project site is within the 100-year floodplain of the Santa Ynez River. The proposed structure will be required to be built a minimum of 2 feet above the base flood elevation. The project's grading and drainage plan shows how runoff from the site will be directed to the landscaped areas and an on-site bioswale vegetation area with

storm drain inlets located in these areas. The on-site storm drain will then direct the runoff to the off-site stormwater retention basin. Improvements will be constructed under the direction of the Public Works Department, and will be required to comply with all applicable regulations of the Regional Water Quality Control Board.

Safety Element

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

Consistent: The proposed building within the project area is setback at least 200 feet from the river bank. The off-site retention basin, a portion of the bioswale vegetation, and the proposed trail connection are located within the 200-foot setback area. These types of amenities are permitted within the required 200-foot setback area from top of bank.

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

Consistent: Onsite grading and fill will ensure that building will be located at least 2 feet above the elevation of the 100-year flood zone. Additionally, post-project water surface elevations will remain the same as pre-project water surface elevations (Ashley Vance Engineering, NFIP No Rise Certification, May 2017).

Policy S-7: All new development shall satisfy the requirements of the California Building Code regarding seismic safety.

Policy 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.

Policy 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.

Consistent: A soils investigation has been prepared for the project and the project is subject to the California Building Code. A Final Soils Report will be required that incorporates the design requirements and recommendations listed in the preliminary Soils Investigation conducted by GeoSolutions, Inc.

Policy S-12: New development should minimize erosion hazards by incorporating 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.*

Consistent: The project incorporates features called for in this policy, including an on-site bioswale that will complement the proposed off-site retention basin to the west of the project site that will be utilized to capture stormwater runoff. This will minimize erosion potential.

Project Consistency With M Zoning District Standards

Development Standard	Ordinance Requirement	Proposed Project/Consistency
Land Use:	Allowed Uses: See code section 19.02.210	Consistent; Proposed uses will conform to allowed uses in the M zone, per the Buellton Municipal Code.
Minimum Lot Size	No minimum for new subdivisions or uses	n/a
Setback -East Property Line	10 ft. minimum for buildings (interior lots – 19.04.160)	Consistent ; 42 ft provided
Setback - West Property Line	10 ft. minimum (interior lots – 19.04.160)	Consistent; 39.53 ft provided
Setback- North Property Line	10 ft. minimum (interior lots – 19.04.160)	Consistent; 60 ft provided
Setback- South Property Line	10 ft. minimum (interior lots – 19.04.160)	Consistent; 212 ft provided
Interior Setback	None, unless required by the Uniform Building Code (UBC)	n/a
Site Coverage	50% maximum	Consistent Building Footprint: 66,822 sf (30.2%)
Floor Area	No maximum	Consistent Total floor area: 65,306 sf of leasable space
Height Limit	45 ft. maximum	Not Consistent: 51 ft from natural grade max. on small portions of building (45 ft tall max from finish floor elevation) <i>Development Plan Modification Required to make consistent.</i>

<p>Landscaping a. Overall Site Landscape b. Street Frontage</p>	<p>a. 10% minimum of net lot area = 22,128 sf b. Side and Rear property lines shall be landscaped with minimum of 5-foot wide planter Front property line minimum landscaping of a 10-foot wide planted area</p>	<p>a. Consistent – 26,665 sf (12% of proposed lot area) provided b. Interior lot – does not apply. Landscaping provided around perimeter of building and western, and southern edge of property.</p>
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Source: City of Buellton Municipal Code, Title 19, Zoning

Project Components

Each major project component is described in more detail below. The project plans are included as Attachment 2.

Industrial Building

The 66,822 square foot industrial building and associated on-site improvements will be built on approximately 5.08 acres, and will include the following functions:

- 13 individual tenant suites varying in size from 1,947 square feet to 19,253 square feet; including 3 larger suites and 10 smaller suites. Each suite will provide space for industrial and commercial uses in compliance with the Buellton Municipal Code. It is estimated that there will be 3-4 employees for the smaller suites and 10-12 employees for the larger suites.
- 180 parking spaces (including 6 ADA spaces)
- 4 bike rack areas around the building
- Outdoor patio/plaza area on the southern end of the building and northwest corner of the building
- 2 loading docks with space for 4 large trucks
- 2 access gates on the north and east side of the building
- Restrooms and associated uses
- On-site trail connection at the southern edge of the property
- Landscaping around the building and throughout the property, and bio-swale grasses at south western portion of the site near off-site retention basin location

Access from the parking area to the south up to the building is by stairs and a ramp. Because the building is required to be built above the flood elevation, grading is required approximately 6 feet above the parking lot area, thereby requiring the stairs and a ramp.

Off-Site Retention Basin

In addition to the improvements located on the approximately 5.08-acre site (APN's 099-690-045 and 099-690-046), an off-site retention basin is proposed on the parcel located immediately to the west of the project site (APN 099-690-001). This property is owned by a different owner than the project applicant. An easement agreement is required as part of the project conditions of approval. The off-site retention basin is required to accommodate stormwater flows that will result from the development of the proposed project. As described further in the environmental document, the final location of the retention basin on the adjacent parcel will be located outside of the willow thicket habitat area. The current project plans (Attachment 2) show the retention basin located partially within this habitat. The applicant will be revising the plans to show the retention basin completely outside of this habitat.

Architecture and Visual Quality

The architecture of the proposed project is considered Contemporary Ranch as defined in the City's Community Design Guidelines. Some details of the building are not clearly articulated on the plans, such as details of window trim, awnings, rain gutters, downspouts and roof eaves. These details will be required to comply with the Community Design Guidelines and will be required as part of the building permit submittal.

The building materials include corrugated metal siding as well as masonry, stucco, and standing seam architectural features, consistent with the industrial area in which the project is located (Attachment 2). The building design is consistent with the community design guidelines and surrounding architecture. A color and materials board will be provided at the Planning Commission meeting.

Development of the project site would result in a new building, separate trash building(s), parking areas, and landscaping that would replace a vacant parcel. These proposed improvements are bounded on the north and east by existing industrial uses. The project would reduce the potential effects of a monolithic building front through the use of awnings, lighting, and other architectural features that provide some degree of articulation. Landscaping on the site would further soften the visual presentation of the site.

Building Height

The maximum allowed building height in the Industrial zone is 45 feet. The proposed building is 45 feet tall from finish floor elevation. However, the code defines height of buildings from natural grade. Due to the nature of the site, and the requirement to build the building 2 feet above floodplain elevation, the building is required to be built on a graded pad approximately 6 feet above natural grade. Because of this, small portions of the building will be a maximum of 51 feet tall when measured from natural grade. Additionally, the site slopes gently toward the river to the south. A Height Limit Modification is being processed with this application to account for this. Staff feels that a height limit modification is appropriate due to the nature of the site, and that the building will fit in with the context of the other surrounding buildings,

Signage

The proposed Master Sign Program is provided within Attachment 2. Four wall-mounted signs would be included on the south building elevations of the industrial building. Each wall mounted sign is proposed to be 36 square feet. Thirteen individual tenant blade/suspended signs will be located in front of each individual tenant space, with a proposed square footage each of 6 square feet. One awning sign will be located above the awning in front of one of the tenant suites on the south side of the building. The proposed square footage of this sign is not indicated in the master sign plan, however, it can be a maximum of 10 square feet, or otherwise must be counted toward the overall total allowed signage for the project. Four building directory signs will be located on each corner of the building for directional purposes. These signs shall not be larger than 15 square feet or 6 feet in height. Address ID signs will be located throughout the project site for address identification purposes. The Master Sign Plan provided does not indicate the location or number of Address ID signs.

Per Buellton Municipal Code section 19.04.172 2.d., individual tenant signs may be provided in addition to the maximum allowed aggregate sign area. These signs can be no larger than 10 square feet. Additionally, per Buellton Municipal Code section 19.04.170 D.2., one business directory sign is exempt from requiring a sign permit in developments with two or more tenants, therefore, one of the four business directory signs does not count toward total sign area allowed. However, these signs shall not exceed 15 square feet and shall not be taller than 6 feet.

The following summarizes the project signage:

Project Signage				
Sign Type	Number of Signs Proposed	Sign Area (each sign)	Total SF	Counted Toward Total SF?
Wall Mounted, Interior Light, Channel Letters	4	36 SF Proposed	144	Y
Individual Tenant, Blade/Suspended, down-facing Lights, LED	13	6 SF Proposed	78	N
Awning Sign, Interior Illuminated	1	Unspecified	Unspecified	Possibly (if larger than 10 sf)
Building Directory Sign	4	6 SF Proposed Approx. 6 Feet Tall	24	Y - 18 sf counted (1 sign is exempt)
Address ID Signs	Unspecified	1.6 SF Proposed	Unknown	N
TOTAL SIGN AREA			246 SF	162 SF

The proposed sign program is generally consistent with City standards described in Section 19.04.172 of the Municipal Code. Within Industrial zones, there is a maximum limit of 200 square feet of signage along the street frontage. However, this project is difficult to evaluate against that standard because the property is set back from Industrial Way in an interior lot, and visually blocked to a large extent by intervening industrial buildings. However, the total proposed signage (that is counted toward the total) is 162 square feet, therefore the amount of signage is below the maximum amount allowed. The individual tenant blade/suspended signs (78 square feet total) and the Building directory signs (6 square feet total) are not required to be counted toward the total allowed sign area. The awning sign is not required to be counted toward the total if it is 10 square feet or less; Otherwise, it must be counted toward the total allowed signage square footage.

The intent of the code is to minimize signs that are out of scale, visually intrusive, or inappropriate for the area. The proposed sign program appears to be tastefully done and generally unobtrusive, and consistent with the design of the building.

Staff recommends that the sign program be approved as proposed, with some corrections made to the master sign plan document for clarification. These corrections shall be made prior to Zoning Clearance approval. Corrections include; accurately listing the type and number of signs in the sign plan to match the diagram shown, clarifying number and location of the address ID signs, and verifying that the business directory signs are no taller than 6 feet. Additionally, staff recommends that the applicant work with staff on additional details that may be needed to clarify the presentation of the signs. All signs must be approved by the Planning Department prior to installation.

Parking

A total of 180 parking spaces are provided on the site. A total of 134 parking spaces are required. The parking standard used to determine total required parking is the "research and development, manufacturing and processing" use category (Code section 19.04.142). Under this category, a minimum of 1 space per 1.5 employees, or at least 1 space per 500 square feet of gross floor area. The total square footage of the building is 66,822 square feet, therefore requiring 134 parking spaces. Because the specific uses of each tenant space are not known at this time, the most stringent industrial use parking standard was used to determine the required parking for the site. Restaurants and other commercial uses are allowed in the industrial zone. The applicant will be required to demonstrate that there is sufficient parking on site if this type of use is proposed in the future.

Trash Enclosure Location(s)

The project plans show several options for the location of the trash enclosure(s) on the project site. Final location(s) are required to be shown on the project plans during the plan check process. The trash enclosure design and location must meet standards established by MarBorg and the City of Buellton. If the trash enclosure currently shown straddling the west property line is chosen as a final location, an easement agreement will be required with the adjacent property owner.

Access

The primary vehicular access to the project site is through an existing access easement located at the north end of the property off of Industrial Way. There is also a proposed emergency access point at the south end of the Bottlest building connecting to the project site at the south eastern corner. An easement agreement is required as a condition of approval for this emergency access point. A second access point is required to allow for large truck maneuvering in and out of the proposed loading zone on the east side of the project site (Attachment 3). An easement agreement is also required for this access point. Patrons and employees of the industrial building would take the existing primary access point located on the north end of the property. The majority of the parking is provided at the southern portion of the project site. Additional parking is provided on all sides immediately adjacent to the proposed building.

Access Gates

Two access gates are proposed on the project site near the primary access point. One gate is located on the north side of the building, and the other is located on the east side of the building.

Trail Access

A private 10-foot wide trail easement is provided along the southern edge of the property to the existing 20-foot wide easement on the property that will become part of the future public access trail.

Drainage

Storm drain inlets are located throughout the project site, primarily in landscaped areas, that connect to the storm drain line outfall at the south western corner of the site, which directs stormwater into the off-site retention basin. The final location of the stormwater retention basin will determine how the outfall ultimately connects to the retention basin. The size and design of the retention basin will be required to meet all requirements of the Public Works Department.

Planning Commission Comments

A Preliminary review of the Project was held on January 19, 2016 by the Planning Commission, at which time Commissioners had several comments. Summarized below are the Planning Commission comments and the *Applicant's responses shown in italics*.

1. Better define what the individual uses of each tenant space will be, and what types of businesses may be occupying the tenant spaces. Clarify what the interaction with the public will be. *We do not want to define the building use at such an early stage. We are defining uses as what is allowed under the current zoning. If other tenant uses are request we may have the ability to accommodate them but this will be under a separate improvement permit.*

2. Consider developing the North elevation further. *We have provided additional landscaping, walkways and exterior doors.*
3. Look into the possibility of adding bus stop near project site. Will need to work with Santa Ynez Valley Transit to determine feasibility and necessity of the potential for an additional bus stop at this location. *It is our position that bus routes should be kept to Industrial Way only. Adding bus routes into an industrial area is a safety concern.*
4. Add pathway to connect suites on the east side of the building to the parking lot to the south, and to provide better connectivity through the exterior of the building. *We have incorporated this suggestion.*
5. Commissioner McLaughlin would like to see if there are other options for the roll-up door design to make them more visually appealing. *We have looked at this and feel that the smaller units can have similar doors to those at 37 Industrial Way. Spaces over 2,500 square feet need more durable functional doors due to the heavy use and machinery.*
6. Concerned with limited restrooms shown on plans. Look at options for adding restrooms to meet the needs of all future tenants. *The included bathrooms are for common use. Each tenant space will have the opportunity to provide bathrooms or even an emergency or private shower. As each space is leased this issue will be addressed in the buildout review approval and construction documents process to ensure we are complying with code and ADA access requirements.*

ENVIRONMENTAL REVIEW

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

The Initial Study/Mitigated Negative Declaration was circulated for public and agency review and comment from November 21, 2017 through December 21, 2017.

Copies of the Initial Study/Mitigated Negative Declaration were made available to the public at the Planning Department on November 21, 2017, and the Initial Study/Mitigated Negative Declaration was distributed to interested parties and agencies, and is included as Attachment 4. On November 16, 2017, a Notice of Availability of the Initial Study/Mitigated Negative Declaration, including the time and place of the Planning Commission meeting to review the Application and Initial Study/Mitigated Negative Declaration, was published in the local newspaper and posted in two public locations.

As of the date of this Staff Report, one comment letters have been received. The letter received was from the County of Santa Barbara, and did not question the adequacy of the environmental document. Rather it was for information purposes to the applicant only.

The Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in a several significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level. The issues requiring mitigation include biological resources, cultural resources and hazards and hazardous materials. The required mitigation measures have been incorporated as conditions of approval for the project, along with monitoring requirements. The Mitigation Monitoring and Reporting Program is included as Attachment 5.

CONDITIONS OF APPROVAL

The project is subject to several conditions of approval. These include:

- General Provisions (Standard City Conditions);
- Mitigation Measures from the MND for the project;
- Engineering Conditions;
- Planning Conditions;
- Fire Department Conditions;
- County of Santa Barbara Department of Building and Safety Conditions; and
- Finance Department Conditions

The complete list of conditions is included within Planning Commission Resolution No. 17-15.

RECOMMENDATION

That the Planning Commission consider the adoption of Resolutions No 17-14 and 17-15 as follows (separate motion for each):

Resolution No. 17-14 - "A Resolution of the Planning Commission of the City of Buellton, California, Approving the Mitigated Negative Declaration (17-MND-01) and Mitigation Monitoring and Reporting Program for The Network Project (BUE 5) Located at the Southern Terminus of Industrial Way, Assessor's Parcel Numbers 099-690-045, 099-690-046 and 099-690-001, and Making Findings in Support Thereof"; and

Resolution No. 17-15 - " A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (16-FDP-07) and Lot Line Adjustment (17-LLA-03) for The Network (BUE 5) Project Located at the Southern Terminus of Industrial Way, Assessor's Parcel Numbers 099-690-045,099-690-046 and 099-690-001, and Making Findings in Support Thereof "

ATTACHMENTS

Planning Commission Resolution No. 17-14 (adopting MND – w/ Exhibit A attached)
Planning Commission Resolution No. 17-15 (approving project with conditions of approval)

Attachment 1: Vicinity Map

Attachment 2: Project Plans

- Attachment 3: Access Point Diagram
- Attachment 4: Initial Study/Mitigated Negative Declaration

PLANNING COMMISSION RESOLUTION NO. 17-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING THE MITIGATED NEGATIVE DECLARATION (17-MND-01) AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE NETWORK PROJECT (BUE 5) LOCATED AT THE SOUTHERN TERMINUS OF INDUSTRIAL WAY, ASSESSOR'S PARCEL NUMBERS 099-690-045, 099-690-046 AND 099-690-001, AND MAKING FINDINGS IN SUPPORT THEREOF

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

WHEREAS, Mojo Development V LLC, property owner, and Gavin Moores, agent, (collectively "Applicant") have filed an application for approval of a **Final Development Plan (16-FDP-07) and Lot Line Adjustment (17-LLA-03)** to allow the construction of a 66,822 square foot industrial building and associated improvements (the "Application") on property located at the southern terminus of Industrial Way (APNs 099-690-045, 099-690-046 and 099-690-001) in the City of Buellton within the Industrial "M" Zone and Open Space "OS" Zone (the "Site"); and,

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

WHEREAS, the Initial Study/Mitigated Negative Declaration dated November 17, 2017 was circulated for public and agency review and comment from November 21, 2017 through, and including December 21, 2017. Copies of the Initial Study/Mitigated Negative Declaration were made available to the public at the Planning Department on November 21, 2017, and the Initial Study/Mitigated Negative Declaration was distributed to interested parties and agencies. On November 16, 2017, a Notice of Availability of the Initial Study/Mitigated Negative Declaration, including the time and place of the Planning Commission meeting to review the Application and Initial Study/Mitigated Negative Declaration was published in the local newspaper and posted in two public locations; and,

WHEREAS, one comment letter was received during the circulation period from November 21, 2017 through December 21, 2017. The letter did not question the adequacy of the environmental document, rather, it was for information purposes only, to the applicant.

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

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

WHEREAS, the Initial Study/Mitigated Negative Declaration (Attachment 4 to the Planning Commission Staff Report dated December 21, 2017) and related Mitigation Monitoring and Reporting Program for the Project are, by this reference, incorporated into this Resolution as if fully set forth herein; and,

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

WHEREAS, on December 7, 2017 and continued to December 21, 2017, the Planning Commission of the City of Buellton conducted a duly noticed public meeting in connection with the Application and the Initial Study/Mitigated Negative Declaration and considered all evidence, oral and written; and,

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

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

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

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

SECTION 3. The Planning Commission hereby approves the Mitigated Negative Declaration and adopts the related Mitigation Monitoring and Reporting Program prepared for the Application.

SECTION 4. The Planning Commission Secretary shall certify to the adoption of this Resolution.

PASSED AND ADOPTED this 21 day of December 2017.

Brian Dunstan, Chair

Clare Barcelona, Planning Commission Secretary

Exhibit A – Mitigation Monitoring and Reporting Program

Exhibit A

The Network Project (BUE 5) Mitigation Monitoring and Reporting Program

The Mitigation Measures set forth below are expressly derived from the environmental analysis performed under the provisions of the California Environmental Quality Act of 1970, as amended (“CEQA”), in connection with the approved Project per Planning Commission Resolution 17-15, dated December 7, 2017. In the event that the scope, nature, extent, method, timing or location of construction changes from that set forth in the Project as conditionally approved, such construction shall not proceed until or unless: (i) the change is evaluated for environmental impacts; and (ii) appropriate measures are instituted to the Project that mitigate the impacts (if any) to a level of insignificance. Such determinations shall be made in the manner and subject to the limits prescribed in the Project Description.

The following describes the monitoring and timing requirements of the mitigation measures, which are also incorporated in to the project as Conditions of Approval.

BIO-2a (Pre-Construction Survey – American Badger): Pre-construction surveys for American badger shall be conducted 30 days prior to the initiation of Project activities. If evidence of this species is observed (old or new dens sites), potential dens should be monitored with tracking material and or wildlife movement cameras. If a den is deemed inactive for three consecutive days, a qualified biologist would excavate the den by hand with a shovel to prevent American badgers from reusing the den during construction.

- If active natal dens are observed during the pupping season (February 15 to July 1), a 200-foot buffer shall be flagged or fenced to avoid inadvertent impacts to the den. Construction in this buffer zone would be postponed or halted until the project biologist determines that the young are no longer dependent on the natal den.
- If winter dens are found, a 50-foot buffer shall be flagged or fenced to avoid inadvertent impacts to the den. If avoidance of the den is not possible during the non-pupping season, an attempt shall be made by a qualified project biologist to trap or flush the individual and relocate it to suitable open space habitat. Badgers can also be relocated by slowly excavating the burrow, removing no more than 4 inches at a time.

Monitoring: Applicant shall provide results of the survey to the City of Buellton Planning Department. The survey shall be conducted by a qualified biologist. The Planning Department will verify compliance prior to issuing grading and/or building permits.

BIO-2b (Pre-Construction Survey – Bat Species): Surveys should be performed to confirm whether or not potential roosting vegetation exists in the proposed Project site vicinity.

Surveys shall consist of two daytime visits to inspect suitable vegetation for roosting bats and two dusk exiting surveys to detect bats leaving their roosts. Suitable vegetation should be inspected on foot using a handheld spotlight during daylight hours to examine all suitable vegetation for bat sign (e.g., guano, urine stains) and roosts. Surveys shall be conducted thoroughly and quickly to minimize disturbance to bats. For the dusk exiting surveys, one biologist should be positioned in an optimal location(s) to observe and count bats exiting suitable vegetation.

- If potential roosts are determined to be present then the roosts must be analyzed further to determine if the species is present and if maternity roosts are present. If maternity roosts of any bat species are present, the CDFW shall be notified and no work shall occur within 100 feet of the roost location of any bat species until the end of the pupping.
- For protection of young (e.g., unable to fly) and hibernating adults, all project-related activities shall be avoided where roosts are present during the winter and spring. No restrictions apply to project vehicle traffic or to construction activity that occurs outside of the pupping season.

Monitoring: Applicant shall provide results of the survey to the City of Buellton Planning Department. The survey shall be conducted by a qualified biologist. The Planning Department will verify compliance prior to issuing grading and/or building permits.

BIO-2c (Pre-Construction Survey – Nesting Birds): In compliance with the Migratory Bird Treaty Act and the California Fish and Game Code, a pre-construction survey for nesting birds is recommended within 30 days of ground disturbance activities associated with construction or grading that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically February through August in the project region).

- If active nests are found, clearing and construction within 300 feet of the nest (500 feet for raptors), or at a distance deemed sufficient by the qualified biologist or a buffer as authorized through the context of the Biological Opinion and 2081b Incidental Take Permit (delineated with stakes or fencing), will be postponed or halted until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting.
- No construction or project activities are permitted within this buffer until the nest is vacated, juveniles have fledged and there is no evidence of a second nesting attempt.
- The nest shall be monitored every other week by a qualified biologist until fledglings become independent of the nest.
- Additionally, in the event that least bell's vireos or southwestern flycatchers are observed during the surveys, consultation with the USFWS (and possibly the State) would be required to ensure avoidance of this species.

- The monitoring biologist shall halt construction activities if he or she determines that the construction activities are disturbing the nesting activities. The monitor shall make practicable recommendations to reduce the noise or disturbance near the nest. This may include 1) turning off vehicle engines and other equipment whenever possible to reduce noise, 2) working in other areas until the young have fledged, or 3) placing noise barriers to maintain the noise at the nest to 60 dBA Leq. Hourly or less or to the preconstruction ambient noise level if that exceeds 60 DBA Leq. Hourly.
- If the noise meets or exceeds the 60 dBA Leq threshold, or if the biologist determines that the construction activities are disturbing nesting activities, the biologist shall have the authority to halt the construction and shall devise methods to reduce the noise and/or disturbance in the vicinity. This may include methods such as, but not limited to, turning off vehicle engines and other equipment whenever possible to reduce noise, installing a protective noise barrier between the nest site and the construction activities, and working in other areas until the young have fledged. If noise levels still exceed 60 dBA Leq. Hourly at the edge of the nesting territories and/or a non-construction buffer cannot be maintained, construction shall be deferred in that area until the nestling have fledged.
- All active nests shall be monitored on a weekly basis until the nestlings fledge. The qualified biologist shall be responsible for documenting the results of the surveys and the ongoing monitoring and for reporting these results to CDFW and USFWS. The monitoring biologist will review and verify compliance with these nesting boundaries and will verify that the nesting efforts have finished. Unrestricted construction activities can resume when no other active nests are found.

Monitoring: Applicant shall provide results of the survey to the City of Buellton Planning Department. The survey shall be conducted by a qualified biologist. The Planning Department will verify compliance prior to issuing grading and/or building permits.

BIO-2d (Pre-Construction Survey – Blainville’s horned lizard and California legless lizard): Pre-construction surveys for Blainville’s horned lizard and California legless lizard shall be conducted 30 days prior to the initiation of Project activities. Subject species of surveys may vary depending on timing and species’ activity patterns. At any time of year when Project activities are initiated, pre-construction surveys shall be conducted for Blainville’s horned lizards in open friable soils and California legless lizards in riparian habitats and areas with loose sand. If these species are observed in the construction zone, all work shall be halted and the City and CDFW shall be contacted within 24 hours of the observation.

- A salvage and relocation plan shall be implemented to allow a qualified biologist to capture and relocate the species away from ground disturbance and into protected open space. The relocation plan will consist of a plan

which allows a qualified project biologist to approach and capture individuals observed within the construction zone. Individuals will then be transported and relocated into open space, which may include suitable habitats for this species along or within the Santa Ynez River, as appropriate. Within 24 hours of relocation, a brief report documenting details of the observation and relocation will be provided to the CDFW and City. The report will include details on date/time when species was first observed, re-locating biologist, and coordinates for where the species was first observed and relocated. Descriptions of the habitat and suitability of where the species was relocated will also be provided in the report.

Monitoring: The applicant shall provide results of the survey to the City of Buellton Planning Department. The survey shall be conducted by a qualified biologist. The Planning Department will verify compliance prior to issuing grading and/or building permits.

BIO-2e (Avoidance Plan): Although California red-legged frog and western spadefoot are not likely to occur; a California red-legged frog and western spadefoot avoidance plan should be prepared and include specified work conditions (i.e., rain), construction equipment work areas, and measures to keep the species from entering the site, which may include monitoring and silt fence placement.

- In addition to preparing an avoidance plan; if any California red-legged frogs or western spadefoots are observed within the construction zones, the applicant must stop work and contact the USFWS and CDFW and shall implement appropriate avoidance measures, as determined by the qualified biologist and approved by the USFWS and CDFW to ensure protection of these species. Work shall not resume until the applicant receives written (email) notice from the USFWS and CDFW.

Monitoring: Applicant shall provide the avoidance plan to the City of Buellton Planning Department. The Avoidance Plan shall be prepared by a qualified biologist. The Planning Department will verify compliance prior to issuing grading and/or building permits. In the event that a California red-legged frog or western spadefoot is observed within the construction zone, the applicant must also notify the City of Buellton Planning Department and provide documentation from the USFWS and CDFW prior to commencing construction.

BIO-3a (Tree Removal and Replacement): When mature non-native trees (i.e., trees with a trunk diameter at breast height of 8 inches or more) are removed to accommodate new development, they shall be replaced at a ratio of at least two 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 with a trunk diameter at breast height of 8 inches or more, including oaks, shall be replaced at a ratio of at least three new trees for every one tree removed. Replacement trees for removed native or non-native

trees should be native, from locally-sources stock, using species indicated on the City's approved tree planting list.

Monitoring: Prior to removal of any protected tree, the applicant shall obtain written approval from the Planning Department.

BIO-3b (Native Tree Protection): Existing protected trees on and adjacent to the project site shall be avoided through setbacks and installation of protective fencing to the extent feasible during demolition and construction. All fencing must be installed prior to the beginning of construction activities.

Monitoring: The Planning and Public Works Departments will verify that the protective fencing is installed prior to issuance of grading permits.

BIO-3c (Temporary Construction Fencing): Temporary construction fencing shall be installed in the area between the sandbar willow thickets and the new retention basin.

Monitoring: The Planning and Public Works Departments will verify that temporary construction fencing is installed prior to issuance of Grading Permits.

CR-1: Halt Work Order for Archaeological Resources. If unanticipated cultural resources are exposed during construction of a Project, all earth disturbing work within the vicinity of the find must be temporarily suspended until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. A representative should monitor any mitigation excavation associated with the Native American materials.

Monitoring: Upon notification by project developer of discovery of a potential find, Planning Department will verify that archaeologists and native American representatives have been contacted to evaluate the materials found and, if necessary to monitor any consequent mitigation activities.

HAZ-1: Phase I Environmental Site Assessment. Prior to issuance of building permits, a Phase I Environmental Site Assessment prepared in accordance with the standards for such assessments promulgated by the EPA shall be conducted by a qualified professional to determine the potential for onsite soil contamination, and the recommendations of that report (if any) shall be followed.

Monitoring:
The Planning Department will verify that the Phase I ESA has been completed, and that its recommendations are followed prior to issuance of building and/or grading permits.

The Network Project (BUE 5)			
Mitigation Monitoring and Reporting Verification Checklist			
Mitigation Measure	Responsibility	Timing	Verification
BIO-2 (A-E). Special Status Plant Species Survey, Avoidance, and Restoration Plan	Planning Department	Prior to issuance of Grading and/or Building Permits	
BIO-3 (A). Native Tree Removal and Replacement	Planning Department	Prior to removal (if applicable)	
BIO-3 (B). Native Tree Protection	Planning/Public Works Department	Prior to issuance of Grading permit	
BIO-3(C). Temporary Construction Fencing	Planning/Public Works Department	Prior to issuance of Grading Permit	
CR-1 Halt Work Order for Archaeological Resources	Planning Department	Immediately upon discovery, if necessary	
HAZ -1 Phase I Environmental Site Assessment	Planning Department	Prior to issuance of Grading and/or Building permits	

PLANNING COMMISSION RESOLUTION NO. 17-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING A FINAL DEVELOPMENT PLAN (16-FDP-07) AND LOT LINE ADJUSTMENT (17-LLA-03) FOR THE NETWORK (BUE 5) PROJECT LOCATED AT THE SOUTHERN TERMINUS OF INDUSTRIAL WAY, ASSESSOR'S PARCEL NUMBERS 099-690-045, 099-690-046 AND 099-690-001, AND MAKING FINDINGS IN SUPPORT THEREOF

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

SECTION 1: Pursuant to the Zoning Ordinance of the City of Buellton, an application has been filed by Mojo Development V LLC, applicant, and Gavin Moores, agent, hereinafter referred to as "Applicant", requesting approval to develop The Network Project, a 66,822 square foot industrial building and associated improvements located at the southern terminus of Industrial Way (APNs 099-690-045, 099-690-046, and 099-690-001). The northern approximately three-quarters of the site has a General Plan designation of Industrial (zoned M – Industrial and Manufacturing), while approximately the southern quarter of the site is designated Open Space, Parks and Recreation (zoned OS – Open Space).

SECTION 2: The proposed Project consists of:

A. Final Development Plan (16-FDP-07): The FDP accommodates a single-story, 66,822 square foot industrial building, and parking and landscaping and other associated improvements in support of those facilities. The project components are described more fully below.

The Network (BUE 5)

The single-story, 66,822 square foot industrial building and associated improvements will be built on an approximately 5.08-acre site. An off-site retention basin will also be constructed as part of the project on a parcel located to the west of the project site (APN 099-690-001). The project will include the following functions:

- 13 individual tenant suites varying in size from 1,947 square feet to 19,253 square feet; including 3 larger suites and 10 smaller suites. Each suite will provide space for industrial and commercial uses in compliance with the Buellton Municipal Code. It is estimated that there will be 3-4 employees for the smaller suites and 10-12 employees for the larger suites.
- 180 parking spaces (including 6 ADA spaces)
- 4 bike rack areas around the building
- Outdoor patio/plaza area on the southern end of the building and northwest corner of the building
- 2 loading docks with space for 4 large trucks
- 2 access gates on the north and east side of the building

- Restrooms and associated uses
- On-site trail connection at the southern edge of the property
- Off-site retention basin on adjacent parcel to the west of the project site
- Landscaping around the building and throughout the property, and bio-swale grasses at south western portion of the site near off-site retention basin location

B. Lot Line Adjustment (17-LLA-03): The LLA is required to remove the existing lot line that runs through the center of the project site.

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

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

1. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the Planning Commission on December 7, 2017 and continued to December 21, 2017 (“PC Public Hearing”).
2. All oral, written and visual materials presented in conjunction with that certain PC Public Hearing.
3. The following informational documents, which by reference, are incorporated herein:
 - a. The project file for 16-FDP-07, 17-LLA-03, and the set of project plans dated June 13, 2017 (Architectural, Civil, Landscaping) and October 31, 2017 (Lot Line Adjustment Plans)
 - b. The staff report dated December 21, 2017.
 - c. The Initial Study and Mitigated Negative Declaration for the project (17-MND-01), dated November 2017.

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

1. A notice of PC Public Hearing was published in a newspaper of general circulation on November 23, 2017 (the “PC Public Notice”), a minimum of 10 days in advance of the PC Public Hearing conducted on December 7, 2017 and continued to December 21, 2017.

2. The PC Public Notice was mailed to the Applicant, affected public agencies, persons owning property within 300 feet of the Project site and others known to be interested in the matter on November 16, 2017, a minimum of 10 days in advance of the PC Public Hearing.
3. The PC Public Notice was posted in two public locations on November 22, 2017, a minimum of 10 days in advance of the PC Public Hearing.

C. Environmental Review. Pursuant to the California Environmental Quality Act (CEQA), the Initial Study/Mitigated Negative Declaration was circulated for public and agency review and comment on November 21, 2017 through, and including, December 21, 2017. Copies of the Initial Study/Mitigated Negative Declaration were made available to the public at the Planning Department on November 21, 2017, and the Initial Study/Mitigated Negative Declaration was distributed to interested parties and agencies. On November 16, 2017, a Notice of Availability of the Initial Study/Mitigated Negative Declaration, including the time and place of the Planning Commission meeting to review the Application and Initial Study/Mitigated Negative Declaration was published in the local newspaper and posted in two public locations. Findings for the CEQA document are included in Planning Commission Resolution 17-14. Planning Commission Resolution 17-14 was adopted prior to the consideration of Planning Commission Resolution 17-15.

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

1. **Final Development Plan.**

a. **Findings:**

- i. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed because the project site is appropriately designated for such uses under the City's General Plan, zoning is consistent, and the proposed site improvements and conditions of approval allow for adequate circulation around and through the site as determined by the City Engineer and Traffic Study dated July 18, 2017.
- ii. No adverse impacts have been identified with this project through the incorporation of the mitigation measures from the Mitigated Negative Declaration that have been made conditions of approval.

- iii. That streets are adequate and properly designed pursuant to the requirements of the City Engineer and the Traffic Study. The Fire Department has approved the circulation system from a Fire Department perspective.
- iv. That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the Project. The Public Works Department is able to provide water and sewerage service to the Project. The Fire Department has provided conditions of approval to address their concerns. The Sheriff's Department has no concerns with the Project.
- v. That the Project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will be compatible with the surrounding area. The Project site is zoned for industrial uses, and surrounding land uses are also industrial. The proposed Project is expected to be compatible with the surrounding area.
- vi. That the project is in conformance with the applicable provisions of Title 19 of the Municipal Code and the General Plan. With imposition of the conditions of approval, the project complies with both the General Plan and Title 19 (Zoning).
- vii. That the project will not conflict with any easements required for public access through, or use of, a portion of the property as none exist on this property.
- viii. That the proposed development is in conformance with the Contemporary Ranch architectural style as described in the Community Design Guidelines as reviewed by the City's contract architect.

2. Lot Line Adjustment.

a. Findings:

- i. The lot line adjustment maintains a position with respect to General Plan consistency, parcel design, minimum lot area, environmental quality, and public health and safety criteria as specified in this title and other applicable Municipal Code and state law provisions

relating to real property divisions, which is equal to or better than the position of the existing lots before adjustment.

- ii. The adjustment will not have the effect of creating a greater number of parcels than are buildable in compliance with applicable provisions of this Ordinance, or the Zoning Ordinance (Title 19 of this Code) than what exists before adjustment. Two lots would become one lot.
- iii. Any parcel resulting from the adjustment will not conflict with applicable regulations in the Zoning Ordinance as the proposed new parcel meet the minimum lot size requirements of the Zoning Ordinance.

3. **Height Limit Modification.**

a. **Findings:**

- i. The increased height will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding areas. The predominant building height is 45 feet from finish floor (as opposed to natural grade). The building is required to be built a minimum of 2 feet above base flood elevation, which therefore requires that the southern portion of the site be graded above natural grade approximately 6 feet. The roof peaks serve to add architectural character and diversity consistent with the Contemporary Ranch style called for by the Community Design Guidelines.
- ii. The increased height would not be incompatible with the surrounding area because: the proposed building is located in an interior lot at the end of Industrial Way and the existing buildings to the north and east will partially block the Network building to the south and west. Additionally, Industrial Way slopes downward toward the south, giving the appearance of a shorter building when compared to its surroundings. The Terravant building to the East is also approximately 45 feet in height.
- iii. The increased height conforms with other applicable provisions of Title 19 (Zoning), with the general plan and with the Community Design Guidelines.

SECTION 4: Based on the findings set forth in Sections 2 and 3, and subject to the conditions attached hereto, the Planning Commission hereby approves the Final Development Plan (16-FDP-07) and Lot Line Adjustment (17-LLA-03).

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

Brian Dunstan
Chair

ATTEST:

Clare Barcelona
Planning Commission Secretary

CONDITIONS OF APPROVAL

THE NETWORK (BUE 5) PROJECT FINAL DEVELOPMENT PLAN 16-FDP-07 LOT LINE ADJUSTMENT 17-LLA-03

A. GENERAL PROVISIONS

1. **Project Description.** The approval granted herein is based upon and limited to compliance with the Project Description and conditions of approval set forth below. **The Project Description is as follows:** This Project is a request by Mojo Development V LLC (Property Owner) and Gavin Moores (Agent) (the "Applicant") for a **Final Development Plan (16-FDP-07), and Lot Line Adjustment (17-LLA-03)** for a single story, 66,822 square foot industrial building, and parking and landscaping and associated improvements in support of those facilities ("The Project"). The 5.08-acre property is located at the southern terminus of Industrial Way, and includes two parcels (Assessor's Parcel Number 099-690-045 and 099-690-046) ("The Property"). An off-site retention basin in support of the project is also provided on an adjacent parcel located to the west of the project site (Assessor's Parcel Number 099-690-001). A Lot Line Adjustment (17-LLA-03) is required to remove the existing lot line that currently runs through the project site. The property is currently vacant. The project plans that are included in this approval are dated June 13, 2017, and October 31, 2017 (Lot Line Adjustment Plans).

The proposed project consists of the following uses:

- 13 individual tenant suites varying in size from 1,947 square feet to 19,253 square feet; including 3 larger suites and 10 smaller suites. Each suite will provide space for industrial and commercial uses in compliance with the Buellton Municipal Code. It is estimated that there will be 3-4 employees for the smaller suites and 10-12 employees for the larger suites.
- 180 parking spaces (including 6 ADA spaces)
- 4 bike rack areas around the building
- Outdoor patio/plaza area on the southern end of the building and northwest corner of the building
- 2 loading docks with space for 4 large trucks
- 2 access gates on the north and east side of the building
- Restrooms and associated uses
- On-site trail connection at the southern edge of the property

- Landscaping and bio-swale grasses at south western portion of the site near off-site retention basin location
- Off-site retention basin on adjacent parcel to the west of the project site

Any deviations from the Project Description, exhibits or conditions must be reviewed and approved by the City for conformity with this approval. Deviations may require formal modification of the approval and/or further environmental review. Deviations without the above-described authorization will constitute a violation of this approval.

2. **Additional Permits Required.** Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the Applicant shall: (i) obtain a Zoning Clearance (hereinafter defined below); and (ii) obtain all other permits and approvals that may be required by operation of the Buellton Municipal Code (e.g., grading permit, building permit, encroachment permit, etc.). Before any Zoning Clearance will be issued by the City, the Applicant must obtain written clearance from all departments having jurisdiction; such clearance shall indicate that the Applicant has satisfied all pre-construction conditions of approval. To the extent any condition or provision of the approval set forth herein is incompatible with or at variance with any other permit for the Project, the most restrictive condition and provision shall prevail.
3. **Print & Illustrate Conditions on Plans.** All conditions of approval shall be printed in their entirety on applicable pages of final development, grading and construction plans submitted to the City.
4. **Terminology.** Except where otherwise noted, the terms appearing throughout the conditions of approval set forth herein shall have the meanings as defined below. Capitalization is used to identify defined terms and shall have the meanings as set forth below unless the context in which they are used clearly requires otherwise.
 - a. **“Applicant”** means Mojo Development V LLC, and includes all agents, subdividers, developers, contractors, workers and personnel employed on the Project, as well as all successors and assigns of interest.
 - b. **“Building Department”** means the Building and Safety Division of the County (and all successors and assigns thereof), on behalf and under contract to the City to perform building plan check and inspection services.
 - c. **“City”** means the City of Buellton and includes the City Manager, City Engineer, Planning Director and all other duly appointed officials having responsibility for land use matters, as well as their respective assignees (e.g., Department staff members). Unless otherwise indicated, the Planning Department shall be the primary point of contact for the City.

- d. **“County”** means the County of Santa Barbara.
- e. **“Environmental Monitor”** means person or personnel of the City assigned to monitor field mitigation in order to ensure compliance with the Mitigation Measures. The City has discretion to determine the qualifications of the Environmental Monitor, the number of monitors needed and the disciplines of the monitors, their duties and the arrangements for compensation
- f. **“Final Building Inspection Clearance”** means acknowledgement by the Building Department that construction of the Project has been completed in full compliance with plans and specifications approved by the City and the Building Department. Such acknowledgement is typically evidenced by signature of appropriate staff on the building permit inspection form.
- g. **“Fire Department”** means the Fire Department of the County (and all successors and assigns thereof), furnishing fire prevention and protection services to the City by operation of special district.
- h. **“Mitigation Measures”** means conditions and measures required to mitigate environmental effects of the Project as identified in General Plan Update EIR in connection with the Project under the provisions of the California Environmental Quality Act of 1970, as applicable.
- i. **“Entitlement”** means the type of land use permit required by the Buellton Municipal Code in connection with the Project for which approval is granted herein.
- j. **“Project”** means and includes all of the actions described in the Project description above.
- k. **“Project Inspection”** means a field inspection and documentation review performed by the Planning Director at the time of Final Building Inspection Clearance to verify that the Project has been completed in full compliance with the terms and conditions of approval. The Project Inspection shall be performed upon completion of construction and the Project must be fully compliant with all terms and conditions of approval prior to and as a condition precedent to obtaining Final Building Inspection Clearance.
- l. **“Project Manager”** means person or personnel of the City assigned to oversee and administer the Permit including, but not limited to, compliance with the Mitigation Measures set forth herein.

- m. **“Property”** means the land and improvements identified in the Project Description.
 - n. **“Property Owner”** means Mojo Development V LLC, and includes all persons and entities possessing fee title (in full or in part) to the site of the Project, and all successors and assigns of such persons and entities.
 - o. **“Retained Monitor”** means person or personnel of the Applicant assigned to monitor field mitigation in order to ensure compliance with the Mitigation Measures. The Retained Monitor must be qualified in his or her respective field and their appointment/retention is subject to approval by the City. For instance, the Retained Monitor assigned to verify compliance with cultural resources Mitigation Measures should be an archaeologist or a person trained to identify cultural resources and who is acceptable to the City.
 - p. **“Zoning Clearance”** means approval granted pursuant to 19.08.100 of the Buellton Municipal Code requisite to issuance of a building permit for authorized construction or land development activities.
5. **Interpretations and Exceptions.** The Planning Director is authorized to render decisions as to the applicability or interpretation of the conditions set forth herein, including minor changes, when the strict application of the conditions conflicts with the underlying purpose of the conditions or creates undue hardship or administrative burden. Any administrative change granted shall be subject to such conditions as will: (i) assure that the adjustment thereby authorized shall appropriately implement purposes and objectives of the original conditions; and (ii) not change or compromise the effectiveness of the original conditions. As an example, and for illustrative purposes only, the Planning Director may modify the implementation timing of specific conditions at the mutual convenience of the City and Applicant. Minor changes authorized pursuant to this condition shall not require separate processing of a formal amendment.
6. **Indemnity.** The Applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures) (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, arising from or in connection with the approval, decision or action of the City Council, Planning Commission, or other decision-making body, or staff action concerning the Project, including but not limited to writ proceedings, claims for inverse condemnation, personal injury, property damage, and/or breach of a mandatory duty, challenges under the

California Environmental Quality Act, and/or any action that attacks, challenges, or seeks to set aside, void, or annul all or any part of the approvals, decisions, or actions concerning the Project. City shall promptly notify the applicant of any Action brought and request that the applicant defend the City. It is expressly agreed that applicant may select legal counsel providing the applicant's defense and the City shall have the right to approve separate legal counsel providing the City's defense. The applicant shall reimburse City for any attorneys' fees, costs and expenses directly and necessarily incurred by the City in the course of the defense.

7. **Legal Challenge.** In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the Applicant in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action.
8. **Approval Limitations.** This approval is issued pursuant to the provisions of Title 19 of the Buellton Municipal Code, and is subject to the foregoing conditions and limitations. Failure to comply with said conditions of approval may subject the Applicant to remedies and penalties specified in the Buellton Municipal Code.
9. **Compliance Costs.** All projects are subject to Project Inspection that is funded under existing permit fees. This condition shall serve as implementation of the Mitigation Monitoring and Reporting Program for the Mitigation Measures as well as the general conditions of approval set forth herein. The Applicant agrees to participate in this permit compliance program and to fund all reasonable expenses incurred by the City and/or City contractors for permit condition implementation, reasonable studies, and emergency response directly and necessarily related to monitoring and enforcement of these permit conditions and applicable City ordinances. Any staff time spent in excess of the Applicant's current deposit will be billed to the Applicant and the Applicant shall reimburse City within 30 days of invoicing by City.
10. **Enforcement Costs.** In the event the City determines that it is necessary to take legal action to enforce any of the conditions of approval herein, and such legal action is taken, the Applicant shall be required to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the Applicant to waive said fees or any part thereof.
11. **Failure to Comply.** In the event that the Applicant fails to comply with any order of the City issued hereunder or any injunction of the Superior Court, it shall be liable in accordance with the provision of Section 1.32 of the Buellton Municipal Code.

12. **Access to Records and Facilities.** As to any condition that requires for its effective enforcement the inspection of records or facilities by City or its agents, the Applicant shall make such records available or provide access to such facilities upon reasonable notice from City
13. **Payment of Fees.** All applicable fees associated with development of the Project shall be paid by the Applicant at the time such fees become payable as provided by Buellton Municipal Code or otherwise stipulated in this approval (whichever date is sooner), and the amount payable shall be based on the those fee schedules adopted by the City and then in effect at the time such fees become payable.
14. **Acceptance of Conditions.** The Applicant shall acknowledge and agree to all conditions of this approval within 60 days of the notice of final action, evidenced by the Applicant's signature on the space provided at the end of this document. The Applicant shall record this document on title to the subject Property prior to or concurrently with the filing of a Zoning Clearance. The Applicant, and all successors or assignees, are responsible for complying with all conditions of approval. Any zoning violations concerning the installation, operation, and/or abandonment of the Project are the responsibility of the Applicant, and all successors or assignees.

B. ENVIRONMENTAL MITIGATION MEASURES

Biological Resources

15. **BIO-2a (Pre-Construction Survey – American Badger):** Pre-construction surveys for American badger shall be conducted 30 days prior to the initiation of Project activities. If evidence of this species is observed (old or new dens sites), potential dens should be monitored with tracking material and or wildlife movement cameras. If a den is deemed inactive for three consecutive days, a qualified biologist would excavate the den by hand with a shovel to prevent American badgers from reusing the den during construction.
 - If active natal dens are observed during the pupping season (February 15 to July 1), a 200-foot buffer shall be flagged or fenced to avoid inadvertent impacts to the den. Construction in this buffer zone would be postponed or halted until the project biologist determines that the young are no longer dependent on the natal den.
 - If winter dens are found, a 50-foot buffer shall be flagged or fenced to avoid inadvertent impacts to the den. If avoidance of the den is not possible during the non-pupping season, an attempt shall be made by a qualified project biologist to trap or flush the individual and relocate it to suitable open space habitat. Badgers can also be relocated by slowly excavating the burrow, removing no more than 4 inches at a time.

Monitoring: Applicant shall provide results of the survey to the City of Buellton Planning Department. The survey shall be conducted by a qualified biologist. The

Planning Department will verify compliance prior to issuing grading and/or building permits.

BIO-2b (Pre-Construction Survey – Bat Species): Surveys should be performed to confirm whether or not potential roosting vegetation exists in the proposed Project site vicinity. Surveys shall consist of two daytime visits to inspect suitable vegetation for roosting bats and two dusk exiting surveys to detect bats leaving their roosts. Suitable vegetation should be inspected on foot using a handheld spotlight during daylight hours to examine all suitable vegetation for bat sign (e.g., guano, urine stains) and roosts. Surveys shall be conducted thoroughly and quickly to minimize disturbance to bats. For the dusk exiting surveys, one biologist should be positioned in an optimal location(s) to observe and count bats exiting suitable vegetation.

- If potential roosts are determined to be present then the roosts must be analyzed further to determine if the species is present and if maternity roosts are present. If maternity roosts of any bat species are present, the CDFW shall be notified and no work shall occur within 100 feet of the roost location of any bat species until the end of the pupping.
- For protection of young (e.g., unable to fly) and hibernating adults, all project-related activities shall be avoided where roosts are present during the winter and spring. No restrictions apply to project vehicle traffic or to construction activity that occurs outside of the pupping season.

Monitoring: The applicant shall provide results of the survey to the City of Buellton Planning Department. The survey shall be conducted by a qualified biologist. The Planning Department will verify compliance prior to issuing grading and/or building permits.

BIO-2c (Pre-Construction Survey – Nesting Birds): In compliance with the Migratory Bird Treaty Act and the California Fish and Game Code, a pre-construction survey for nesting birds is recommended within 30 days of ground disturbance activities associated with construction or grading that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically February through August in the project region).

- If active nests are found, clearing and construction within 300 feet of the nest (500 feet for raptors), or at a distance deemed sufficient by the qualified biologist or a buffer as authorized through the context of the Biological Opinion and 2081b Incidental Take Permit (delinated with stakes or fencing), will be postponed or halted until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting.
- No construction or project activities are permitted within this buffer until the nest is vacated, juveniles have fledged and there is no evidence of a second nesting attempt.

- The nest shall be monitored every other week by a qualified biologist until fledglings become independent of the nest.
- Additionally, in the event that least bell's vireos or southwestern flycatchers are observed during the surveys, consultation with the USFWS (and possibly the State) would be required to ensure avoidance of this species.
- The monitoring biologist shall halt construction activities if he or she determines that the construction activities are disturbing the nesting activities. The monitor shall make practicable recommendations to reduce the noise or disturbance near the nest. This may include 1) turning off vehicle engines and other equipment whenever possible to reduce noise, 2) working in other areas until the young have fledged, or 3) placing noise barriers to maintain the noise at the nest to 60 dBA Leq. Hourly or less or to the preconstruction ambient noise level if that exceeds 60 DBA Leq. Hourly.
- If the noise meets or exceeds the 60 dBA Leq threshold, or if the biologist determines that the construction activities are disturbing nesting activities, the biologist shall have the authority to halt the construction and shall devise methods to reduce the noise and/or disturbance in the vicinity. This may include methods such as, but not limited to, turning off vehicle engines and other equipment whenever possible to reduce noise, installing a protective noise barrier between the nest site and the construction activities, and working in other areas until the young have fledged. If noise levels still exceed 60 dBA Leq. Hourly at the edge of the nesting territories and/or a no-construction buffer cannot be maintained, construction shall be deferred in that area until the nestling have fledged.
- All active nests shall be monitored on a weekly basis until the nestlings fledge. The qualified biologist shall be responsible for documenting the results of the surveys and the ongoing monitoring and for reporting these results to CDFW and USFWS. The monitoring biologist will review and verify compliance with these nesting boundaries and will verify that the nesting efforts have finished. Unrestricted construction activities can resume when no other active nests are found.

Monitoring: Applicant shall provide results of the survey to the City of Buellton Planning Department. The survey shall be conducted by a qualified biologist. The Planning Department will verify compliance prior to issuing grading and/or building permits.

BIO-2d (Pre-Construction Survey – Blainville's horned lizard and California legless lizard): Pre-construction surveys for Blainville's horned lizard and California legless lizard shall be conducted 30 days prior to the initiation of Project activities. Subject species of surveys may vary depending on timing and species' activity patterns. At any time of year when Project activities are initiated, pre-construction surveys shall be conducted for Blainville's horned lizards in open friable soils and California legless lizards in riparian habitats and areas with

loose sand. If these species are observed in the construction zone, all work shall be halted and the City and CDFW shall be contacted within 24 hours of the observation.

- A salvage and relocation plan shall be implemented to allow a qualified biologist to capture and relocate the species away from ground disturbance and into protected open space. The relocation plan will consist of a plan which allows a qualified project biologist to approach and capture individuals observed within the construction zone. Individuals will then be transported and relocated into open space, which may include suitable habitats for this species along or within the Santa Ynez River, as appropriate. Within 24 hours of relocation, a brief report documenting details of the observation and relocation will be provided to the CDFW and City. The report will include details on date/time when species was first observed, re-locating biologist, and coordinates for where the species was first observed and relocated. Descriptions of the habitat and suitability of where the species was relocated will also be provided in the report.

Monitoring: Applicant shall provide results of the survey to the City of Buellton Planning Department. The survey shall be conducted by a qualified biologist. The Planning Department will verify compliance prior to issuing grading and/or building permits.

BIO-2e (Avoidance Plan): Although California red-legged frog and western spadefoot are not likely to occur; a California red-legged frog and western spadefoot avoidance plan should be prepared and include specified work conditions (i.e., rain), construction equipment work areas, and measures to keep the species from entering the site, which may include monitoring and silt fence placement.

- In addition to preparing an avoidance plan; if any California red-legged frogs or western spadefoots are observed within the construction zones, the applicant must stop work and contact the USFWS and CDFW and shall implement appropriate avoidance measures, as determined by the qualified biologist and approved by the USFWS and CDFW to ensure protection of these species. Work shall not resume until the applicant receives written (email) notice from the USFWS and CDFW.

Monitoring: Applicant shall provide the avoidance plan to the City of Buellton Planning Department. The Avoidance Plan shall be prepared by a qualified biologist. The Planning Department will verify compliance prior to issuing grading and/or building permits. In the event that a California red-legged frog or western spadefoot is observed within the construction zone, the applicant must also notify the City of Buellton Planning Department and provide documentation from the USFWS and CDFW prior to commencing construction.

16. **BIO-3a (Tree Removal and Replacement):** When mature non-native trees (i.e., trees with a trunk diameter at breast height of 8 inches or more) are removed to

accommodate new development, they shall be replaced at a ratio of at least two 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 with a trunk diameter at breast height of 8 inches or more, including oaks, shall be replaced at a ratio of at least three new trees for every one tree removed. Replacement trees for removed native or non-native trees should be native, from locally-sources stock, using species indicated on the City's approved tree planting list.

Monitoring: Prior to removal of any protected tree, the applicant shall obtain written approval from the Planning Department.

BIO-3b (Native Tree Protection): Existing protected trees on and adjacent to the project site shall be avoided through setbacks and installation of protective fencing to the extent feasible during demolition and construction. All fencing must be installed prior to the beginning of construction activities.

Monitoring: The Public Works and Planning Departments will verify that the protective fencing is installed prior to issuance of grading permits.

BIO-3c (Temporary Construction Fencing): Temporary construction fencing shall be installed in the area between the sandbar willow thickets and the new retention basin.

Monitoring: The Public Works and Planning Departments will verify that temporary construction fencing is installed prior to issuance of Grading Permits.

Cultural Resources

17. **CR-1: Halt Work Order for Archaeological Resources.** If unanticipated cultural resources are exposed during construction of a Project, all earth disturbing work within the vicinity of the find must be temporarily suspended until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. A representative should monitor any mitigation excavation associated with the Native American materials.

Monitoring: Upon notification by project developer of discovery of a potential find, Planning Department will verify that archaeologists and native American representatives have been contacted to evaluate the materials found and, if necessary to monitor any consequent mitigation activities.

Hazards and Hazardous Materials

18. **HAZ-1: Phase I Environmental Site Assessment.** Prior to issuance of building permits, a Phase I Environmental Site Assessment prepared in accordance with

the standards for such assessments promulgated by the EPA shall be conducted by a qualified professional to determine the potential for onsite soil contamination, and the recommendations of that report (if any) shall be followed.

Monitoring: The Planning Department will verify that the Phase I ESA has been completed, and that its recommendations are followed prior to issuance of building and/or grading permits.

C. ENGINEERING CONDITIONS

PRIOR TO GRADING PERMIT ISSUANCE:

19. **Improvement Plans.** Applicant shall cause to be prepared by a Civil Engineer, registered in the State of California, grading and utilities improvement plans, including, but not limited to, street, water, sewer, and storm drain improvements. An engineering cost estimate shall be submitted with the grading and improvement plans along with any calculations, signed/stamped certifications and plan check processing fees.
20. **Improvement Plan Requirements.** Plans shall be drawn by a California Registered Civil Engineer. Drawings shall be prepared on 24-inch by 36-inch mylar (4 mil) showing all proposed improvements including, but not limited to, curbs, gutters, sidewalks, paving, driveway cuts, storm drains, street lights, utilities, and street trees. Final plans shall be wet-stamped by the Civil and Soils Engineer and subsequently signed by the City Engineer prior to permitting.
21. **Soils Report.** At the time that Improvement Plans and/or Grading and Drainage Plans are submitted for review and approval by the City Engineer, two copies of a Soils Report, prepared by a California Registered Geologist or Soils Engineer, shall be submitted. The Report shall address soils engineering and compaction requirements, R-values, and other soils and geology related issues (including liquefaction) and shall contain recommendations as to foundation design, and paving sections, where applicable for the project.
22. **Grading Oversight by Geotechnical Engineer.** A geotechnical engineer or geologist licensed in the State of California shall provide guidance during grading operations and shall certify constructed pads and ensure all mitigation measures are properly implemented. Certifications and final reports shall be submitted to the City Engineer for approval.
23. **Erosion Control Plan.** Erosion Control Plans shall be completed and submitted to the City Engineer for review and approval. Appropriate BMP measures shall be undertaken at *all* times. This shall be in compliance with the Regional Water Quality Control Board requirements. NOI shall be filed. A SWPPP shall be developed for the project site by a certified QSD, draft copy shall be submitted for

review prior to issuance of the grading permit. SWPPP shall be on-site at all times. Implementation shall be performed by a QSP.

24. **Hydrology Report.** At the time that Improvement and/or Grading and Drainage Plans are submitted for review and approval by the City Engineer, a complete hydrology/hydraulic report shall be submitted by the applicant's engineer determining the adequacy of the proposed drainage system and the adequacy of the existing downstream system. A rain fall frequency of twenty-five (25) years shall be used for sizing piping and inlet structures. If no overland escape is available, 100-year flows shall be used as the basis of design. Santa Barbara County Engineering Design Standards shall be used. The report shall include a flood study that reviews pre-development and post-development flood conditions, recommendations to be implemented that minimize or resolve flood issues outside of the development property that results from the proposed development. These recommendations shall be incorporated in the project improvement plans. Plans shall clearly delineate floodway and floodplain limits. A Property Owner Flood Development Notice shall be recorded. All fill within Floodplain areas shall be reviewed and analyzed in the Hydraulic and Hydrology study to ensure there is no adverse affects of flooding to any properties. In addition, any basin proposed within the floodway shall be supported with a NoRise certificate/evaluation to ensure capacity and velocities within the floodway are not adversely affected. It is recommended that the Applicant shall file the appropriate documentation with FEMA removing the building from the floodplain. At a minimum, applicant shall file appropriate Elevation Certificates and record Owner's Notice Document for Development within a Floodplain. Design shall be subject to flood proofing requirements.
25. **Stormwater.** Development shall be undertaken in accordance with conditions and requirements of the State of California Regional Water Quality Control Board. Project Grading and Storm Drain Improvement Plans shall identify and incorporate Best Management Practices (BMPs) appropriate to the uses conducted on-site and during construction to effectively mitigate storm water pollution during construction as well as post-construction.

Stormwater management shall be incorporated in the improvement plans (low impact development). This project is subject to Post Construction Requirements as outlined in the City's Stormwater Technical Guide for a Tier 4 project. A Stormwater Control Plan that analyzes the potential flows, run-off and drainage management area's and proposed lid improvements to address run-off and water quality, including a maintenance/water quality control plan, shall be submitted. This document shall include an owner's statement that maintenance of facilities will occur regularly (at least twice annually) and will be ongoing. The plan shall include an annual maintenance report which must be signed/certified by the QSD/QSP, property owner and contractor and submitted to the Public Works Department.

26. **Fire Department Review.** Applicant shall submit improvement plans for concurrent review with the Santa Barbara County Fire Department and shall provide documentation of submittal along with grading and utility improvement plans to the City Engineer. A copy of the Fire Department approval shall be submitted prior to issuance of grading permit.
27. **Mylars.** Upon approval of the final plans, Applicant shall furnish original stamped mylars to the City Engineer for signature and reproduction for permitting purposes. A final Engineer's estimate shall be prepared (updated from the original submittal and shall utilize prevailing wage rates) and permit/inspection fees paid.
28. **Sureties.** A faithful performance and labor/material bond for the grading and utilities (each to be equal to 100% of the final City Engineer's estimate of costs, which shall include a 20% contingency), or equivalent form of guarantee, shall be posted by the applicant. The bonds shall remain in effect until the completion of the project and a certificate of occupancy has been issued, at which time, 10% of the bond shall be retained for a warranty period of 1 year after the City has approved a Notice of Completion and after receipt/approval of the As-built Record Drawings.
29. **Public Water Line Easement.** Public Water line and easement will need to be relocated to the satisfaction of the public works director. Public line shall complete loop. Service lines shall be private.
30. **Private Sewer Lift Station.** Applicant shall provide engineering plans and calculations for the private sewer lift station. This facility serves multiple properties in the area, a maintenance agreement, service agreement and maintenance/operations/emergency contact plan shall be approved by the City Engineer. Any improvements to the lift station required to bring capacity and redundancy issues to code and the facility in full working order shall be provided by Applicant prior to release of occupancy. An annual maintenance and operations audit shall be provided to the city by the property owner as long as the facility is needed to convey flows to the public system. Audit shall provide maintenance and repair log and supporting records. Owner is responsible for any violations resulting from lack of maintenance and repair to the system which causes a violation of Regional Water Quality Board regulations.
31. **Industrial Discharge Permit/FOG Permit.** Any tenant activities that involves, manufacturing, processing or food service shall comply with City's Industrial Discharge and FOG Programs and shall identify grease interceptors in grading improvement plans.
32. **Off-site Retention Basin.** Project components include an off-site retention basin. Applicant is required to secure an easement agreement and access/maintenance agreement for such basin prior to issuance of grading permits.

33. **Access Easements Required.** Traffic study was predicated on utilizing 3 access points to the west of the project to ensure site circulation. This includes an emergency access point at the southern end of the project site. Easements for all three points shall be provided prior to issuance of grading permit.

PRIOR TO BUILDING PERMIT ISSUANCE:

34. **Grading Permit.** Applicant shall obtain a grading permit from the City Engineer prior to obtaining a building permit.
35. **Rough Grading.** Rough grading certification by the geotechnical engineer shall be approved by the City Engineer prior to obtaining a building permit.
36. **Industrial Waste Discharge Permit.** Applicant shall obtain an industrial waste discharge permit, as applicable, from the City Public Works Department prior to obtaining a building permit.
37. **Payment of Water/Sewer Fees.** Applicant shall pay water and sewer utilities fees from the Public Works Department prior to occupancy. In addition, all pretreatment and FOG compliance requirements must be in place prior to payment of water/sewer fees and occupancy.
38. **Traffic Mitigation Fee.** Applicant shall pay all Traffic Mitigation Fees prior to obtaining a building permit.
39. **Final Lot Line Adjustment.** Applicant shall submit all necessary documents, sketches, and fees for finalizing the lot line adjustment. These may include but are not limited to a preliminary title report less than 60 days old, legal descriptions of the parcels following the adjustment, modified deeds of trust and/or partial reconveyances as required, grant deed or deeds with accompanying legal descriptions and sketches, a sketch showing the existing and adjusted lines, a certificate of conformity for City Surveyor's signature and for County Clerk of the Board's signature for tax clearance, Owner's Certificates and Certificates of Record Title Interest. These documents will be prepared by a Land Surveyor, Licensed in the State of California or by a Civil Engineer Registered in the State of California and authorized to practice land surveying. Applicant or applicant's agent shall coordinate with the City Surveyor to assure that all required documents are prepared and submitted.
40. **Completion.** The lot line adjustment must be completed (i.e., grant deeds recorded and lot lines adjusted) prior to building permit issuance.

PRIOR TO OCCUPANCY CLEARANCE:

41. **Completion of Improvements.** Applicant shall complete all required improvements to the satisfaction of the City Engineer. Applicant shall furnish

mylar or a reproducible copy of the improvement plans to the City Engineer, modified to reflect field changes made during construction and stamped "As-Built Record Drawings".

42. **Dedication of Public Easements.** Any public easements requiring dedication shall be approved and accepted by the City prior to occupancy.
43. **Payment of Fees.** All fees and any unpaid balances from plan check or inspection and permits, shall be paid in full.

GENERAL CONDITIONS:

44. **Public Improvement Standards.** Unless superseded by Caltrans all public improvements shall be designed and constructed in conformance with The City of Buellton Standards, and when applicable, the Santa Barbara County Standards.
45. **Utility Easements.** Existing and proposed easements for all utilities shall be located and described on the engineering plans.
46. **Utility Locations.** All utilities shall be shown on the plans. Proposed water and sewer lines shall be highlighted. Lines on-site shall be maintained as private. Should any utilities be determined to be public, appropriate easements shall be granted to the City.
47. **Parking Lot Maintenance.** Permeable parking lot areas shall be maintained on a regular basis. Proper maintenance shall include, but not be limited to, grading, leveling, removal of oils or other potential water quality contaminants that may be deposited through normal use/wear, restriping and sweeping. A maintenance management plan shall be provided and approved by the City Engineer with an annual self-audit provided to the City. Self-Audit shall provide maintenance and repair log and supporting records.
48. **River Trail.** Pursuant to the City's Bicycle and Pedestrian Master Plan, a multi-use trail shall be incorporated on-site for a "creekside trail". An easement for public trails already exists. Property owner shall support the River Trail development process and be an active advocating partner. Once developed, the developed trail system shall be maintained by the property owner as part of the regular site maintenance requirements. Property owner shall support the River Trail development process and be an active advocating partner.
49. **As-Built Record Drawings.** Prior to the release of any bonds, Applicant shall furnish the mylar or a reproducible copy of the improvement plans to the City Engineer, modified to reflect field changes made during construction and stamped "As-Built Record Drawings". A PDF of the final As-Built Record Drawings shall be submitted to the City.

D. PLANNING CONDITIONS

50. **Zoning Clearance.** As a condition precedent to obtaining building permits, and prior to improving any portion of the Property or commencing any work pertaining to the Project approved herein, Applicant shall obtain Zoning Clearance from the Planning Director. Zoning Clearance shall only be granted upon satisfying all conditions precedent to construction as stated in these conditions of approval.
51. **Performance Standards.** The design, operation, and use of the Project and Property shall comply with all outdoor storage, trash collection design, performance standards, landscaping requirements, and lighting provisions of the Buellton Municipal Code. All exterior lighting shall be located and designed so as to avoid creating substantial off-site glare, light spillover onto adjacent properties, or upward illumination into the sky. In addition, the Property shall be maintained in strict compliance with the following additional standards:
- a. Use Limitations. No building or other improvement upon the Property shall be constructed, maintained, or used for any purpose other than that which is allowed by the Buellton Municipal Code or otherwise stipulated in the conditions of approval herein. Furthermore, the Property shall be maintained in strict compliance with the following additional standards:
- (1) Unobstructed Access. All driveways and areas designated for off-street parking shall remain accessible at all times. Except as allowed by revocable license approved by the City, parking shall not be allowed on driveways at anytime.
 - (2) Vehicle Repair. No disassembly, repair or any other work shall be performed on any vehicle, machine, motor, appliance or other similar device shall be allowed on any portion of the Property except or unless such work and device is wholly removed from public view.
 - (3) Exterior Storage. No storage of any goods, materials or equipment shall be permitted on the Property except within the confines of fully enclosed buildings.
- b. Prohibited Activities. No person owning, leasing, occupying or having charge or possession of the Property, or any portion thereof, shall maintain or use the premises in such a manner that any of the following conditions are found to exist:
- (1) Fire and Explosion Hazards. Storage and transportation of flammable or explosive materials, as defined by the County of Santa Barbara Fire Department, which are provided without adequate safety devices against the hazard of fire and explosion

and adequate firefighting and fire-suppression equipment and devices, standard in the industry.

- (2) Fissionable, Radioactivity or Electrical Disturbance. Storage or use of fissionable or radioactive material, if their use or storage results at any time in the release or emission of any fissionable or radioactive material into the atmosphere, the ground, or sewage systems, or any activities which emit electrical disturbances, affecting the operation at any point of any equipment other than that of the creator of such disturbance.
- (3) Glare, Humidity, Heat and Cold. Direct or sky-reflected glare, whether from floodlights or from high temperature processes, or humidity, heat or cold that is produced and is perceptible without instruments by the average person at the Property line.
- (4) Liquid and Solid Wastes. Discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any material of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, except in accordance with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction over such activities.
- (5) Odors. Emissions of odorous gases or other odorous matter that is produced in nuisance quantities at the Property line.
- (6) Particulate Matter and Air Contaminants. Emissions, including but not limited to, fly ash, dust, fumes, vapors, gases, and other forms of air contaminants which are produced from any facility or activity which are readily detectable without instrument by the average person at the Property line which can cause any damage to health, animals, vegetation or other forms of property, or which can cause excessive soiling at any point.
- (7) Vibration. Ground vibration that is produced and is discernible without instruments to the average person at the Property line. Ground vibration caused by motor vehicles, trains, aircraft, and temporary construction or demolition work is exempted from this standard.
- (8) Prohibition of Dangerous Elements. Land or buildings which are used or occupied in any manner so as to create any dangerous, noxious, injurious or otherwise objectionable fire, explosive or other hazard; noise or vibration; glare; liquid or solid refuse or

waste; or other dangerous or objectionable substance, condition, or element in such a manner or such an amount as to adversely affect other uses.

- (9) **Noise.** Unless otherwise conditionally allowed, no person shall operate or cause to be operated any source of sound at or on the Property, or allow the creation of any noise on the Property owned, leased, occupied or otherwise controlled by such person which causes the noise level when measured on any receiving property to exceed the noise level limits set forth by the Buellton Municipal Code as adopted and amended.
52. **Fire Department.** The Project is located within the jurisdiction of the County Fire Department and shall comply with all applicable standards of that agency.
53. **Building Standards.** All building construction shall be designed and performed in accordance with the currently adopted California Building Code, and all other appropriate sections of the Buellton Municipal Code, State of California energy conservation standards and Title 24 handicap accessibility standards. All necessary plans and documentation shall be submitted at time of plan check including, but not limited to, complete architectural plans and appropriate engineering calculations prepared by a California Licensed Architect or Engineer.
54. **Grading and Drainage.** All building construction, grading and drainage shall be designed and performed in accordance with the currently adopted Excavation and Grading Code and all other appropriate sections of the Buellton Municipal Code and Santa Barbara Flood Control Design Standards dealing with grading, drainage and public improvements. Prior to construction, necessary plans and documentation shall be submitted for review and approval by the City Engineer including, but not limited to, complete civil engineering drawings, public improvement plans, utility specifications and appropriate engineering calculations prepared by a California Registered Civil Engineer.
55. **Construction Hours.** Construction shall be limited to the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday. Equipment maintenance and servicing shall be confined to the same hours. Weekend construction and other exceptions shall require special approval from the Planning Director, in consultation with the City Engineer, and be limited to the hours of 9:00 a.m. to 4:00 p.m. Prior to issuance of building permit, the Developer shall provide proof that all construction equipment utilizing internal combustion engines have mufflers that are in good condition.
56. **APCD Permits.** Prior to occupancy, APCD permits must be obtained for all equipment that requires an APCD permit. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps

and emergency standby generators) and boiler/large water heaters whose combined input rating exceeds 2.0 million BTUs per hour.

57. **Rule 360 Emissions Compliance.** Small boilers and water heating units (rated between 75,000 and 2.0 million BTU/hr) must comply with the emission limits and certification requirements of APCD Rule 360. Please see www.sbapcd.org/eng/boiler/rule360/rule_360.htm for more information and a list of certified boilers (note: any units fired on fuels other than natural gas must be certified by the SBAPCD on a case-by-case basis, even if the unit is certified when fired on natural gas).
58. **Rule 303 Compliance.** The Project shall comply with Rule 303, as described below, which would reduce odor impacts to off-site residences.
- a. A person shall not discharge from any source whatsoever such quantities of air contaminants or other material in violation of Section 41700 of the Health and Safety Code which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety or any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.
59. **Compliance with Air Quality Regulations.** The Project shall comply with APCD Rule 345 and related air quality requirements, as described below, which would ensure that construction emissions would remain less than significant.
- a. No person shall engage in any construction or demolition activity or earth moving activities subject to this rule in a manner that causes discharge into the atmosphere beyond the property line visible dust emissions of 20% opacity or greater for a period or periods aggregating more than 3 minutes in any 60 minute period.
 - b. No person, including facility or site owner or operator of source, shall load or allow the loading of bulk materials or soil onto outbound trucks unless at least one of the following dust prevention techniques is utilized:
 1. Use properly secured tarps or cargo covering that covers the entire surface area of the load or use a container-type enclosure.
 2. Maintain a minimum of 6 inches of freeboard below the rim of the truck bed where the load touches the sides of the cargo area and ensure that the park of the load does not extend above any part of the upper edge of the cargo area.
 3. Water or otherwise treat the bulk material to minimize loss of material to wind or spillage.

4. Other effective dust prevention control measures approved in writing by the Control Officer.
- c. Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out shall be controlled as outlined below:
 1. Visible roadway dust shall be minimized by the use of any of the following track-out/carry-out and erosion control measures that apply to the project or operations: track-out grates of gravel beds at each egress point, wheel-washing at each egress point during muddy conditions, soil binders, chemical soil stabilizers, geotextiles, mulching, or seeding; and
 2. Visible roadway dust shall be removed at the conclusion of each work day when bulk material removal ceases, or every 24 hours for continuous operations. If a street sweeper is used to remove any track-out/carry-out, only a PM₁₀-Efficient Street Sweeper shall be used. The use of blowers for removal of track-out/carry-out is prohibited.
60. **Exterior Building Materials.** New structures shall utilize non-reflective exterior materials to prevent glare, as feasible.
61. **Standard Dust Control Procedures.** During clearing, grading, earth moving, or excavation operation, excessive fugitive dust emissions shall be controlled by regular watering, paving construction roads, or other dust preventive measures such as using the following procedures:
- a. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible.
 - b. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
 - c. Gravel pads must be installed at all access points to prevent tracking of mud on to public roads.
 - d. 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.

- e. 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.
 - f. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Santa Barbara County Air Pollution Control District ("APCD") prior to Zoning Clearance for map recordation and Zoning Clearance for finish grading for the structure.
 - g. Prior to Zoning Clearance, the Applicant shall include, as a note on a separate informational sheet to be recorded with map, these dust control requirements. All requirements shall be shown on grading and building plans.
62. **Prohibition of Invasive Plants.** Plants considered to be invasive by the California Exotic Pest Plant Council shall be prohibited in new development adjacent to permanent open space/natural areas within the City. Wherever site development is proposed adjacent to a special-status plant habitat an appropriate buffer of fire retardant and native vegetation shall remain or be established between the sensitive area and the proposed development.
63. **Night Lighting Standards.** Night lighting of public areas near sensitive habitats shall be kept to the minimum necessary for safety purposes:
- (1) Exterior lighting within 100 feet of open space habitat shall be shielded and aimed as needed to avoid spillover into habitat areas. Decorative lighting shall be low intensity.
 - (2) Use of high-intensity floodlights on residential/ commercial lots shall be shielded and aimed as needed to avoid spillover into habitat areas including open space, vineyard, and agricultural areas.
64. **Wildlife Habitat Buffer.** Wherever site development is proposed adjacent to wildlife habitat an appropriate buffer for fire safety and native vegetation shall remain or be established between the habitat area and the proposed development.

65. **Dam Inundation 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 of the Final EIR, 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.
66. **Final Occupancy Clearance.** No Final Building Inspection Clearance or release of occupancy will be granted for any building on the Property until all construction is completed and all improvements and landscaping associated with the Project are installed in accordance with the plans approved and the conditions specified herein. Exceptions to this requirement may be granted subject to: (i) approval of the City Engineer and Planning Director; (ii) assurance that unfinished items will be completed within a reasonable period of time (including, but not limited to, the posting of appropriate performance security to assure such completion); (iii) essential infrastructure necessary to serve the entire Project is fully installed; and (iv) public safety and convenience is appropriately protected.
67. **Property Maintenance.** The Project and Property, including the landscaping, shall be maintained in a continuous state of good condition and repair, in full compliance with all approved plans, specifications and conditions of approval. Corrective improvements shall be undertaken as necessary to continuously conform with and implement conditions of Project approval including, as applicable, repair, repainting and/or replacement of Project components as needed. Where a Project is found to be non-compliant, the Applicant shall adhere to City recommendations to bring the Project into compliance.
68. **Community Design Guidelines.** The Project shall be in conformance with the Community Design Guidelines.
69. **Landscape and Irrigation Plans.** The final landscape and irrigation plans shall include a signed statement by a licensed landscape architect stating that the plans comply the City's Water Efficient Landscaping Ordinance and utilize species from the City's Approved Tree Planting List or to the satisfaction of the City Planning Director.
70. **Project Inspections.** Upon completion of construction and prior to occupancy or use, the Planning Director shall conduct a Project Inspection prior to and as a condition precedent to obtaining Final Building Inspection Clearance. Compliance with all conditions of approval is a pre-requisite to obtaining the Final Building Inspection Clearance.
71. **Landscape Surety.** Prior to issuance of a building permit, a surety for installation of the landscaping and irrigation, and for maintenance for one year, shall be posted in a form acceptable to the City. The surety estimate shall be submitted as part of the building permit submittal.

72. **Landscape Installation.** Prior to obtaining Final Building Inspection Clearance, all landscaping and irrigation shall be completed and fully installed in accordance with the approved landscape plan. A letter from the landscape architect shall be submitted verifying compliance with the plans. The landscape and irrigation surety, less the one year maintenance portion, can be released at this time.
73. **Landscape Maintenance.** Following installation, all landscaping shall be continuously maintained thereafter for a period of not less than one year or until such time that all plant material has been completely established. The Planning Director shall inspect or cause to be inspected all landscaped areas after the one year maintenance period. If the landscaping is healthy and established, the one year maintenance portion of the surety may be released.
74. **Landscape Maintenance Agreement.** The Applicant shall acknowledge and sign the City's Landscape and Maintenance Agreement prior to issuance of the building permit. The Applicant, and all successors or assignees, are responsible for complying with all conditions of the Agreement. Any violations of the Landscape and Maintenance Agreement may result in Code Enforcement action.
75. **Approval.** Approval of 16-FDP-07 and 17-LLA-03 (the "Permit") is granted to the Applicant for the Property as identified in the Project Description. Except or unless indicated otherwise herein, all buildings, driveways, parking areas, and other facilities or features shall be located and maintained substantially as shown on the exhibits accompanying the application for the Project.
76. **Development Time Frame.** The Final Development Plan shall expire after five years unless substantial physical construction has been completed or the Applicant has applied to the Planning Commission for an extension. Any request for an extension shall be processed under the procedures set forth in the Municipal Code. Substantial physical construction is defined as:
 - a. All zoning and related approvals are effective; and
 - b. All required building and grading permits have been issued; and
 - c. The "foundation inspection" and "concrete slab or under floor inspection" as defined in the California Building Code or its successor have been made and received approval from the Building Department, i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or under floor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable legal standards for determining when vested property rights have arisen.

77. **Parking.** A total of 180 parking spaces, including 6 accessible spaces, and 1 loading space are indicated on the Final Development Plan, and must be provided for the Project as shown on the Plan. Two loading docks with space for four large trucks are provided on the plans. All parking spaces shall be striped in accordance with City of Buellton standards prior to issuance of the occupancy permit.
78. **Signage.** Signage must be in substantial conformance with what is indicated in the Master Sign Plan submitted as a component of the project plans dated June 13, 2017. Any deviation from this program will require a separate Zoning Clearance from the Buellton Planning Department.
79. **Master Sign Plans Corrections.** Corrections shall be made to the Master Sign Plans for consistency and clarification prior to Zoning Clearance issuance. These include clarifying the number and locations of address ID signs. This also includes accurately listing the type and number of signs in the sign plan to match the diagram shown, and verifying that the business directory signs are no taller than 6 feet in height.
80. **Architectural Design.** The architectural design of the buildings shall conform to that shown on the architectural elevations for the project plans submitted on June 13, 2017. The project is designed as Contemporary Ranch.
81. **Masonry Block.** All masonry walls shall be split face block.
82. **Bike Racks.** Bike racks shall be provided as shown on the Project plans.
83. **Lighting.** All new exterior lighting fixtures shall comply with the design requirements of the Community Design Guidelines and shall protect dark skies. All lighting shall be LED or Inductive technology or other energy efficient type of lighting, consistent with what is indicated in the lighting specifications included with the project plan.
84. **Green Building Standards.** Green building features above the mandatory green building code requirements of the County of Santa Barbara shall be incorporated into the Project where feasible.
85. **Perimeter Fencing.** Chain link fencing may be acceptable in some areas around the perimeter of the property. However, the final fence material for the perimeter shall be agreed upon between the applicant and Planning Department prior to issuance of Zoning Clearance. The fence material shall be clearly shown on the project plans and shall be in compliance with the community design guidelines.
86. **Access Easement.** In order to maneuver large trucks in and out of the loading area on the east side of the building, an access easement is required and shall be obtained for the access point located between Terravant and Ascendant Spirits prior to issuance of Grading Permit. Documentation showing that the easement is in place is required.

87. **Emergency Access Easement.** An emergency access easement shall be obtained for the emergency access location located at the south eastern corner of the project site prior to issuance of Grading Permit. Documentation showing that the easement is in place is required.
88. **Trash Enclosure Location(s).** The final location of the trash enclosure(s) shall be approved by the Planning Department and shall be shown on the plans prior to issuance of Zoning Clearance. The design of the trash enclosures shall meet the minimum required standards of MarBorg. Additionally, at least 50% of the area of the trash enclosure shall be for recycling. A letter from MarBorg approving the final location(s) is required prior to issuance of Zoning Clearance.
89. **Architectural Details.** Prior to issuance of Zoning Clearance, details of how the design is carried out shall be shown on the plans. Typical details include roof eaves, gutters and downspouts, window trims, awnings, and any other character/project specific details.
90. **Parking Lot Lighting.** Parking lot lighting can be provided via light on top of poles. The lights do not need to be strung across. Lighting must be dark-sky friendly and LED or equivalent. Final design of lighting shall be approved by the Planning Department.
91. **Stormwater Retention Basin.** The final location of the off-site stormwater retention basin shall be shown on the project plans prior to issuance of zoning clearance and/or grading/building permits. The retention basin shall be located completely outside of the area of the willow thickets and shall be in compliance with all stormwater requirements.
92. **Stop Sign Installation.** Stop signs and lane striping shall be installed at the north east corner of the project site per the Traffic and Circulation Study conducted for the Project dated July 18, 2017.
- E. **FIRE DEPARTMENT CONDITIONS** – The following conditions are in reference to a letter dated July 7, 2017 from Santa Barbara County Fire Department.

No Conditions for the Final Development Plan

- The Fire Prevention Division must be notified of any changes to the Project proposal. A change in the Project description may cause additional conditions to be imposed.

The Following Conditions are for Future Development and Are Advisory

93. This proposed structure shall be required to comply with California Fire Code Appendix D-105 for aerial apparatus.

94. This proposed Project shall comply with California Fire Code Appendix C for fire hydrant spacing.
 - Onsite fire hydrants and mains shall be provided as required by fire department.
95. All standard fire department conditions, current codes and fees shall apply at time of development.

As always, if you have any questions or require further information, please call Glenn Fidler at 805-681-5528 or 805-681-5523.

F. COUNTY OF SANTA BARBARA BUILDING DIVISION CONDITIONS

96. **Geology Report.** A Geology report prepared and signed by a California licensed geologist will be required.
97. **Soils Report.** A soils report to include an assessment and conclusion of the potential for liquefaction will be required. At a minimum, one boring to a depth of 50' will be required.
98. **Site Accessibility Plan.** Provide a separate "Site Accessibility Plan", showing accessible routes of travel between buildings, accessible site facilities and to the public way and/or street serving the site. The accessible route of travel shall be the most practical direct route between accessible building entrances, accessible exits, accessible site facilities, and the accessible entrance to the site.
99. **Conditions on Plans.** Incorporate all discretionary conditions of approval and department condition letters into the plans.
100. **Green Code Compliance.** Incorporate compliance with the applicable CA Green Code in the plans to include commissioning.
101. **Fire Protection Plan.** Provide a complete, independent plan which graphically delineates all fire areas, fire walls, fire barriers, horizontal fire-resistive assemblies, and/or fire partitions on the plans. Label all fire-resistive corridors, shafts, incidental use areas, etc. Cite code sections indicating reasons assemblies are rated.
102. **Building Egress.** Clearly show egress requirements for the building. Show occupant load, number of exits required, and number of exits provided at each space. Provide a calculation for required exit width. A separate, detailed egress plan will be required for clarity of plan review and field inspection. Label all components of the exit access, exit, and exit discharge, and show compliance with applicable provisions addressing those components. Specify and detail an accessible path of travel to and from all entrances and exits to the public right of way.

103. **Plumbing Fixture Analysis.** Provide a plumbing fixture analysis and access to plumbing fixtures from all parts of the building within the maximum travel distances per the CPC.
104. **Flood Plain Conditions on Plans.** Incorporate the conditions of approval by the Flood Plain Administrator into the plans.
105. **Water Efficiency Plans.** Landscape plans which detail compliance with the current MWELo or City requirements (whichever are most stringent) will be required.
106. **California Codes.** Applications submitted after January 1, 2017 will be subject to the 2016 California Codes.

Building Department Conditions for Lot Line Adjustment (17-LLA-03)

107. **Identification of Current and Proposed Property Lines on Plans.** Plans submitted for initial plan check review must identify the location of current property lines and proposed property lines. Prior to final plan check approval and issuance of permits, the lot line adjustment must be recorded and new property line locations reflected in the final plans.

G. FINANCE DEPARTMENT CONDITIONS

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

Project Applicant/Property Owner Acknowledgement of Required Conditions of Approval

Property Owner Signature

Date

Project Applicant/Agent/Representative Signature

Date



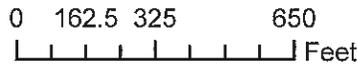
Vicinity Map



Legend

 City Parcels

 Project Location



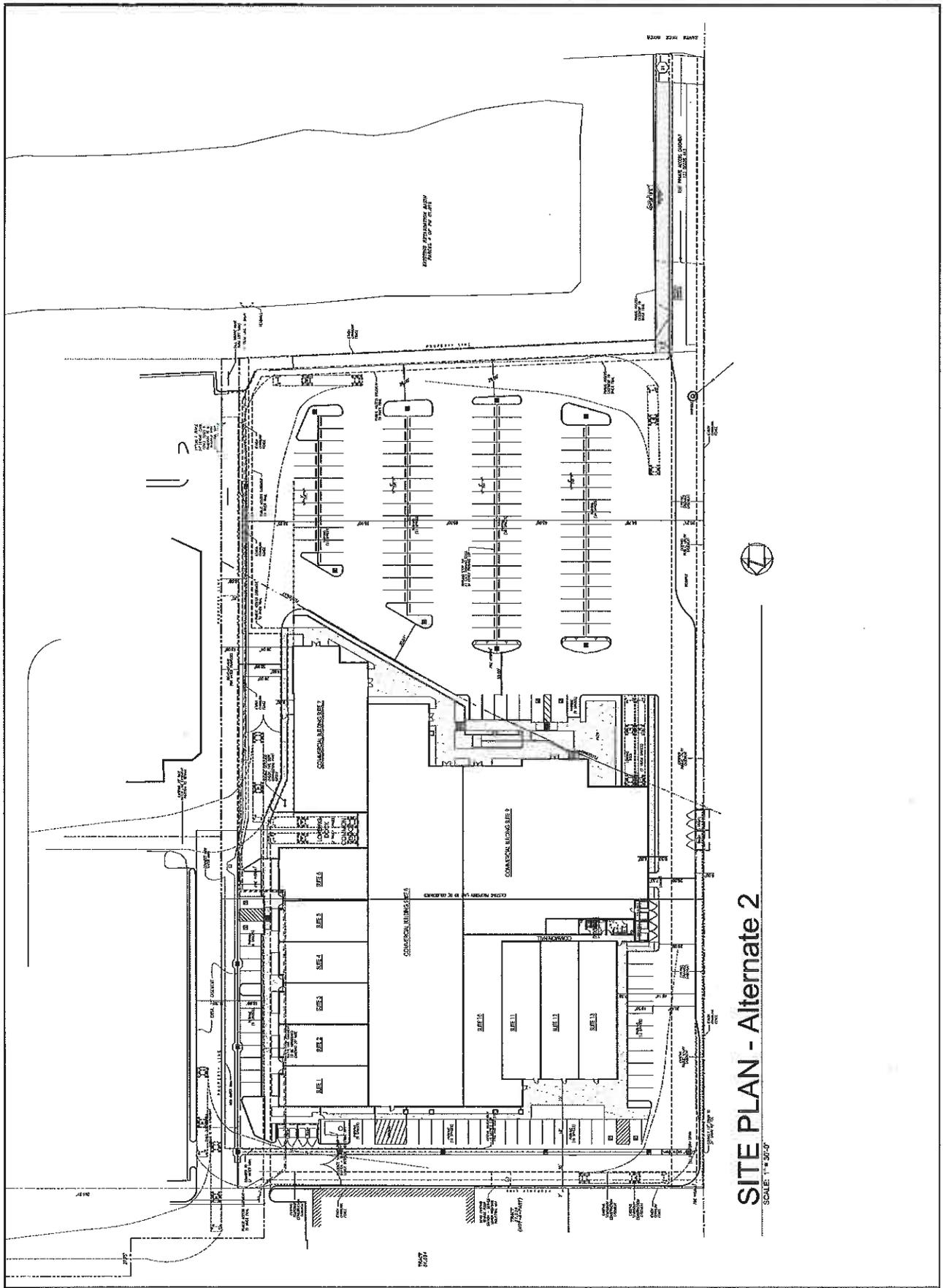
Industrial Way
Buellton, California
DATE:
Gavin Mockes
CPFG Inc.
10 East Yonkers Street, Suite 28
Santa Barbara, CA 93101
(805) 992-0474

Buellton 5 Acre Building

Paul Poitier + Associates
156 West Almar Ave. • Suite C • Santa Barbara, CA 93105
fax (805) 898-9683
telephone (805) 682-8894



PROJECT CODE:	1518
CLIENT:	INDUSTRIAL WAY PROJ #2, 2017-000-000
DATE:	
DESIGNED BY:	
CHECKED BY:	
APPROVED:	
DATE:	
PREPARED BY:	
DATE:	
NO. DATE:	
COMMENTS:	



SITE PLAN - Alternate 2
SCALE: 1" = 30'

PROJECT CODE: 1018
 REMARK: 10/18/11 Final Rendering
 REVISION DATE: ...

DESIGNED BY: ...
 CHECKED BY: ...
 APPROVAL DATE: ...

DATE: ...
 REVISION: ...
 NO. DATE COMMENTS:

Paul Pointer + Associates

156 West Alhambra Ave. • Suite C • Santa Barbara, CA 93105
 Fax (805) 898-9683
 Telephone (805) 682-8894

REGISTERED ARCHITECT
 No. 0-141411
 State of California
 License No. 10000

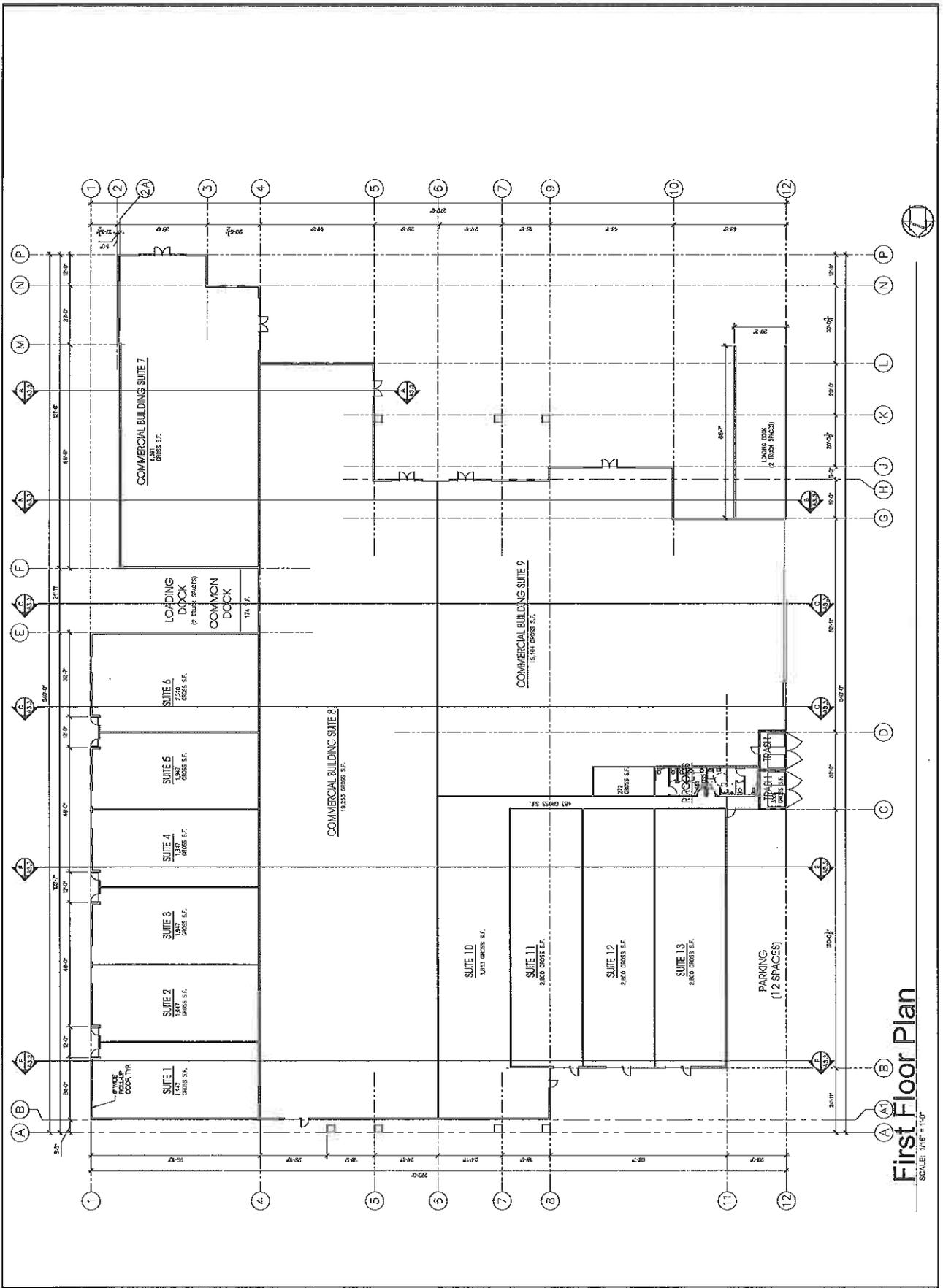
Buellton 5 Acre Building

Site Address:
 Industrial Way
 Buellton, California

CPX No.:
 Santa Barbara, CA 93101
 (805) 692-0474

Client:
 Gwyn Moores

A2.1
 BUILDING FLOOR PLAN



First Floor Plan
 SCALE: 1/16" = 1'-0"

Project Address:
Buellton, California

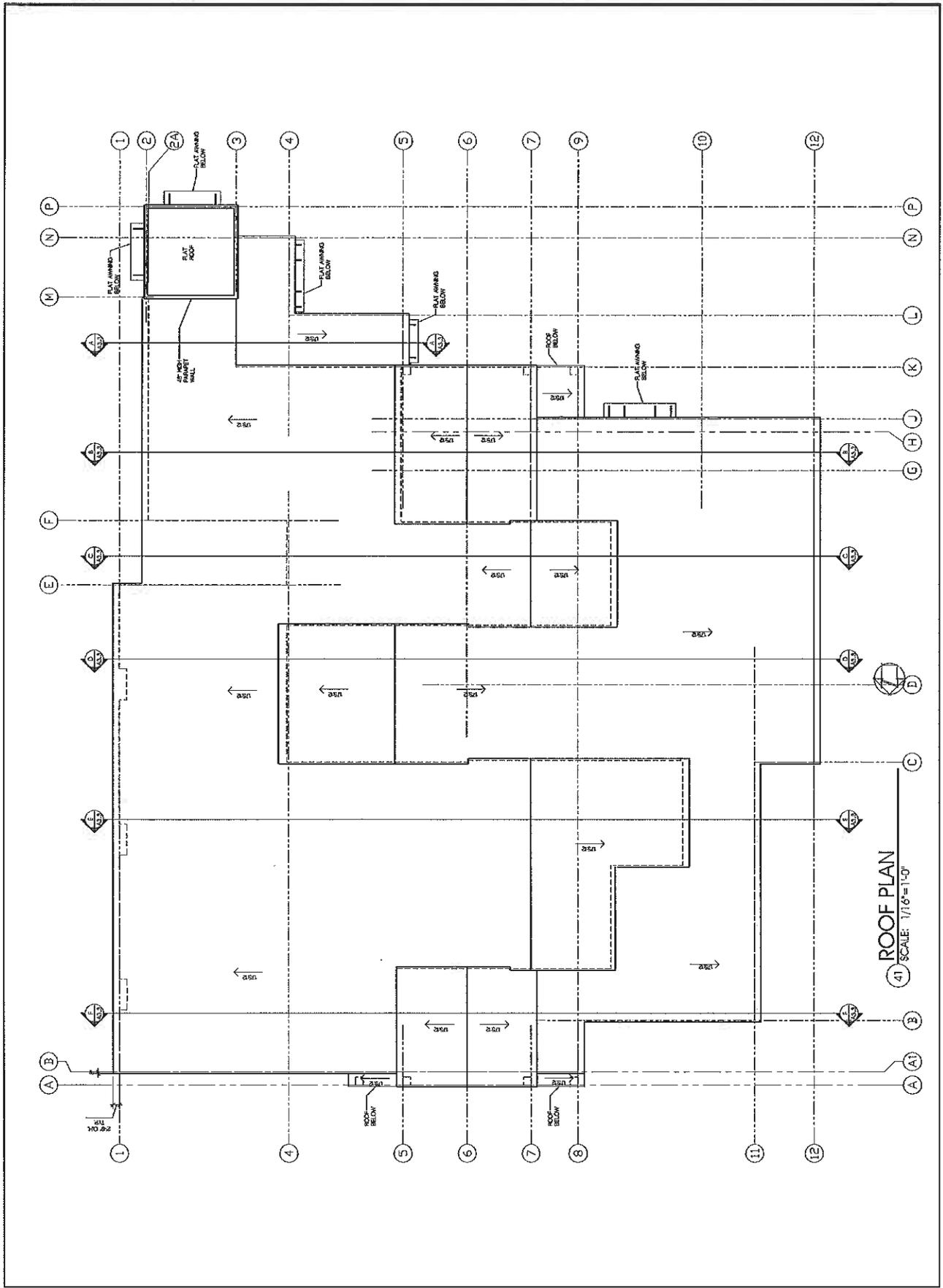
Buellton 5 Acre Building

Client:
Gain Moores
CFO Inc.
10 East Yonkers Street, Suite 28
Santa Barbara, CA 93101
(805) 692-0374

PAUL POIRIER + ASSOCIATES
156 West Alhambra Ave. • Suite C • Santa Barbara, CA 93105
Fax (805) 898-9683
Telephone (805) 682-8894



PROJECT CODE: 1142
FILENAME: 1142-50-Roof Plan.rvt
ISSUE DATE: _____
DRAWN BY: _____
CHECKED BY: _____
APPROVAL: _____
DATE: _____
PER DATE: JAN 16, 2017, 10:08 AM
NSI DATE: _____
NSI DATE: _____



ROOF PLAN
SCALE: 1/16" = 1'-0"

KEYNOTES

NO.	DESC.	QTY.	UNIT
1	1. EXTERIOR WALLS: 12" CONCRETE CMU WITH COLORADO GRAY FINISH		SQ. FT.
2	2. EXTERIOR WALLS: 12" CONCRETE CMU WITH COLORADO GRAY FINISH		SQ. FT.
3	3. EXTERIOR WALLS: 12" CONCRETE CMU WITH COLORADO GRAY FINISH		SQ. FT.
4	4. EXTERIOR WALLS: 12" CONCRETE CMU WITH COLORADO GRAY FINISH		SQ. FT.
5	5. EXTERIOR WALLS: 12" CONCRETE CMU WITH COLORADO GRAY FINISH		SQ. FT.
6	6. EXTERIOR WALLS: 12" CONCRETE CMU WITH COLORADO GRAY FINISH		SQ. FT.
7	7. EXTERIOR WALLS: 12" CONCRETE CMU WITH COLORADO GRAY FINISH		SQ. FT.
8	8. EXTERIOR WALLS: 12" CONCRETE CMU WITH COLORADO GRAY FINISH		SQ. FT.
9	9. EXTERIOR WALLS: 12" CONCRETE CMU WITH COLORADO GRAY FINISH		SQ. FT.
10	10. EXTERIOR WALLS: 12" CONCRETE CMU WITH COLORADO GRAY FINISH		SQ. FT.
11	11. EXTERIOR WALLS: 12" CONCRETE CMU WITH COLORADO GRAY FINISH		SQ. FT.



SOUTH ELEVATION
SCALE: 1/16" = 1'



EAST ELEVATION
SCALE: 1/16" = 1'



NORTH ELEVATION
SCALE: 1/16" = 1'



WEST ELEVATION
SCALE: 1/16" = 1'

PROJECT NO. 148
 PROJECT NAME: BUELLTON 5 ACRE BUILDING
 SHEET NO. 1
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
 DATE: JUN 15, 2011
 PROJECT LOCATION: [Address]
 NO. DATE: [Date]
 COMMENTS: [Text]

Paul Polner + Associates
 156 West Alhambra Ave. Suite C Santa Barbara, CA 93105
 Fax: (805) 898-9683
 Telephone: (805) 882-8894

Buellton 5 Acre Building
 GWH Moore
 CPCS Inc.
 Industrial Way
 Buellton, California
 10 East Kenmore Street, Suite 28
 Santa Barbara, CA 93101
 (805) 692-0174

A3.1
 EXTERIOR ELEVATIONS

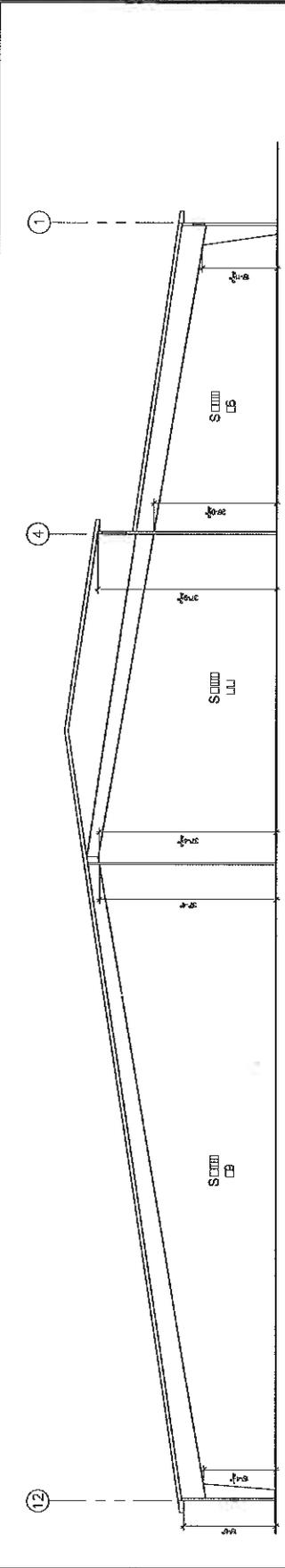
PROJECT CODE: A118
 DRAWING: 1511A33 Bldg. Scheduling
 SHEET DATE: _____
 SHEET NO.: _____
 SHEET TITLE: _____
 SHEET DATE: _____
 SHEET NO.: _____
 SHEET TITLE: _____

Paul Poirier + Associates
 156 West Alhambra Ave. • Suite C • Santa Barbara, CA 93105
 Fax: (805) 898-9683
 Telephone: (805) 682-8894

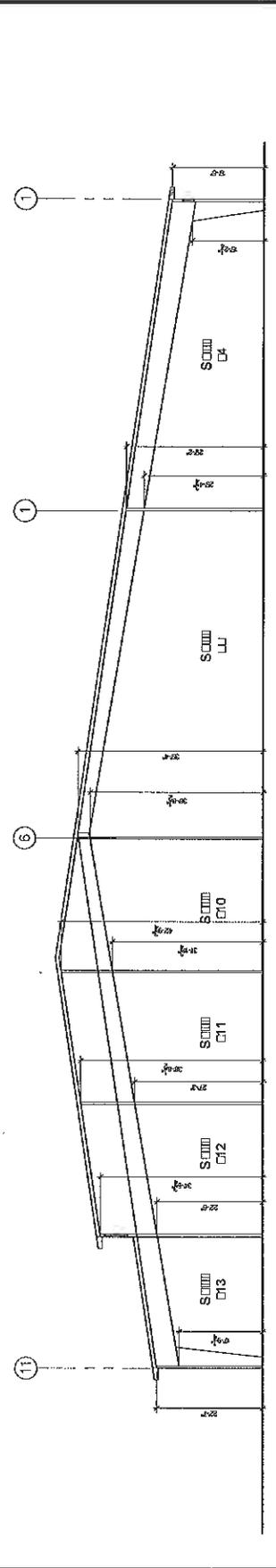


Buellton 5 Acre Building
 CPMG Inc.
 Gavin Moore
 10 East Yonkers Street, Suite 28
 Santa Barbara, CA 93101
 (805) 972-0474

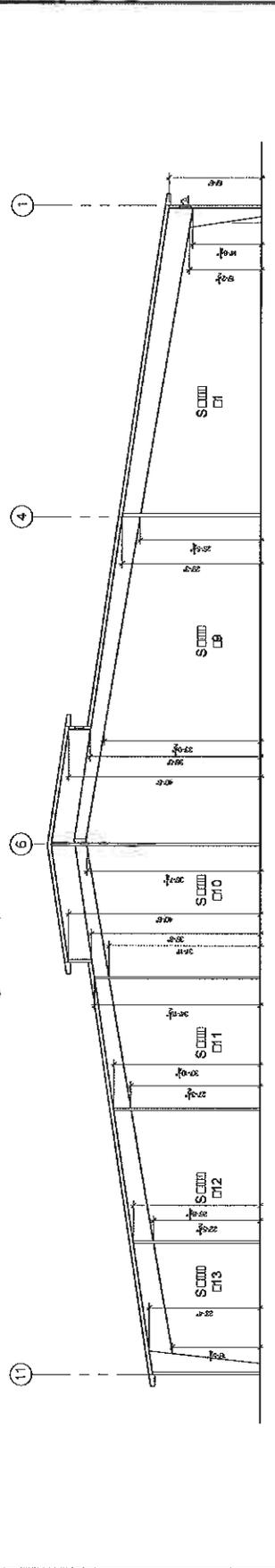
A3.4
 EXTERIOR BUILDING SECTIONS



BUILDING SECTION D
 SCALE: 3/32" = 1'-0"



BUILDING SECTION E
 SCALE: 3/32" = 1'-0"



BUILDING SECTION F
 SCALE: 3/32" = 1'-0"



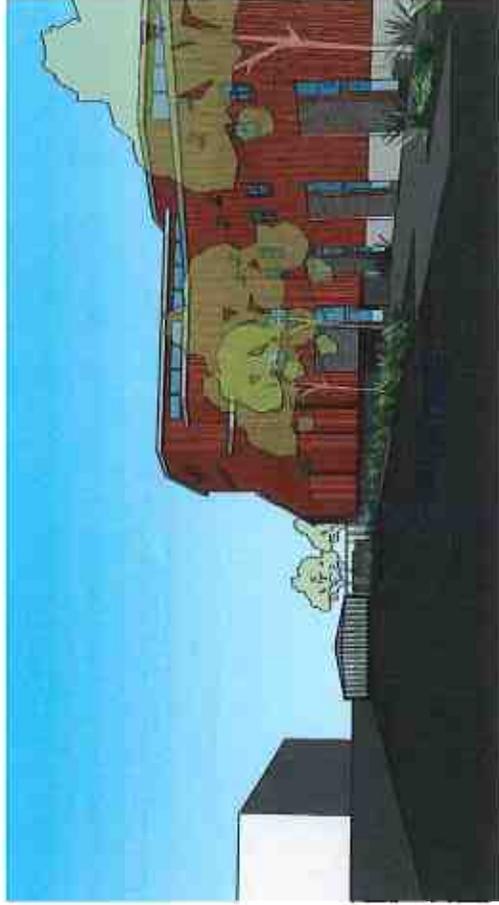
9 South Elevation View from Parking Lot



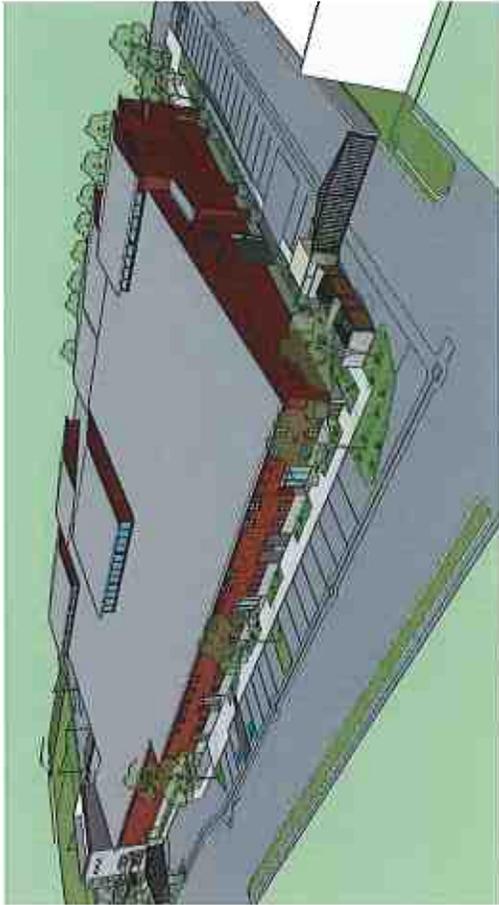
10 Partial South Elevation View



11 Southeast Aerial View



12 North Elevation View of Driveway



1 Northeast Aerial View



2 East Elevation View



3 Partial East Elevation View



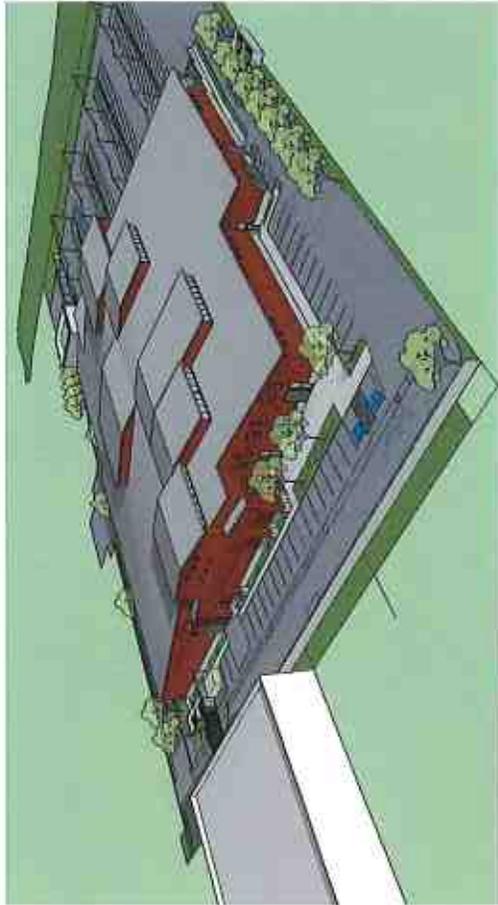
4 South Elevation View from Parking Lot



1 South Elevation View from Parking Lot



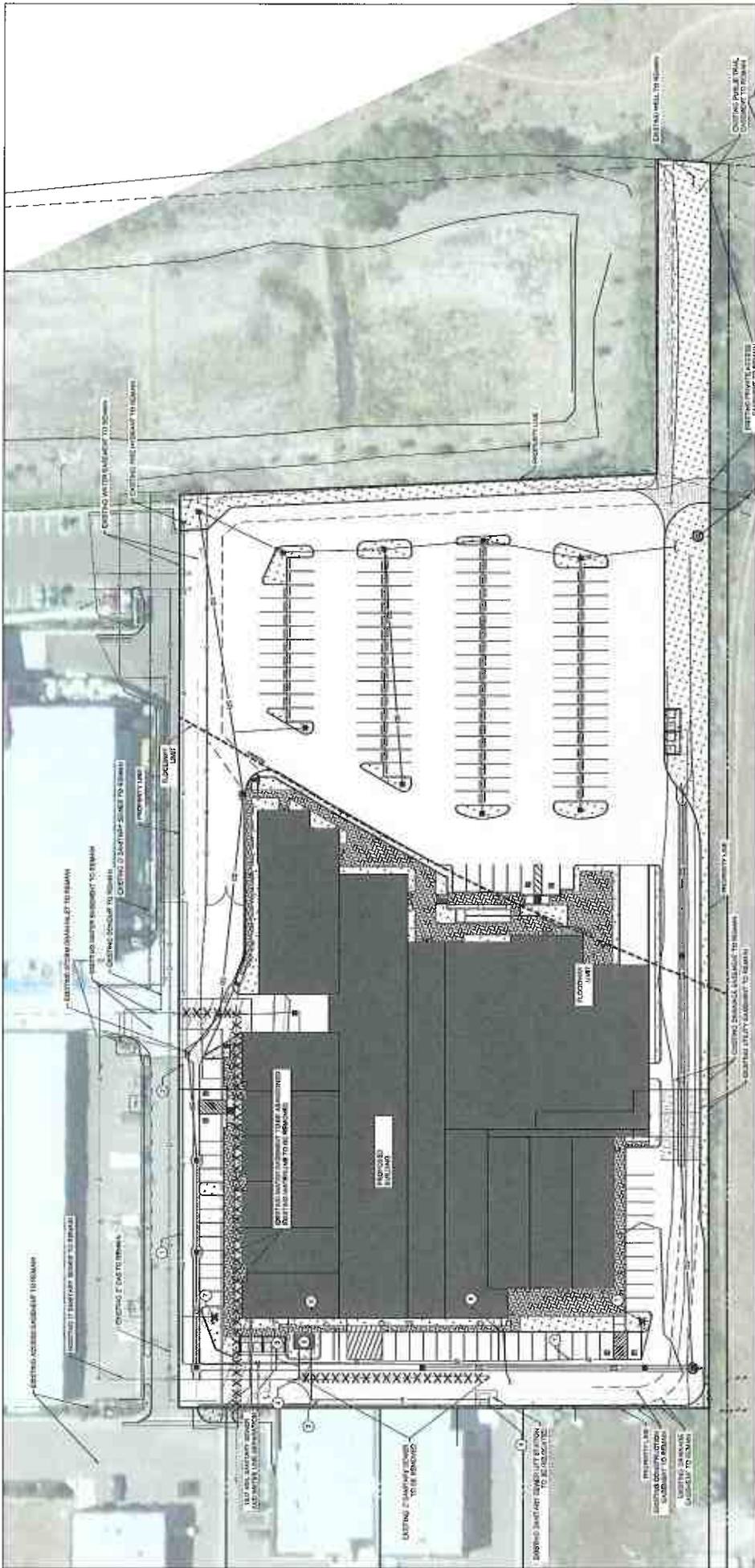
2 Southwest Aerial View



3 Northwest Aerial View



4 North Elevation View



GENERAL NOTES:

ALL EXISTING UTILITIES SHOWN ARE BASED ON THE BEST KNOWLEDGE AVAILABLE. THE CONTRACTOR SHALL VERIFY THE LOCATION, DEPTH, AND LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. IF THERE ARE ANY DISCREPANCIES, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY.

SEE ARCHITECTURAL PLANS FOR BUILDING AND APPLIANCE INFORMATION.

SEE ARCHITECTURAL PLANS FOR ADDITIONAL PLUMBING AND LANDSCAPE INFORMATION.

DATA AND ELECTRICAL LEGS BY OTHERS.

SITE CONSTRUCTION NOTES:

1. PROPOSED PUBLIC WATER LINE
2. CONNECT TO EXISTING WATER LINE
3. PROPOSED PRIVATE SANITARY SEWER LINE
4. CONNECT TO EXISTING SANITARY SEWER LINE. EXISTING EXISTING LINE IS NECESSARY FOR BUILDING CONNECTIONS. SEE ARCHITECTURAL PLANS FOR DETAILS.
5. RELOCATED SANITARY SEWER LIFT STATION
6. PROPOSED WATER LATERAL. SEE ARCHITECTURAL PLANS FOR DETAILS.
7. PROPOSED FIRE HYDRANT



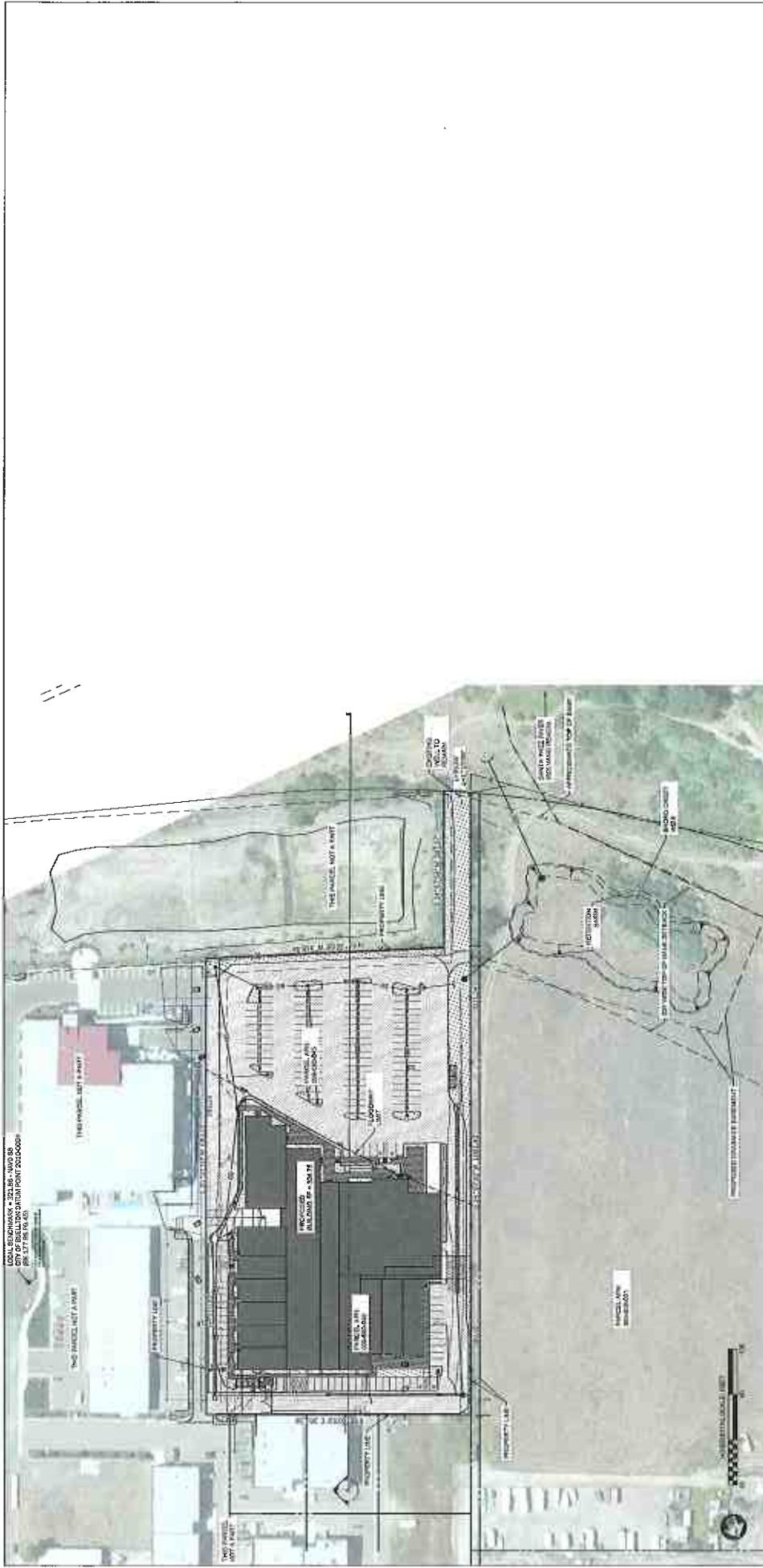
BUELLTON 5 ACRE BUILDING
PRELIMINARY SITE UTILITY PLAN

INDUSTRIAL WAY
 BUELLTON, CA, 95427

Ashley & Vance
 ENGINEERING, INC.

924 Chipala St., Suite D
 BueLLton, CA 95427
 (855) 965-9865 • (855) 565-0010
 www.ashleyvance.com
 CIVIL • STRUCTURAL

15613
 06/07/2017

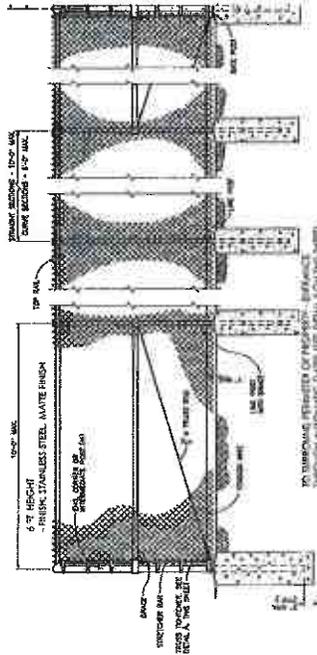


BUELLTON 5 ACRE BUILDING
PRELIMINARY DEVELOPMENT PLAN
CROSS SECTION
 INDUSTRIAL WAY
 BUELLTON, CA, 93427





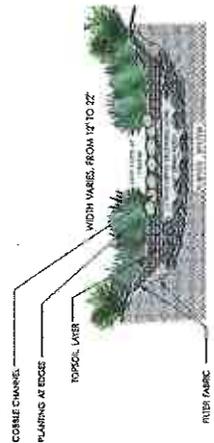
BIKE PARKING RACKS
NOT TO SCALE



CHAIN-LINK FENCE
NOT TO SCALE

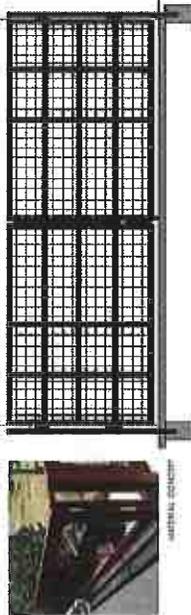


WALL FOUNTAIN AT JUIE P PAVILION
NOT TO SCALE



SECTION VIEW - VEGETATED SWALE
NOT TO SCALE

1. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY MATERIALS AND METHODS OF CONSTRUCTION, LATEST EDITION, AS PUBLISHED BY THE TRANSPORTATION BUREAU OF CALIFORNIA.

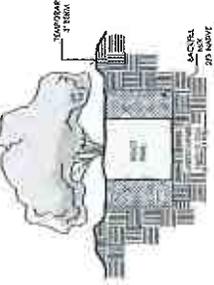
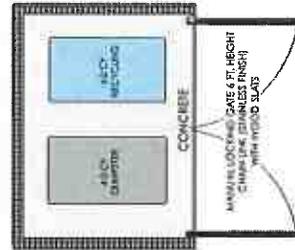


AUTOMATIC GATE DETAIL
NOT TO SCALE

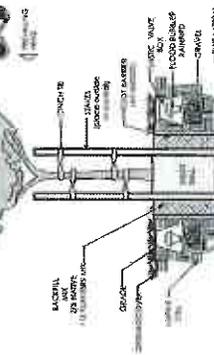
6 FT. HEIGHT SPLIT FACE BLOCK SURROUND
15 FT. W X 11 FT. DEPTH
- LIGHT BROWN SPLIT FACE BLOCK
- SPLIT FACE TO FACE OUTWARD



TRASH ENCLOSURE SCREENING
NOT TO SCALE



TYPICAL PLANTING DETAIL
NOT TO SCALE



TREE PLANTING DETAIL
NOT TO SCALE

1. LANDSCAPE INFORMATION:
4.8.2017

PROJECT INFORMATION:
LANDSCAPE ARCHITECT - BARKHOWER STUDIO
223 W. KILBOURN STREET
SANTA BARBARA, CA 93101
805.972.2154
BARKOWERSTUDIO.COM

OWNER INFORMATION:
BARKOWER STUDIO ARCHITECTURE
20 EAST WASHINGTON STREET, SUITE 210
SANTA BARBARA, CA 93101

PROJECT ADDRESS:
INDUSTRIAL WAY BUELLTON CALIFORNIA
APN: 091-09004-00 AND 091-09004-06

PARCEL SIZE: 6.08 ACRES
TOTAL LANDSCAPED AREA: 2,433 SF (1.2%)
PROJECT TYPE: INDUSTRIAL - LAND USE DESIGN

WATER SUPPLY TYPE: PUBLIC (BUELLTON WATER DISTRICT)

PROJECTED TO COMPLY WITH THE REQUIREMENTS OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND TO PROVIDE A COMPLETE LANDSCAPE PACKAGE:

ROBERT F. ADAMS, ASLA DATE

2. WATER EFFICIENT LANDSCAPE WORKSHEETS
- FOR PRELIMINARY INFORMATION SEE IRRIGATION PLAN SHEET L-3
- FOR FINAL PROJECT CALCULATIONS, MATERIALS AND SPECIFICATIONS SEE IRRIGATION DETAILS S.S. NOTES SHEET L-4

3. IRRIGATION SYSTEMS AND SPECIFICATIONS (TBD)
- SEE SHEET L-1

4. LANDSCAPE MATERIALS LIST
- SEE SHEET L-1

5. IRRIGATION PLANS AND SCHEDULING
- SEE IRRIGATION PLAN AND L-4 IRRIGATION DETAILS

6. GRADING AND STORMWATER PLANS
- SEE CIVIL ENGINEER'S PLANS

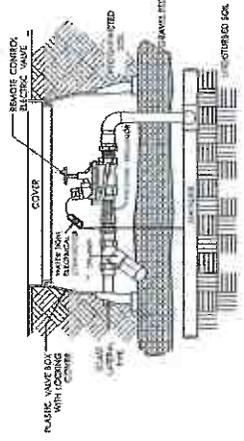


Robert F. Adams, ASLA
LANDSCAPE ARCHITECT
Barkower Studio
223 W. KILBOURN STREET
SANTA BARBARA, CA 93101
805.972.2154
BARKOWERSTUDIO.COM
STATE OF CALIFORNIA, LIC. NO. 4776

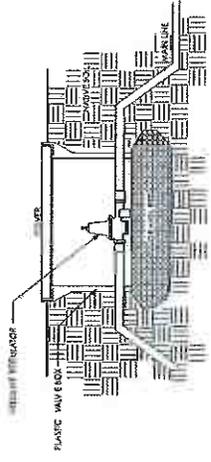
LANDSCAPE DETAILS

BUELLTON COMMERCIAL (BUE-5)
Industrial Way
Buellton, California 93427

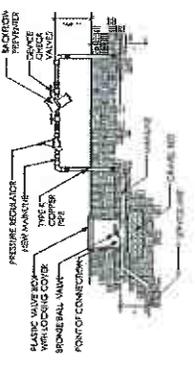
REVISIONS	DATE



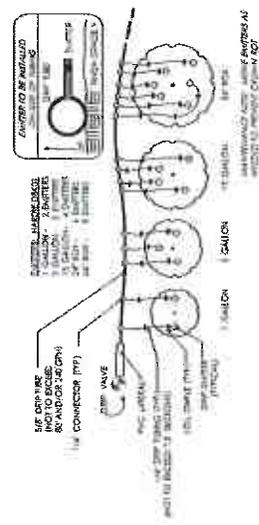
C DRIP VALVE ASSEMBLY
NOT TO SCALE



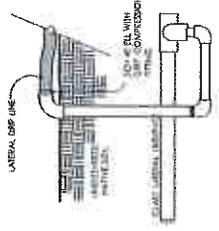
B PRESSURE REGULATOR
NOT TO SCALE



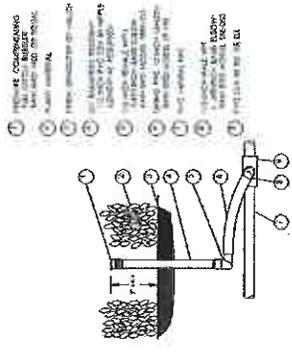
A REDUCED PRESSURE BACKFLOW PREVENTER AND BALL VALVE ASSEMBLY - POINT OF CONNECTION
NOT TO SCALE



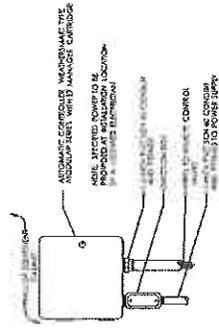
H DRIP TUBE CONFIGURATION
NOT TO SCALE



G DRIP TUBE STUB-OUT
NOT TO SCALE



F PRESSURE COMPENSATING LOW-FLOW BUBBLER
NOT TO SCALE

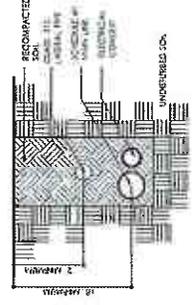


E CENTRAL CONTROLLER - WALL MOUNT
NOT TO SCALE

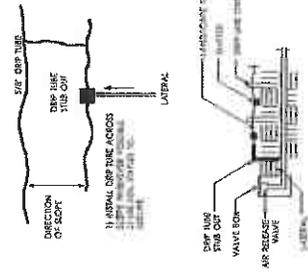


I SEE HOW THE BACKFLOW PREVENTER IS SECURED TO THE EQUIPMENT TO SECURE BACKFLOW EQUIPMENT

I GORILLA CAGE FOR BACKFLOW PREVENTER
NOT TO SCALE



J IRRIGATION TRENCH
NOT TO SCALE



K LANDSCAPE DRIP LINE
NOT TO SCALE



Robert F. Adams, ASLA
LANDSCAPE ARCHITECT
Earthrowles Studio
200 W 100th Ave, Suite 100
Denver, CO 80231
Tel: 303.733.1111
www.earthrowles.com

IRRIGATION NOTES AND DETAILS

BUELLTON COMMERCIAL (BUE-5)
Industrial Way
Buellton, California 93427

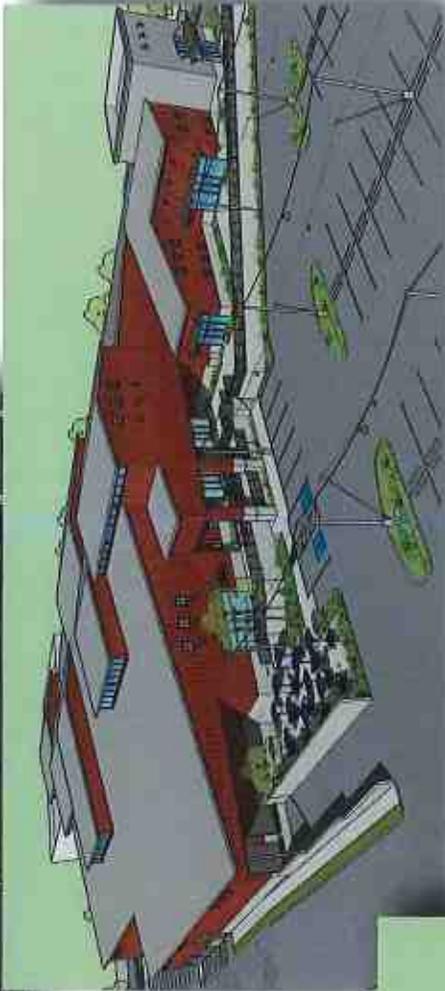
REVISIONS	DATE

SHEET L-04-A
L-4
DATE REVISED
JUNE 8, 2017

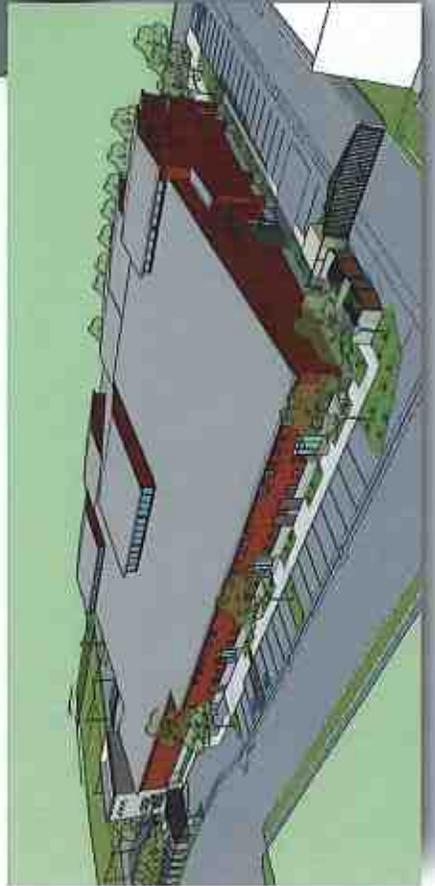
THE NETWORK

Master Sign Program

6/14/2017



Industrial Way
Buellton, CA



Paul Poirier + Associates

A R C H I T E C T S
156 W. Alamar Avenue • Suite C • Santa Barbara CA • 93105
telephone 805.682.8894 www.poirierandassociates.com

PROJECT DIRECTORY

AGENT:

GAVIN MOORES
CDPG Inc.
(805) 692-0474

PROJECT ARCHITECT:

POIRIER & ASSOCIATES ARCHITECTS
156 W. ALAMAR AVE. SUITE C.
SANTA BARBARA, CA 93105
PH: (805) 682-8894
FAX: (805) 898-9683

CITY PLANNING:

CITY OF BUELLTON
107 W. HIGHWAY 246
P.O. BOX 1819
BUELLTON, CA 93427
PH: (805) 688-5177
FAX: (805) 686-0086

**SIGN CONSULTANT AND
PREFERRED SIGN VENDOR**

Absolute Sign, Inc.
10655 Humbolt Street
Los Alamitos, CA 90720
PH (562) 592-5838
FAX (562) 592-6198
Contact: Tish Scialampo

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INTRODUCTION

The purpose of this sign criteria is to ensure that the signage at Buellton Network reflects the integrity and overall aesthetic values of the Landlord and the City of Buellton. Conformity with this criteria will be strictly enforced and any non-conforming signs will be removed by the Landlord at the expense of the Tenant.

LANDLORD/TENANT REQUIREMENTS

1. Each Tenant shall submit to Landlord for written or digital email approval, three (3) copies of the detailed shop drawings of this proposed sign, indicating conformance with the sign criteria herein outlined.
2. The Landlord shall determine and approve the availability and position of a Tenant name on any wall and/or monument sign (s).
3. The Tenant shall pay for all signs, related materials and installation fees (including final inspection costs).
4. The Tenant shall obtain all necessary permits.
5. The Tenant shall be responsible for fulfillment of all requirements of this sign criteria.
6. It is the responsibility of the Tenant's sign company to verify all conduit and power supply locations and service access prior to fabrication.
7. Signage must be removed within 30 days of business vacancy; however the sign structure may remain (if applicable). Upon removing any sign, tenant shall, at its own expense, repair any damage created by such removal and shall place the area from which the sign was removed back to its original condition. All debris from removal shall be promptly removed from the site.
8. Maintenance or outages shall be addressed within (7) working days by tenant. Maintenance shall include, but not be limited to, burned out lights, broken sign faces or sign structures, peeling paint, and weathered or discolored sign faces or structures. (Ord. 06-12 § 8, 2006; Ord. 94-13, 1994; prior code § 19.04.174).

SIGN DESIGN

All signs shall be of professional graphic and construction quality. Lettering and graphical elements of signs shall be legibly designed and produced. Signs shall be designed with scale and proportion appropriate for the size of the site and buildings. Each sign shall also be compatible and in harmony with the architectural design elements of the structure to which it principally relates, and the surrounding environment. All signs shall comply with the requirements of the community

GENERAL SIGN CONSTRUCTION REQUIREMENTS:

The Tenant's sign contractor is responsible for the following:

1. Signs must be fabricated of durable appropriate weather resistant materials complimentary to the original building materials.
2. Metals that are not similar, used in sign fabrication shall be separated with non-conductive gaskets to avoid electrolysis. Additionally, stainless steel fasteners shall be used to attach metals that are not similar.
3. All penetrations of the building structure required for sign installation shall be sealed in a watertight condition and shall be patched to match adjacent finish.
4. Colors, materials and finishes shall match those submitted to and approved by the Landlord.
5. All visible welds and seams shall be ground smooth and primed before painting.
6. Fasteners, rivets, screws or other attachment devices shall not be visible from any public vantage point.

7. Finished metal surfaces shall be free from canning and warping. All paint and other finishes shall be free of dust, orange peel, drips, runs and shall have a uniform surface conforming to the highest industry standards.
8. In no case shall any manufacturer's or UL label be visible from the street or from normal viewing angles, except those required by local ordinance.
9. Exposed junction boxes, lamps, tubing or neon crossovers of any type are not permitted.

INSTALLATION:

The Tenant's sign installer will provide the following:

1. Provide the Landlord with an original certificate of insurance naming the Landlord as an additional insured for liability coverage in an amount required by Landlord.
2. Obtain all required sign permits from the City of Buellton, California and deliver or email copies to the Landlord before installing the sign(s).
3. Keep a Landlord approved set of sign drawings on site when installing the sign(s).
4. Warrant the sign(s) against latent defects in materials and workmanship for a minimum of one (1) year.

TEMPORARY SIGNS:

1. Temporary business signs, including banners, may be displayed up to four times per calendar year for a cumulative total of sixty (60) days. All temporary business signs require approval of a no-fee zoning clearance (Section 19.08.100) in order to verify that the following criteria are met:
 - a. The temporary sign shall not exceed an area of thirty (30) square feet;
 - b. The temporary sign shall be affixed to a building;
 - c. The temporary sign shall not exceed the roof eave line of the building to which it is affixed, but in no case shall the temporary sign be higher than thirty (30) feet.
 - d. The temporary sign shall be made of durable material, shall be properly affixed to the building so that wind and other outside elements do not damage or cause the temporary sign to fall into disrepair, and shall be professionally constructed.

Exceptions

Temporary signs may also be displayed during the following times that do not count towards the time limitations of subsection

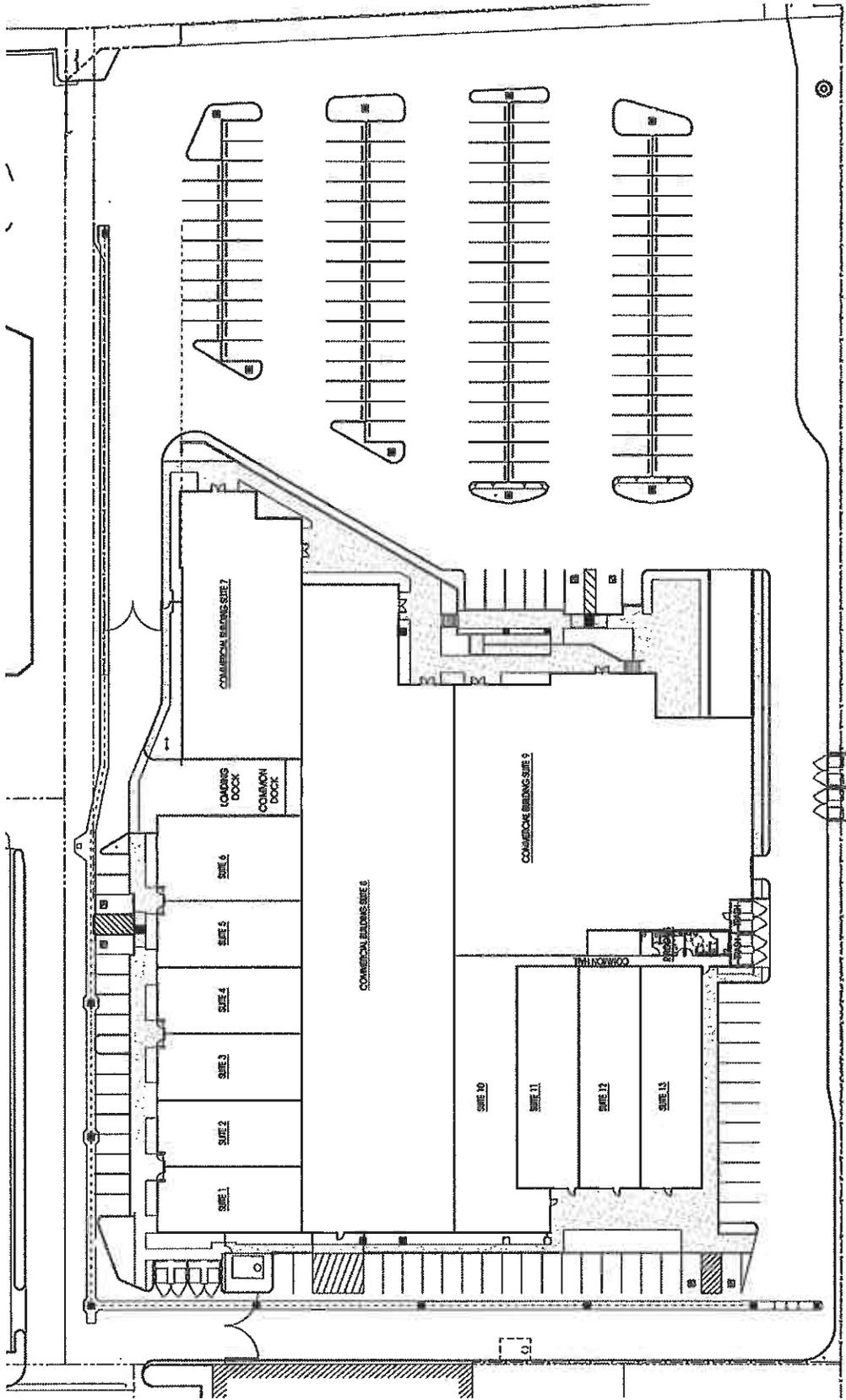
- (4)(a). These signs shall follow the temporary sign criteria of subsection (4)(a)(i) through (iv).
 - a. Temporary business signs may be in place for four days during any of the ten federal holidays, which include New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving, and Christmas.
 - b. Temporary business signs for the grand opening of a business may be in place for a maximum of thirty (30) continuous days.
 - c. Other temporary signs to announce community or nonprofit events (such as car shows, wine festivals, fundraisers etc.) may be allowed up to four weeks prior to the event and must be removed within two days after the event.

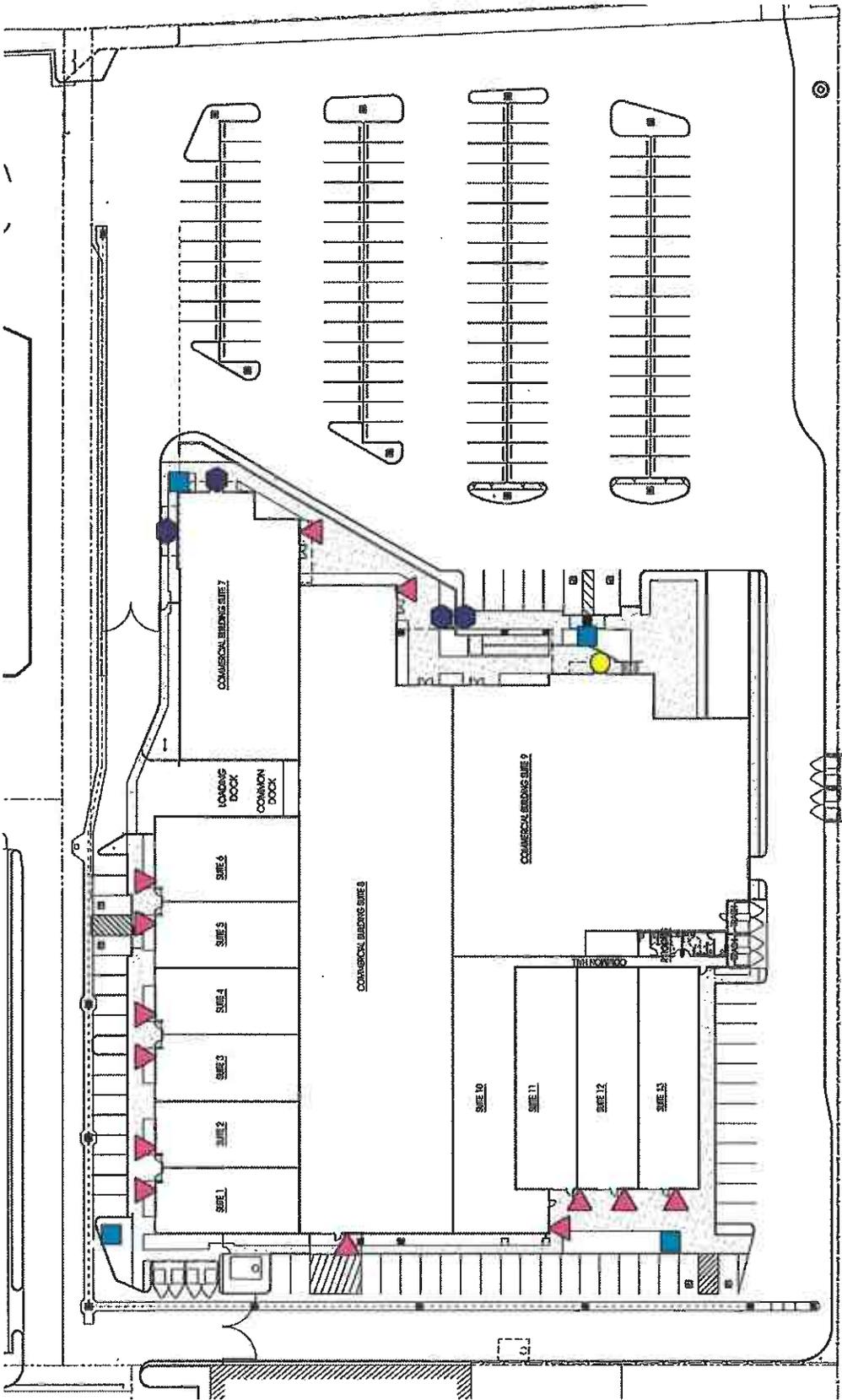
PROHIBITED SIGNS

1. Animated Signs. Signs that are moving, flashing, blinking, reflecting, glaring or revolving, except time and temperature signs.
2. Handbills/Flyers. Announcements or posters attached to utility poles, trees, fence posts, and other fixed structures, or placed on the windshields of parked cars.
3. Inflatable Signs. Blimps, balloons, inflatable representations of products, motion picture or television characters, and similar lighter-than-air or inflated advertising devices.
4. Obscene Signs. Signs that contain indecent or immoral language or graphics, as provided by Section 313 of the California Penal Code.
5. Sandwich Boards. Portable A-framed signs located in the public right-of-way are prohibited.
6. Political billboard signs.

WINDOW DISPLAY GRAPHICS:

Signs painted on or applied to business windows, facing a public street frontage. The aggregate area of such signage shall not exceed twenty-five (25) percent of the window surface area (e.g., gold leaf lettering).





	Building Directory Sign		Channel letter Sign [Tenant]
	Awning Sign [Tenant]		Blade Sign [Tenant]

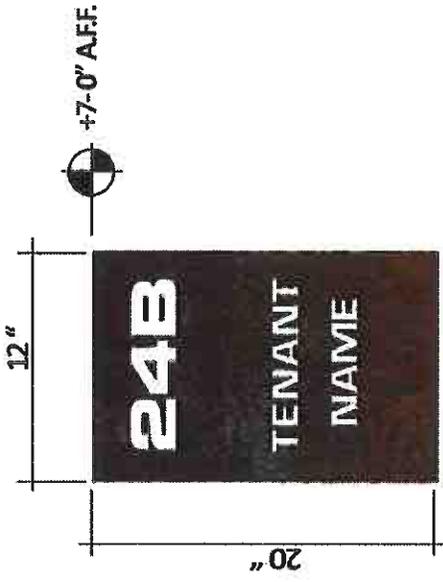
PROJECT SIGN LIST

10 ADDRESS ID SIGNS

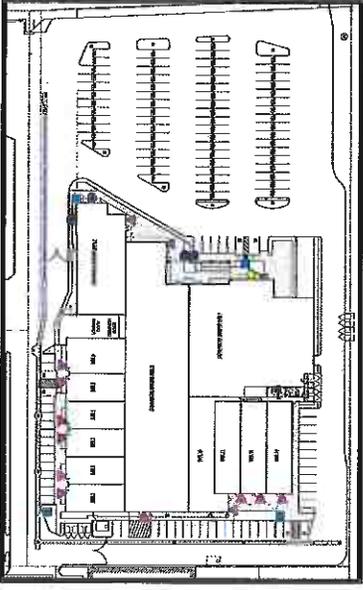
4 DIRECTORY SIGNS

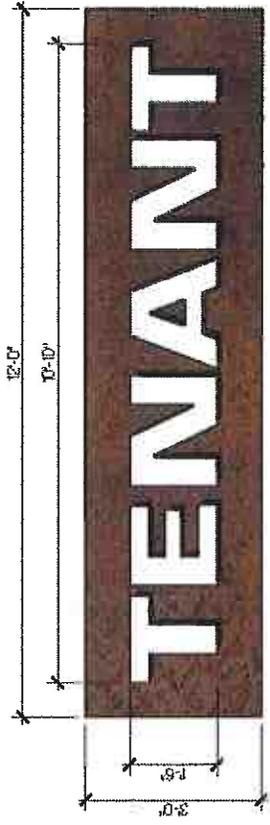
4 CHANNEL LETTER WALL SIGNS

1 AWNING CHANNEL LETTER SIGN



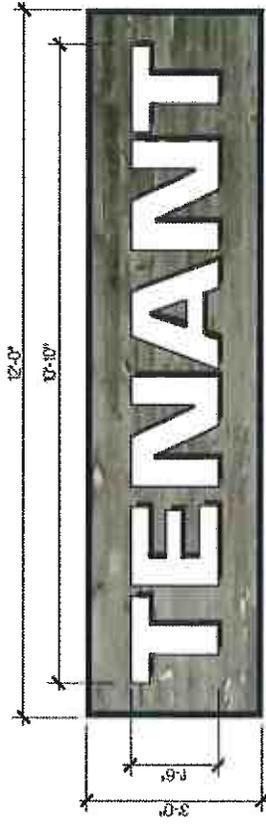
Example: Address ID, Corten



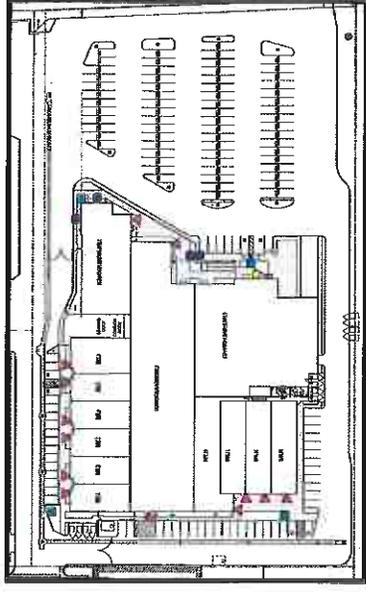


Example:
Corten Steel

Or



Example:
Reclaimed Lumber, Natural Grey



PARTIAL SOUTH ELEVATION — N.T.S.

SAMPLE CHANNEL LETTER WALL SIGN

TENANT IDENTIFICATION BLADE SIGN - INDUSTRIAL/RETAIL:

The intent of this criteria is to encourage creativity to ensure the individuality of each tenant sign as opposed to similar sign design, construction and colors repeated throughout the project. Signs must be architecturally compatible with the entire center. Individual tenant type styles shall be allowed. If no tenant type styles exist, the project type style "EUROSTILE Bold" shall be used. Tenant sign colors are tenants option with Landlord approval.

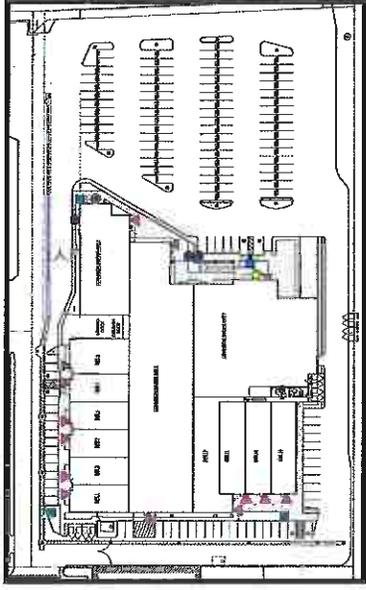
Example of Project Type Style - EUROSTILE - Bold - Extended

ABCDEFGHIJKLMN OPQRSTUVWXYZ

abcdefghijklmnopqrstu vxy 1234567890

Content	Tenant business name and logo.
Sign Type	Blade sign fabricated from aluminum or reclaimed wood and steel.
Size:	Six square feet in area and located over business entrance.
Copy:	Signs shall be designed with scale and proportion appropriate for the size of the letters and logo elements to be flat cutout or three dimensional, painted and mechanically fastened to sign.
Colors:	Signs may incorporate regionally and nationally recognized logo colors. Face color pending Landlord approval, unless trademarked or nationally recognized brand states otherwise.
Illumination:	Down facing lights, LED
Installation:	Blade sign will be mounted to the front fascia of the building and below the canopy.

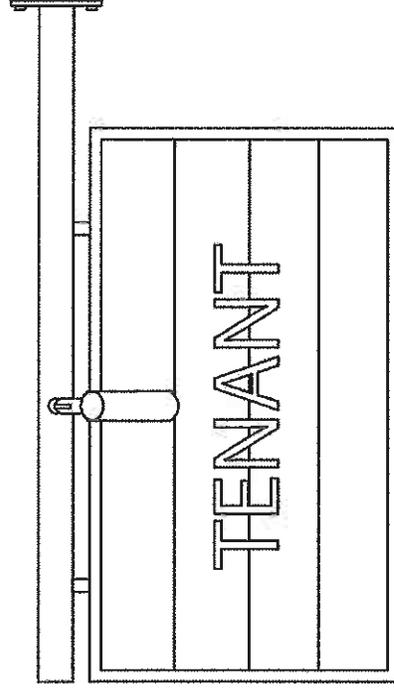
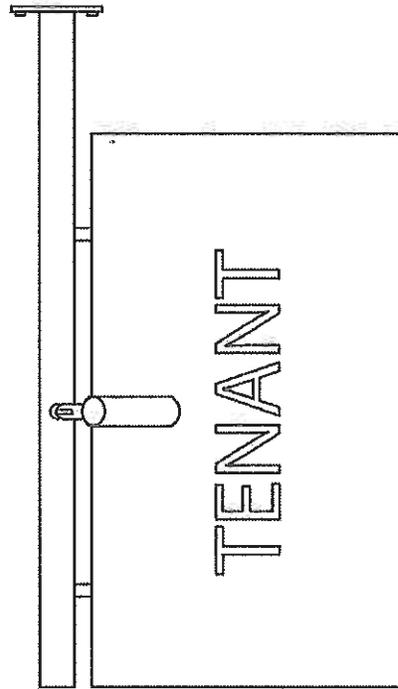
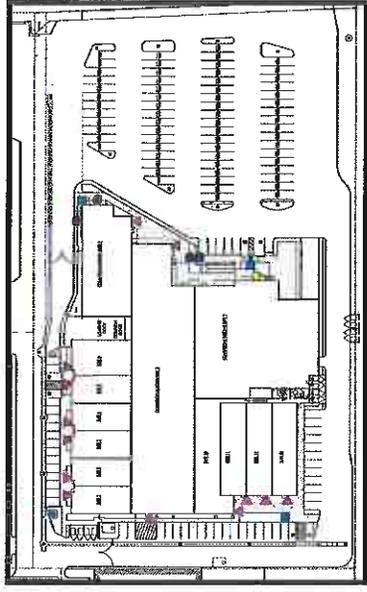
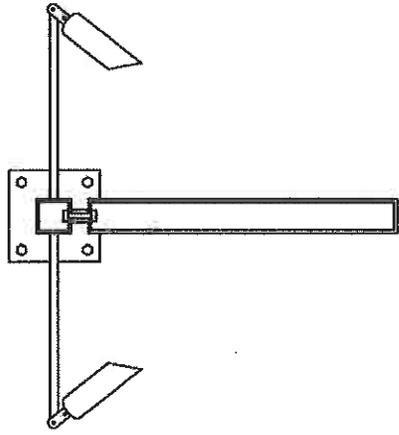
Example: BLADE/SUSPENDED SIGN



PARTIAL NORTH ELEVATION—N.T.S.

TENANT IDENTIFICATION BLADE SIGN - INDUSTRIAL/
RETAIL

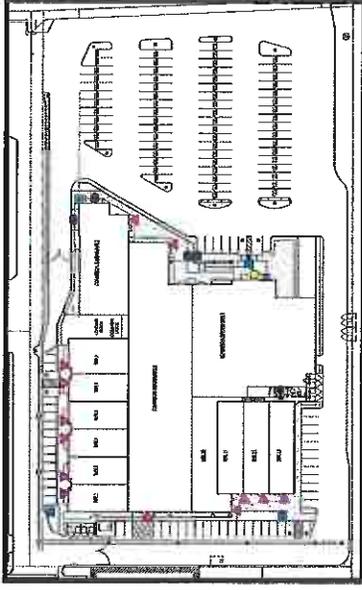
BLADE/SUSPENDED SIGN DETAIL



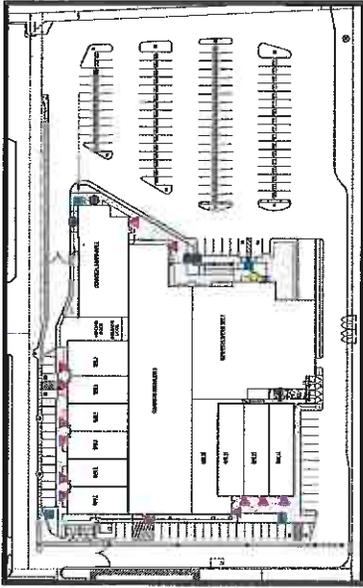
EXAMPLES: TENANT BUSINESS FRONT ILLUMINATED CHANNEL LETTERS MOUNTED TO CANOPY/RAIL



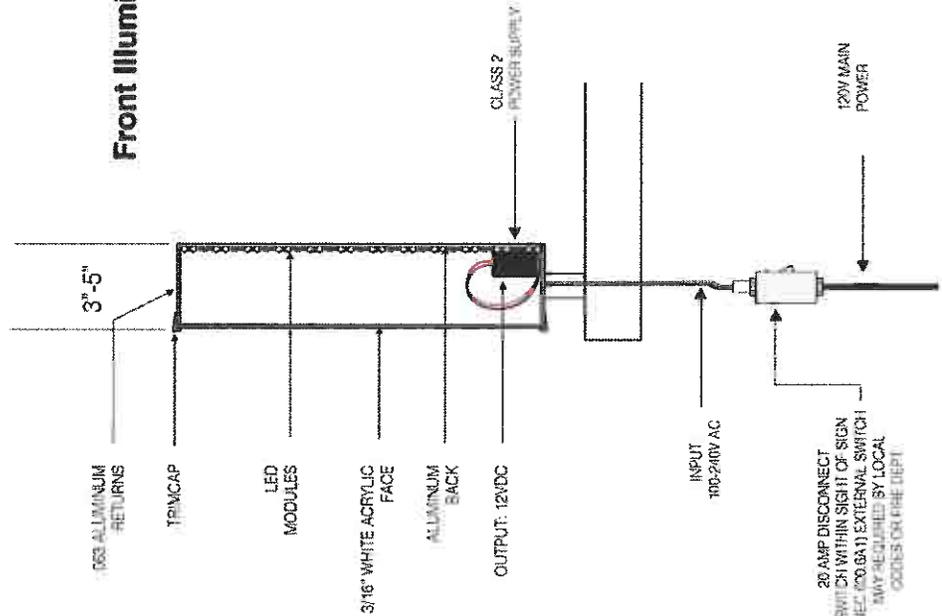
EXAMPLES: TENANT BUSINESS FRONT ILLUMINATED CHANNEL LETTERS WITH WOOD BACKER



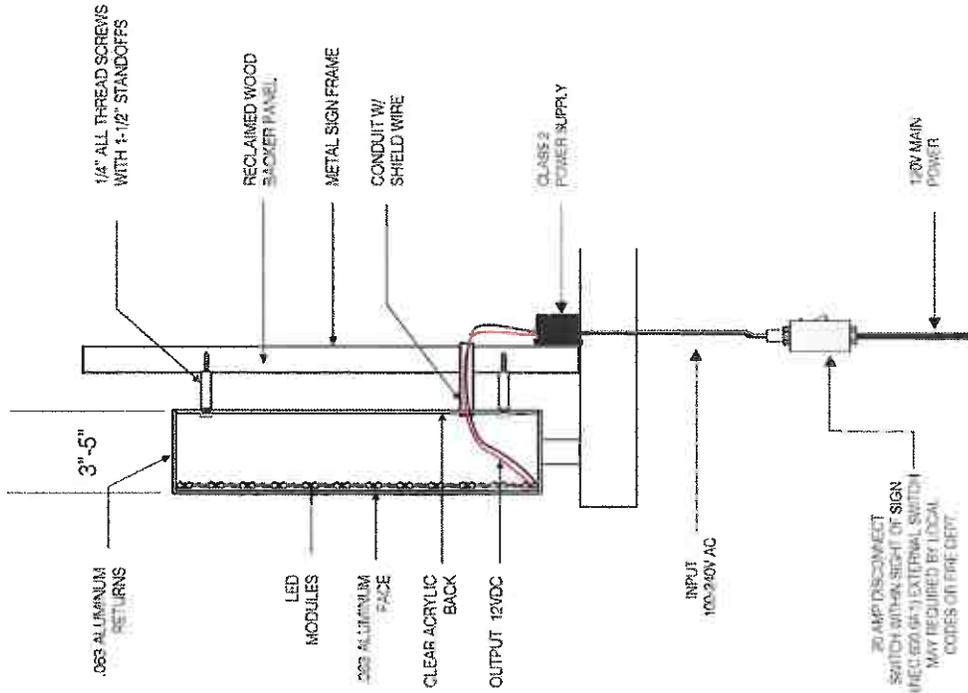
PARTIAL SOUTH ELEVATION —N.T.S.

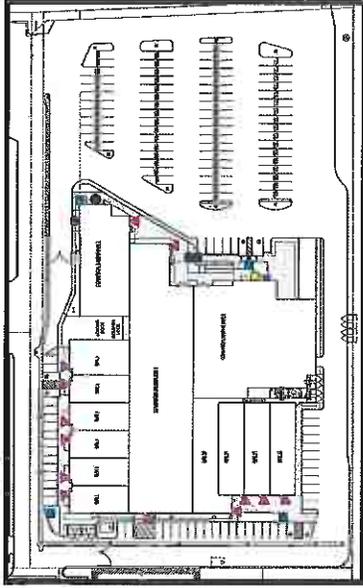


Front Illuminated

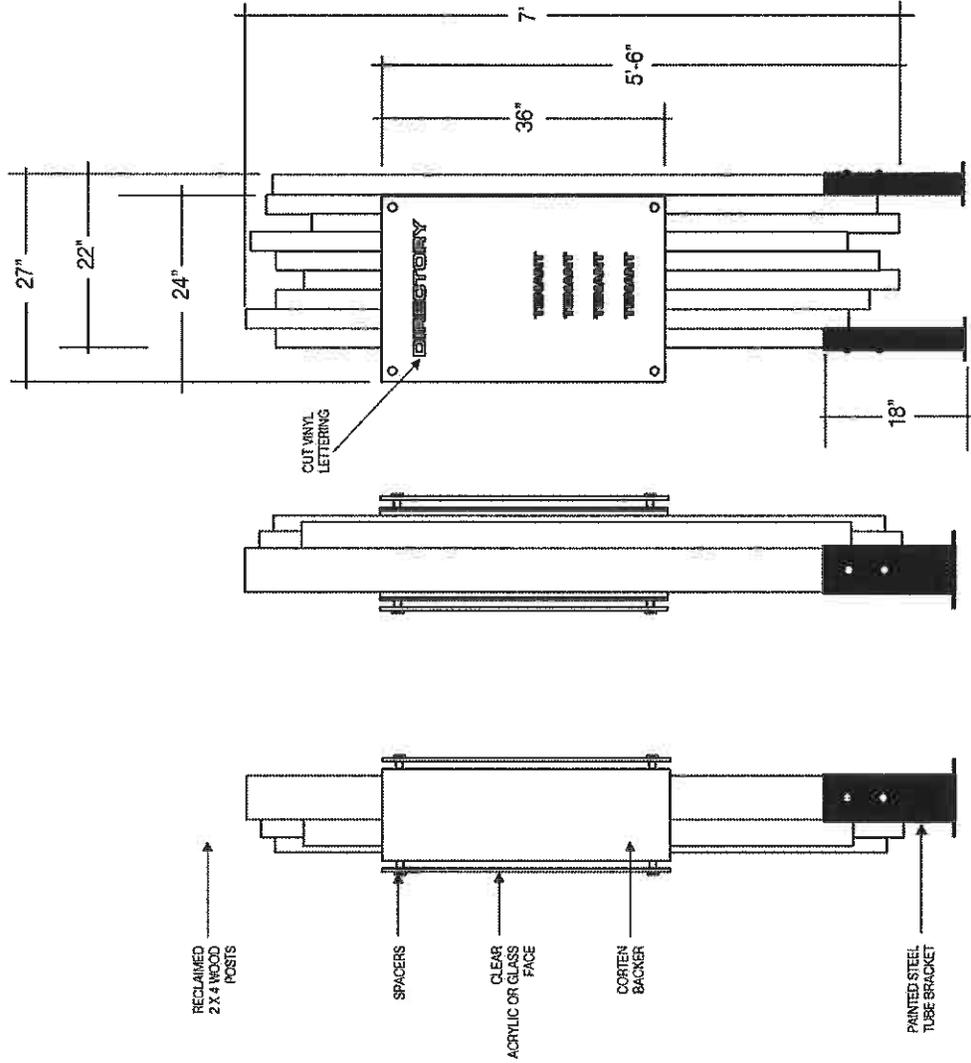


Reverse Illuminated

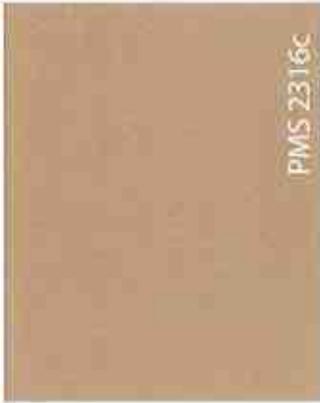




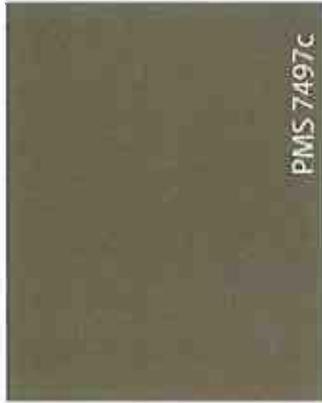
EXAMPLES: DIRECTORY SIGN



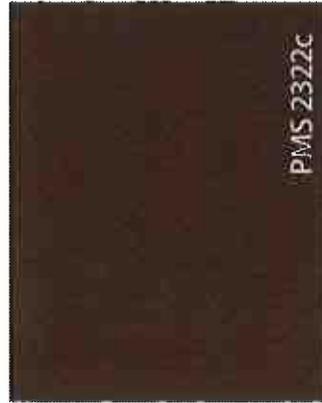
COLORS



PMS 2316C



PMS 7497C



PMS 2322C



PMS Black



PMS 433E



PMS White



PMS 3564C



PMS 185C

SIGN MATERIALS



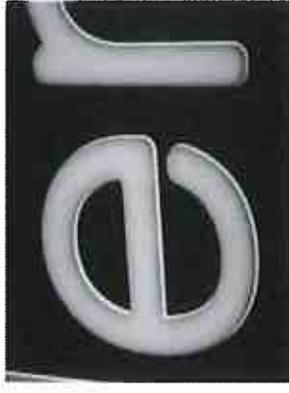
Corten



Reclaimed Wood



Gabion Cage



Acrylic Push Thru Letters



Aluminum Letters

FONT:
EUROSTILE
BOLD
EXTENDED

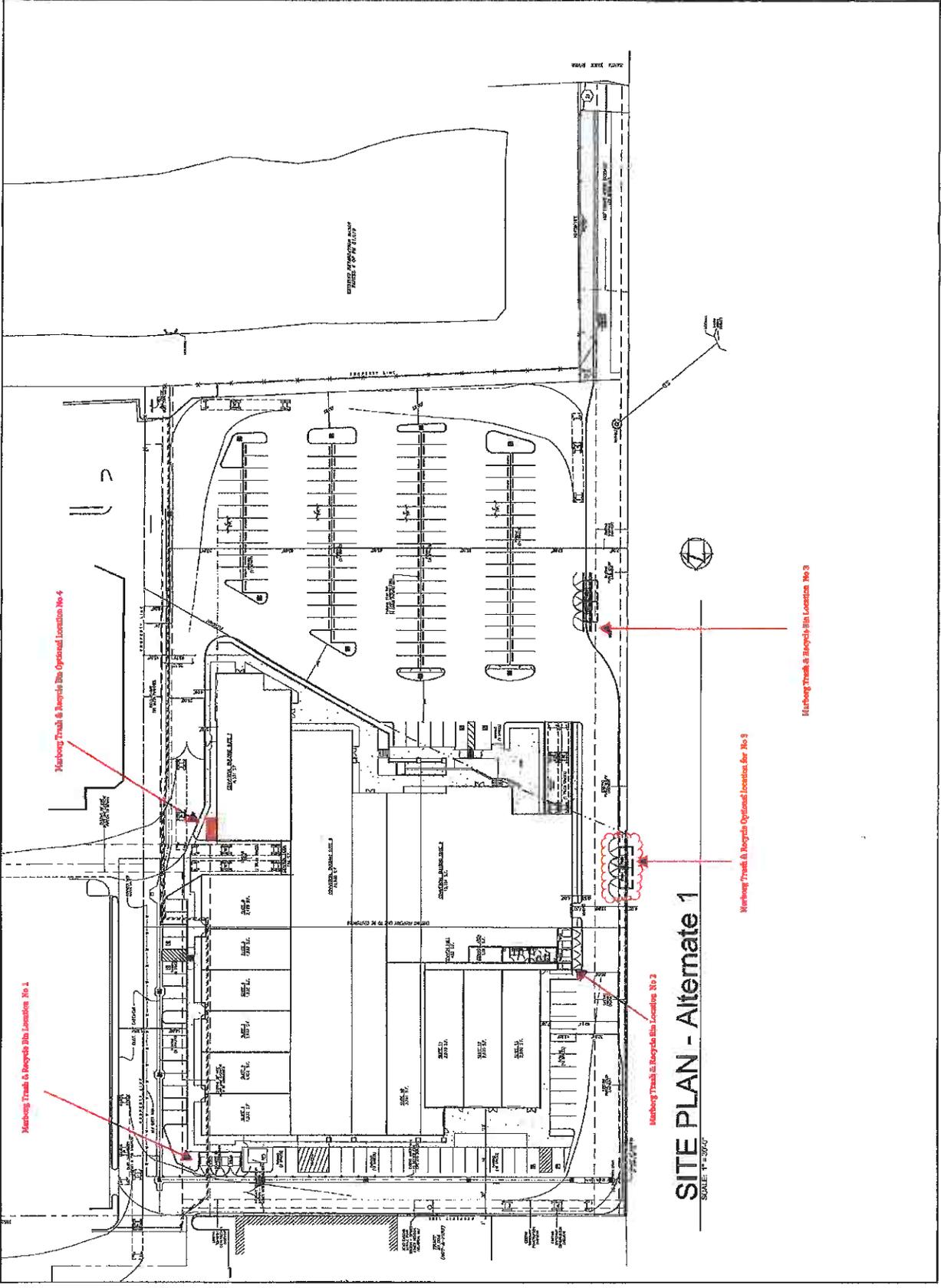
PROJECT CODE: 1418
 DRAWING TITLE: BUELLTON 5 ACRE BUILDING
 DATE: 11/11/07
 DRAWN BY: JPM
 CHECKED BY: JPM
 APPROVED BY: JPM
 REVISIONS: No. 11/11/07
 BRN: JPM
 NO. DATE: COMMENTS:

Paul Politer + Associates
 156 West Alhambra Ave. • Suite C • Santa Barbara, CA 93105
 Fax (805) 898-9683
 Telephone (805) 682-8894



Buellton 5 Acre Building
 8-A ADDRESS:
 Industrial Way
 Buellton, California
 CLAR
 EDWIN MOORES
 CPDG INC.
 10 East Yonkers Street, Suite 28
 Santa Barbara, CA 93101
 (805) 672-0474

A1.10
 SHEET PLAN



SITE PLAN - Alternate 1
 SCALE: 1" = 200'

Notice of Completion & Environmental Impact Statement

Mail to: State Clearinghouse, P.O. Box 30
For Hand Delivery/Street Address: 1400 T

To view the entire document go to:

https://www.cityofbuellton.com/files/
Environmental%20Documents/1%20-Draft%20IS-
MND%20The%20Network%20Project%2011-17-17.pdf

Project Title: The Network (BUE 5)

Lead Agency: City of Buellton

Mailing Address: P.O. Box 1819

City: Buellton

Phone: (805) 688-7474

Zip: 93427

County: Santa Barbara

Project Location: County: Santa Barbara

City/Nearest Community: Buellton

Cross Streets: Industrial Way

Zip Code: 93427

Longitude/Latitude (degrees, minutes and seconds): 34 ° 36 ' 36.4 " N / 120 ° 12 ' 12.3 " W Total Acres: 5.08

Assessor's Parcel No.: 099-690-045 and 099-690-046

Section: Twp.: Range: Base:

Within 2 Miles: State Hwy #: 246, 101

Waterways: Santa Ynez River, Zaca Creek

Airports: N/A

Railways: N/A

Schools: Oak Valley and Jonata

Document Type:

- CEQA: NOP Draft EIR Supplement/Subsequent EIR (Prior SCH No.) Mit Neg Dec Early Cons Neg Dec NEPA: NOI BA Draft EIS FONSI Other: Joint Document Final Document Other:

Local Action Type:

- General Plan Update Specific Plan Rezone Annexation General Plan Amendment Master Plan Prezone Redevelopment General Plan Element Planned Unit Development Use Permit Coastal Permit Community Plan Site Plan Land Division (Subdivision, etc.) Other: Dev't Plan

Development Type:

- Residential: Units _____ Acres _____ Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____ Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____ Industrial: Sq.ft. 66,822 Acres _____ Employees 79 Power: Type _____ MW Educational: _____ Waste Treatment: Type _____ MGD Recreational: _____ Hazardous Waste: Type _____ Water Facilities: Type _____ MGD Other: _____

Project Issues Discussed in Document:

- Aesthetic/Visual Fiscal Recreation/Parks Vegetation Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement Coastal Zone Noise Solid Waste Land Use Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects Economic/Jobs Public Services/Facilities Traffic/Circulation Other: Greenhouse Gas

Present Land Use/Zoning/General Plan Designation:

Industrial (M)

Project Description: (please use a separate page if necessary)

See attached sheet for project description.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.