



# CITY OF BUELLTON

## PLANNING COMMISSION AGENDA

**Regular Meeting of January 18, 2018 – 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 Joe Padilla

### **ROLL CALL**

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

### **REORDERING OF AGENDA**

### **PRESENTATIONS**

None

### **APPROVAL OF MINUTES**

- 1. Minutes of the regular Planning Commission meeting of December 21, 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**

None

## **NEW PUBLIC HEARINGS**

- 2. Resolution No. 18-01 – “ A Resolution of the Planning Commission of the City of Buellton, California, Recommending City Council Approval of a Mitigated Negative Declaration (17-MND-03) and Mitigation Monitoring and Reporting Program for The Hub Project Located at the Southern Terminus of Industrial Way, Assessor’s Parcel Number 099-690-053, and Making Findings in Support Thereof”**

**and**

**Resolution No. 18-02 - “A Resolution of the Planning Commission of the City of Buellton, California, Recommending City Council Approval of a Final Development Plan (16-FDP-06) and Tentative Tract Map (TTM 31061) for The Hub Project Located at the Southern Terminus of Industrial Way, Assessor’s Parcel Number 099-690-053, and Making Findings in Support Thereof”**

## **OTHER BUSINESS**

## **WRITTEN COMMUNICATIONS**

## **PLANNING COMMISSIONER COMMENTS**

## **PLANNING DIRECTOR REPORT**

## **ADJOURNMENT**

To the next regularly scheduled Planning Commission meeting of Thursday, February 1, 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 21, 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 6:03 p.m.

### PLEDGE OF ALLEGIANCE

Commissioner Hammel led the Pledge of Allegiance

### ROLL CALL

Present: Commissioners Patty Hammel, Dan Heedy, Marcilo Sarquilla, and  
Chairman Brian Dunstan

Absent: Vice Chair Joe Padilla

Staff: City Manager Marc Bierdzinski  
Contract City Planner Irma Tucker  
Assistant Planner Andrea Keefer  
Staff Assistant/Planning Technician Clare Barcelona

### REORDERING OF AGENDA

None

### PRESENTATIONS

None

### ELECTION OF OFFICERS

#### 1. Election of Chair and Vice Chair

Motion by Commissioner Heedy and seconded by Commissioner Sarquilla to nominate Brian Dunstan to serve as Planning Commission Chairman for calendar year 2018.  
Motion passed with a 4-0 voice vote.

Motion by Chair Dunstan and seconded by Commissioner Sarquilla to nominate Dan Heedy to serve as Planning Commission Vice Chair for calendar year 2018.  
Motion passed with a 4-0 voice vote.

**2. Appointments to Green Team Committee**

The Planning Commission unanimously appointed the following Commissioners to the Green Team for 2018:

- Dan Heedy
- Patty Hammel

**PRESENTATIONS**

None

**APPROVAL OF MINUTES****3. Minutes of the regular Planning Commission meeting of December 7, 2017****MOTION:**

Chair Dunstan moved and Vice Chair Heedy seconded the motion to approve the Minutes of December 7, 2017.

**VOTE:**

Motion passed with a 4-0 voice vote.

**PUBLIC COMMENTS**

None

**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”**

**STAFF REPORT:**

Assistant Planner Andrea Keefer presented the staff report. She stated that wording has been added to Condition #33 of Resolution No. 17-15 clarifying the types of easements that are required.

**DOCUMENTS:**

Staff report with attachments as listed in the staff report.

**DISCUSSION/SPEAKERS:**

The Public Hearing is being continued from the December 7, 2017 Planning Commission Meeting.

Gavin Moores, Applicant, addressed some proposed changes to the project including the possibility of an on-site retention basin.

The Commission discussed the following:

- Traffic study calculations and concerns

Chair Dunstan closed the Public Hearing at 6:23 p.m.

**MOTION:**

Vice Chair Heedy moved and Chair Dunstan seconded the motion adopt 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”

**VOTE:**

Motion passed with 4-0 roll call vote.

**MOTION:**

Vice Chair Heedy moved and Chair Dunstan seconded the motion adopt 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” with added wording to condition #33 and add a condition that an alternate on-site basin subject to review by City Public Works.

**VOTE:**

Motion passed with 4-0 roll call vote.

**NEW PUBLIC HEARINGS**

None

**OTHER BUSINESS**

None

**WRITTEN COMMUNICATIONS**

None

**PLANNING COMMISSIONER COMMENTS**

Vice Chair Heedy had a question regarding speed surveys. Mr. Bierdzinski answered that speed studies will be done on the Avenue of Flags, Second Street and Central Avenue when funding becomes available.

**PLANNING DIRECTOR REPORT**

City Manager Bierdzinski updated the Commission on the status of several upcoming projects, announced an opening on the City Council and stated that the January 4<sup>th</sup>, 2018 Planning Commission meeting will be cancelled.

**ADJOURNMENT**

Chair Dunstan adjourned the meeting at 6:28 p.m. to the next regular scheduled meeting of the Planning Commission to be held January 18, 2018 at the City Council Chambers, 140 West Highway 246, Buellton.

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Brian Dunstan, Planning Commission Chair

ATTEST:

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Clare Barcelona, Planning Commission Secretary

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

**CITY OF BUELLTON**  
Planning Commission Agenda Staff Report

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

To: The Honorable Chair and Commission Members

From: Marc Bierdzinski, City Manager/Planning Director

Meeting Date: January 18, 2018

Subject: Resolution No. 18-01 - "A Resolution of the Planning Commission of the City of Buellton, California, Recommending City Council Approval of a Mitigated Negative Declaration (17-MND-03) and Mitigation Monitoring and Reporting Program for The Hub Project Located at the Southern Terminus of Industrial Way, Assessor's Parcel Number 099-690-053, and Making Findings in Support Thereof";

and

Resolution No. 18-02 – "A Resolution of the Planning Commission of the City of Buellton, California, Recommending City Council Approval of a Final Development Plan (16-FDP-06) and Tentative Tract Map (TTM 31061) for The Hub Project Located at the Southern Terminus of Industrial Way, Assessor's Parcel Number 099-690-053, and Making Findings in Support Thereof"

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**BACKGROUND/DISCUSSION**

**Owner:** Peter Hauber

**Agent:** Gavin Moores

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

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

**APN:** 099-690-053

Peter Hauber, property owner, and Gavin Moores, agent ("Applicant") have submitted an application for a Final Development Plan (16-FDP-06) and Tentative Tract Map (TTM 31061) for airspace condominium purposes. The 17.22-acre property is located at the southern terminus of Industrial Way in Buellton on Assessor's Parcel Number 099-690-053 (Attachment 1 - Vicinity Map).

The proposed project consists of a Final Development Plan (16-FDP-06) and Tentative Map for Airspace Condominium Purposes (31061) for a mixed use project with the following uses:

- 50 Apartment units and a community center in three buildings. There is a mix of 1 and 2 bedroom units
- 46,676 square feet of industrial space in 4 buildings
- 28,066 square feet of office/business space in 2 buildings with 4 rooftop residential units
- 323 parking spaces
- Dedicated open space with public trails and paths
- Restoration of Zaca Creek
- A 3-lot tentative tract map for airspace condominium purposes to allow sale of individual residential and industrial/commercial units

Under the City's General Plan and Zoning Ordinance, the southern portion of the property is designated as OS (Open Space) and the northern portion is M (Industrial and Manufacturing). The proposed structures are located outside of the 200-foot Santa Ynez River setback area and the 50-foot Zaca Creek setback area. However, the industrial/commercial buildings are located within the 100-year floodplain boundary. Therefore, the buildings are required to be built a minimum of 2 feet above base flood elevations. Parking is located throughout the property. There is one primary access point located at the southwest corner of the site that is provided via an easement agreement across the adjoining property to Industrial Way. A bridge crossing of Zaca Creek is required. Emergency access is provided by an existing easement through the Rancho de Maria property to the east.

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 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 provide easements and access for a trail along the Santa Ynez River pursuant to the City's 2012 Bicycle and Pedestrian Master Plan.

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

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

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

Consistent: The project uses Industrial Way for access.

### **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 provide easements and access for a trail along the Santa Ynez River pursuant to 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 provide easements and access for a trail along the Santa Ynez River pursuant to 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.

### **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, with residential to the north and east. Activities associated with the project will occur inside enclosed buildings.

*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: A portion of the project site is within the 100-year floodplain of the Santa Ynez River, however no development is proposed to occur within the floodplain, with the exception of a passive trail and habitat restoration. The project's grading and drainage plan shows how runoff from the site will be directed to proposed detention basins. Onsite improvements will be constructed under the direction of the Public Works Department, and will be required to comply with all applicable regulations of the Regional Water Quality Control Board.

### **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 buildings within the project area are setback at least 200 feet from the river bank. A proposed trail connection will also be located in the setback area. No other uses will be located in within the 200-foot setback area.

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

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

*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.

*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 a bio-filtration system to treat and capture stormwater on-site. This will minimize erosion potential.

**Project Consistency with M/Mixed Use Zoning District Standards**

<b>Development Feature</b>	<b>City Requirement</b>	<b>Proposed</b>	<b>Project Consistency</b>
Minimum Lot Area	No minimum	17.22 acres	Consistent
Front Setback	20 feet	107 feet	Consistent
Side Setback	None, 10 feet minimum along street	14.5 feet and 40 feet	Consistent
Rear Setback	Minimum of 10 feet	Excess of 200 feet from top of bank	Consistent
Landscaping Res. Open Space	15% Minimum 250 sf per unit: 13,500 sf required	>50% 5,617 sf amenities and over 5 acres of open space	Consistent Consistent
Site Coverage	60% Maximum	18%	Consistent
Height Limits	45 feet	37 feet	Consistent
Res. Density	8 units per acre	3.2 units per acre	Consistent
Parking	Industrial: 1 per 500 sf Business/Research: 1 per 300 sf One bedroom apt: 1 space per unit Two bedroom apt: 2 spaces per unit Guest parking: 1 per 5 units 306 required	323 proposed	Consistent

*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.

### ***Mixed Use Buildings***

Ten buildings are proposed as follows:

- Two office/business space buildings that total 28,066 square feet with 4 rooftop residential apartments
- Four industrial buildings that total 46,767 square feet
- Fifty apartment units in three buildings and one community center building
- 323 parking spaces

### ***Retention Basins***

Two bio-retention basins on the south portion of the site would collect all storm water from the site.

### ***Architecture and Visual Quality***

The architecture of the proposed project is considered Agrarian as defined in the City's Community Design Guidelines. Additional construction level details of the building architecture will be required as part of the building permit submittal.

The building materials include vertical wood siding, stucco, tilt up concrete, standing seam metal and asphalt shingle roofing, metal awnings, and split face block accents (Attachment 2). The building design is consistent with the community design guidelines and a color and materials board will be provided at the Planning Commission meeting.

Development of the project site would result in new buildings, separate trash building(s), parking areas, habitat restoration and trails, and landscaping that would replace a vacant parcel. These proposed improvements are bounded on the north and east by existing residential uses, with industrial uses to the west. 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 from the residential areas.

### ***Building Height***

The maximum allowed building height in the Industrial zone is 45 feet. The proposed buildings are no higher than 37 feet and are therefore consistent with the height requirements.

**Signage**

The proposed Master Sign Program is provided within Attachment 2. The proposed sign program is partially inconsistent with City standards described in Section 19.04.172 of the Municipal Code. Conditions will be added to bring the signage into conformance. Within Industrial zones, there is a maximum limit of 200 square feet of signage along the street frontage. However, this project has no street frontage, but the width of the property is 500 feet. Therefore, a maximum of 200 square feet of signage is allowed.

The following signs are proposed:

- A 112 square foot primary entry monument sign
  - 4 feet tall by 28 feet wide
- Two large (24 square feet – 6 feet tall and 4 feet wide) and two small (10 square feet – 4 feet tall and 2.5 feet wide) vehicular wayfinding signs
- One residential (10 square feet – 4 feet high) directory sign and two industrial directory signs (6 square feet – 7 feet high)
- One 4 square foot community center sign
- Twenty (6 square foot) business blade signs on the 4 industrial buildings
- Two (67 square feet) channel letter wall signs on the two business buildings
- Twenty-five (2 square feet) residential unit ID sign

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 three business directory signs does not count toward total sign area allowed.

The following summarizes the project signage:

Project Signage				
Sign Type	Number of Signs Proposed	Sign Area (each sign)	Total SF	Counted Toward Total SF?
Primary ID	1	112 SF	112 SF	Y
Wall Mounted, Interior Light, Channel Letters	2	67 SF	134 SF	Y
Individual Tenant, Blade/Suspended, down-facing Lights, LED	20	6 SF	120 SF	N

Wall Mounted Community Center Sign	1	4 SF	4 SF	Y
Vehicular Wayfinding	4	24 SF (2) and 10 SF (2)	68 SF	N*
Directory Signs	3	10 SF (1) and 6 SF (2)	22 SF	Y - (1 sign is exempt)
<b>TOTAL SIGN AREA</b>			<b>460 SF</b>	<b>262 SF</b>

\* However, these signs need to be reduced to 5 square feet of sign area each to be exempt from the overall sign area maximum of 200 square feet

As noted in the table, the project exceeds the maximum allowed sign area by 62 square feet. Staff recommends that the sign program be approved with the following conditions: that the sign area be reduced by 62 square feet and that the master sign program be revised accordingly, including providing accurate areas for each sign. Also, the vehicular wayfinding signs shall be reduced to 5 feet in height and a maximum of 5 square feet each to comply with the Municipal Code (any exceedence of 5 square feet will be counted towards the overall sign area for the project). These corrections shall be made prior to Zoning Clearance approval. All signs must be approved by the Planning Department prior to installation.

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.

### ***Parking***

A total of 323 parking spaces are provided on the site. A total of 306 parking spaces are required. Please see the zoning compliance table for the parking calculations.

### ***Trash Enclosure Location(s)***

Several trash and recycle locations are provided for all of the buildings. Two for the business hub buildings, four for the industrial buildings, and four for the residential buildings.

### ***Access***

The primary vehicular access to the project site is through an existing access easement located at the southwest corner of the property to Industrial Way. A bridge will be required over Zaca Creek. A pedestrian sidewalk is proposed from Industrial Way to the project site. An emergency access point only is located on the east side of the property through the Rancho de Maria property (via an existing easement).

### ***Habitat/Trails***

The southern third of the property along with the Zaca Creek corridor with will undergo habitat restoration. This includes public trails through the property and raptor roosting areas and interpretive signage. The east-west portion of the trail will be part of the City's

river trail. All public trails will be maintained by the property owner. An off-site trail along the east side of the project site provides access for the Rancho de Maria development to the trail system.

### ***Drainage***

Storm drain inlets are located throughout the project site along with bio-swales that connect to two bio-retention basins on the southern portion of the site. The size and design of the retention basin will be required to meet all requirements of the Public Works Department.

### ***Private Sewer Lift Station***

A private sewer lift station is proposed in order to pump the sewage to the City's treatment plant.

### ***Affordable housing***

Per the City's inclusionary housing requirements, 15%, or 8.1 units, are required to be affordable to lower, low, and moderate income households. The applicant proposes to pay the housing in-lieu fee as opposed to providing the actual units. This is allowed per the Municipal Code and staff is in support. However, the Planning Commission may recommend that the actual units be provided on-site.

Per the applicant:

*The purpose of the residential apartments is to provide private local workforce housing focused to the workforce of local businesses. In addition, we are committed to supporting the City's goal of providing affordable housing by paying the appropriate fee to the City's affordable housing trust fund.*

*To target the local workforce, we will specifically market 50% of the units first to tenants of the Hub project for occupancy by their employees. Following an initial 45-day offer to Hub employees, the units will be made available to workers on Industrial Way for another 45 days. Finally, there will be an additional 45 days of availability to qualified residents of Buellton before the apartments are marketed for rent outside of Buellton.*

### ***Planning Commission Comments***

A Preliminary review of the Project was held on January 19, 2017, 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. The method of ensuring that the housing units are for employees in the area.  
*Please see page 1 of applicant response in Attachment 4.*
2. The 3.18 unit per acre density is acceptable.

*No response necessary.*

3. How will the affordable housing requirements be met?  
*Please see page 1 of applicant response in Attachment 4.*
4. Provide architectural elevations of the carports. Placing solar on top is acceptable.  
*Please see page 3 of applicant response in Attachment 4.*
5. Address the privacy issues with the apartments and parking lot and walking areas.  
*Additional landscaping has been provided to address this concern.*
6. Add texture to the concrete tilt up buildings. The Commission felt it was too plain looking.  
*The architectural elevations have been changed to address this concern.*
7. The Commission appreciates taking the environment into account with the project design and that you should work with local groups to educate the public about the habitat areas.  
*The applicant has been in contact with local neighbors.*

## **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 December 19, 2017, through January 18, 2018.

Copies of the Initial Study/Mitigated Negative Declaration were made available to the public at the Planning Department on December 19, 2017, and the Initial Study/Mitigated Negative Declaration was distributed to interested parties and agencies, and is included as Attachment 3. On December 14, 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, no comment letters have been received. Comments received up to the Planning Commission public hearing will be provided under separate cover.

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.

### **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. 18-02.

### **RECOMMENDATION**

That the Planning Commission consider the adoption of Resolutions No 18-01 and 18-02 as follows (separate motion for each):

Resolution No. 18-01 - "A Resolution of the Planning Commission of the City of Buellton, California, Recommending City Council Approval of a Mitigated Negative Declaration (17-MND-03) and Mitigation Monitoring and Reporting Program for The Hub Project Located at the Southern Terminus of Industrial Way, Assessor's Parcel Number 099-690-053, and Making Findings in Support Thereof";

and

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### **ATTACHMENTS**

- Planning Commission Resolution No. 18-01
- Planning Commission Resolution No. 18-02
- Attachment 1: Vicinity Map
- Attachment 2: Project Plans

Attachment 3: Initial Study/Mitigated Negative Declaration  
Attachment 4: Response letter from applicant

**PLANNING COMMISSION RESOLUTION NO. 18-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, RECOMMENDING APPROVAL OF A MITIGATED NEGATIVE DECLARATION (17-MND-03) AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE HUB PROJECT LOCATED AT THE SOUTHERN TERMINUS OF INDUSTRIAL WAY, ASSESSOR'S PARCEL NUMBER 099-690-053, AND MAKING FINDINGS IN SUPPORT THEREOF**

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

**WHEREAS**, Peter Hauber, property owner, and Gavin Moores, agent, (collectively "Applicant") have filed an application for approval of a Final Development Plan (16-FDP-06) and Tentative Tract Map for Airspace Condominium Purposes (TTM 31061) to allow the construction of 54 apartments, 46,676 square feet of industrial space, and 28,066 square feet of office/business space and associated improvements (the "Application") on property located at the southern terminus of Industrial Way (APN 099-690-053) 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 December 19, 2017, was circulated for public and agency review and comment from December 19, 2017, through, and including January 18, 2018. Copies of the Initial Study/Mitigated Negative Declaration were made available to the public at the Planning Department on December 19, 2017, and the Initial Study/Mitigated Negative Declaration was distributed to interested parties and agencies. On December 14, 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**, xx comment letters were received during the circulation period (*to be filled in after the Planning Commission meeting once the public review period closes*).

**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 (attached to the Initial Study/Mitigated Negative Declaration and incorporated herein by reference) 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 January 18, 2018) 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 January 18, 2018, 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 recommends approval of the Mitigated Negative Declaration and recommends adoption of 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 18<sup>th</sup> day of January 2018.

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Brian Dunstan, Chair

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Clare Barcelona, Planning Commission Secretary

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

I, Clare Barcelona, Planning Commission Secretary of the City of Buellton, do hereby certify that the above and foregoing Resolution No. 18-01 was duly passed and adopted by the Planning Commission of said City at a regular meeting thereof, held on the 18<sup>th</sup> day of January 2018, by the following vote, to wit.

AYES:        0

NOES:        0

ABSENT:      0

NOT VOTING:  0

**IN WITNESS WHEREOF**, I have hereunto set my hand this 18<sup>th</sup> day of January 2018.

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Clare Barcelona  
Planning Commission Secretary

**PLANNING COMMISSION RESOLUTION NO. 18-02**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, RECOMMENDING APPROVAL OF A FINAL DEVELOPMENT PLAN (16-FDP-06) AND TENTATIVE TRACT MAP (TTM 31061) FOR THE HUB PROJECT LOCATED AT THE SOUTHERN TERMINUS OF INDUSTRIAL WAY, ASSESSOR'S PARCEL NUMBER 099-690-053, AND MAKING FINDINGS IN SUPPORT THEREOF**

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

**SECTION 1:** Pursuant to the Zoning Ordinance of the City of Buellton, an application has been filed by Peter Hauber, property owner, and Gavin Moores, agent, hereinafter referred to collectively as the "Applicant", requesting approval to develop The Hub Project, located at the southern terminus of Industrial Way (APN 099-690-053). 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-06) and Tentative Tract Map (TTM 31061):**

The proposed mixed use project consists of the following uses:

- 50 Apartment units and a community center in three buildings. There is a mix of 1 and 2 bedroom units
- 46,676 square feet of industrial space in 4 buildings
- 28,066 square feet of office/business space in 2 buildings with 4 rooftop residential units
- 323 parking spaces
- Dedicated open space with public trails and paths
- Restoration of Zaca Creek
- A 3-lot tentative tract map for airspace condominium purposes

**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 January 18, 2018 ("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-06, TTM 31061, and the set of project plans dated June 13, 2017 (Architectural, Civil, Landscaping) and August 9, 2017 (Tentative Tract Map)
  - b. The staff report dated January 18, 2018
  - c. The Initial Study and Mitigated Negative Declaration for the project (17-MND-03), dated December 19, 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 January 4, 2018 (the "PC Public Notice"), more than the minimum of 10 days in advance of the PC Public Hearing conducted on January 18, 2018.
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 January 4, 2018, more than the minimum of 10 days in advance of the PC Public Hearing.
3. The PC Public Notice was posted in two public locations on January 4, 2018, more than the 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 December 19, 2017, through, and including, January 18, 2018. Copies of the Initial Study/Mitigated Negative Declaration were made available to the public at the Planning Department on December 19, 2017, and the Initial Study/Mitigated Negative Declaration was distributed to interested parties and agencies. On December 14, 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 18-01. Planning Commission Resolution 18-01 was adopted prior to the consideration of Planning Commission Resolution 18-02.

**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, the project is consistent with the mixed use regulations, 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 allows a mixed use project. Surrounding land uses are residential and open space to the north and east and industrial to the west. 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. Tentative Tract Map.

### a. Findings:

- i. The proposed subdivision, including its design and improvements, is consistent with Buellton's General Plan and the City's subdivision ordinance pursuant to the Public Works Director.
- ii. The site is physically suitable for the type of development proposed as the site is planned and zoned for mixed use development per the Buellton Zoning Ordinance and General Plan.
- iii. The site is physically suitable for the proposed density of development as the mixed use development meets the standards of the Buellton General Plan and Zoning Ordinance.
- iv. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or injure fish or wildlife or their habitat as mitigation measures are being made conditions of approval to reduce significant environmental impacts to a level of insignificance.
- v. The design of the subdivision or the proposed improvements will not likely cause serious public health problems as no public health issues have been identified on the property.

- vi. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision; or that substantially equivalent alternate easements are provided.
- vii. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.
- viii. No new street names are being proposed so proposed street names are consistent with the types of names used elsewhere in the community and, where applicable, are logical extensions of those existing in the area of the subdivision.
- ix. The proposed subdivision is consistent with all applicable provisions of this title, and the Buellton zoning ordinance, including but not limited to minimum lot area requirements, any other applicable provisions of this code, and the Subdivision Map Act.

**SECTION 4:** Based on the findings set forth in Sections 2 and 3, and subject to the conditions attached hereto, the Planning Commission hereby recommends to the City Council approval of the Final Development Plan (16-FDP-06) and Tentative Tract Map (TTM 31061).

**PASSED, APPROVED and ADOPTED** this 18th day of January 2018.

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Brian Dunstan  
Chair

ATTEST:

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Clare Barcelona  
Planning Commission Secretary

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

I, Clare Barcelona, Planning Commission Secretary of the City of Buellton, do hereby certify that the above and foregoing Resolution No. 18-02 was duly passed and adopted by the Planning Commission of said City at a regular meeting thereof, held on the 18<sup>th</sup> day of January 2018, by the following vote, to wit.

AYES:                    0  
 NOES:                   0  
 ABSENT:                0  
 NOT VOTING:           0

**IN WITNESS WHEREOF**, I have hereunto set my hand this 18<sup>th</sup> day of January 2018.

\_\_\_\_\_  
 Clare Barcelona  
 Planning Commission Secretary

## CONDITIONS OF APPROVAL

### THE HUB PROJECT FINAL DEVELOPMENT PLAN 16-FDP-06 TENTATIVE TRACT MAP TTM 31061

#### 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 Peter Hauber (Property Owner) and Gavin Moores (Agent) (collectively, the Property Owner and Agent shall be referred to as the “Applicant”) for a Final Development Plan (16-FDP-06), and Tentative Tract Map for airspace condominium purposes (TTM 31061) for a residential and industrial mixed use project and associated improvements in support of those facilities (“The Project”). The 17.22-acre property is located at the southern terminus of Industrial Way, and is defined as Assessor’s Parcel Number 099-690-053 (“The Property”). The Property is currently vacant. The project plans that are included in this approval are dated June 13, 2017, and August 9, 2017 (Tentative Tract Map).

The proposed project consists of the following uses:

- 50 Apartment units and a community center in three buildings. There is a mix of 1 and 2 bedroom units
- 46,676 square feet of industrial space in 4 buildings
- 28,066 square feet of office/business space in 2 buildings with 4 rooftop residential units
- 316 parking spaces
- Dedicated open space with public trails and paths
- Restoration of Zaca Creek
- A 3-lot tentative tract map for airspace condominium purposes

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 Peter Hauber (Property Owner) and Gavin Moores (Agent), and includes all agents, subdividers, developers, contractors, workers and personnel employed on the Project, as well as all successors and assigns of interest of Property Owner and Agent.
  - 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 Peter Hauber, 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-1: Habitat Mitigation and Monitoring Plan (HMMP).** Prior to issuance of building or grading permits, a HMMP shall be prepared by a qualified biologist based on requirements outlined in the Streambed Alteration Agreement (SAA) and Clean Water Act (CWA) Section 401 and 404 certifications, if required, which shall be issued prior to initiating work on the HMMP. The HMMP shall include, at minimum, the following components:

- Mitigation ratios for permanent and temporary impacts to riparian habitat, waters of the U.S. and State, and CDFW streambed and riparian shall be established, in consultation with CDFW, USACE, and the RWQCB;
- Development of the landscape plan to include habitat restoration and a plant palette in keeping with fulfillment of established mitigation ratios;
- Identification of areas where habitat could be potentially be improved and restored;
- Defined attainable and measurable goals and objectives to be achieved through implementation of the HMMP;
- A restoration work plan that details methodologies, a restoration schedule, plant materials (seed), and implementation strategies;
- Schedules for planting, irrigation, and monitoring;
- A detailed maintenance plan to include removal of invasive non-native species;
- Defined performance standards for restoration;
- A monitoring plan that includes methods and analysis of results, goals for success or failure, and an adaptive management plan and suggestions for failed restoration efforts;
- Restoration activities using native riparian and wetland species from locally collected stock; and
- Details for implementation of any additional permit requirements.

**Monitoring:** Applicant shall prepare and provide the HMMP to the City of Buellton Planning Department prior to issuance of building permits. The Planning Department will verify compliance prior to beginning of construction.

16. **BIO-2: Floristic Surveys.** A focused floristic survey was conducted in April 6, 2017, and a second survey shall occur pursuant to protocol requirements at least

30 days prior to commencement of grading and construction activities. Surveys should be performed

**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..

17. **BIO-3: Arborist Surveys.** 30 days prior to initiation of grading and construction activities, a certified arborist or certified forester shall perform a physical inventory of the site by collecting tree locations and arboricultural attribute information for each tree that is special-status or that meets the minimum size requirements to be a protected tree (oak and sycamore). The tree height, canopy spread to drip line, trunk diameter, and tree health/structural condition shall be collected. If needed, each mapped and assessed tree shall be tagged with an aluminum tree tag identifying it with a unique tree number corresponding to GPS mapping data. Photographs of the site and of representative trees shall be collected.

**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.

18. **BIO-4: Native Tree Removal.** Protected trees shall not be removed without prior authorized consent from the planning director. Prior to the removal of any protected tree, the applicant shall submit an application, on a form authorized by the city, along with the applicable fee, to the planning department of the city for determination by the planning director. Replacement standards shall include the following:

- All oak trees of sizes defined as protected in the Native Tree Ordinance shall be replaced at a ratio of three oak trees planted for every oak tree removed.
- Prior to removal of any protected trees, a tree replanting schedule, site plan, and long term maintenance plan shall be submitted and approved.
- Replacement oak trees that are planted must come from nursery stock grown from locally-sourced acorns, or use acorns gathered locally, preferably from the same watershed in which they are planted.
- Replacement oak trees shall be established in a location suitable for their growth and survival as determined by an arborist, no closer than twenty (20) feet from each other or from existing oak trees and no farther than one hundred sixty-five (165) to one hundred eighty (180) feet from each other or existing oak trees unless otherwise approved by the arborist.
- The replacement trees shall be nurtured for five years, the last two without supplemental watering. At the end of the five years, all replacement trees must

be alive, in good health as determined by the arborist, and capable of surviving without nurturing and protection

- Each replacement tree must be protected against damage from ground disturbance, soil compaction, or over-irrigation within the dripline. It must be fenced to protect it from browsing by animals both below and above ground until it has reached a minimum of eight feet in height.

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

19. **BIO-5: 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:** Prior to removal of any protected tree, the applicant shall obtain written approval from the Planning Department. The Public Works and Planning Departments will verify that temporary construction fencing is installed prior to issuance of Grading Permits.

20. **BIO-6: Birds/Southwestern Willow Flycatcher.** 30 days prior to initiation of grading and construction activities, a qualified biologist shall initiate a USFWS protocol level southwestern willow flycatcher survey to determine the presence or absence of the species on the project site and suitable habitat within 500 feet. No southwestern willow flycatchers were detected for the two surveys previously completed. State and Federal mitigation protocols shall be followed if this species is discovered.

**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.

21. **BIO-7: Birds/Least Bell's Vireo.** 30 days prior to initiation of grading and construction activities, a qualified biologist shall initiate a USFWS protocol level least Bell's vireo survey to determine the presence or absence of the species on the project site and suitable habitat within 500 feet. No least Bell's vireo were detected for the three surveys previously completed. No critical habitat exists on or near the project site. State and Federal mitigation protocols shall be followed if this species is discovered.

**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.

22. **BIO-8: Birds/Other Protected Species.** 30 days prior to initiation of grading and construction activities, a qualified biologist shall note the presence or absence of Cooper's hawk, tricolored blackbirds, yellow-breasted chat, and yellow warbler. If observed, mitigation measures to reduce the impact to these species shall be developed. State and Federal mitigation protocols shall be followed if this species is discovered.

*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.

23. **BIO-9: Nesting Birds.** In compliance with the Migratory Bird Treaty Act and the California Fish and Game Code, a pre-construction survey for nesting birds shall be conducted 30 days prior to initiation of grading and construction activities that occur during the nesting/breeding season of native bird species potentially nesting on the site (typically February through August). If active nests are found, clearing or construction activities within 300 feet of the nest (500 feet for raptors), or at a distance deemed sufficient by the qualified biologist, 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.
- 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.

24. **BIO-10: Pre-construction Survey/Reptiles.** A pre-construction survey for Blainville's horned lizard and California legless lizard shall be conducted of the project site by a qualified biologist 30 days prior to initiation of grading and construction 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 lizard in open friable soils and California legless lizards in riparian habitats and areas with loose sand. If these species are observed, 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.

**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.

25. **BIO-11: Pre-construction Survey/Amphibians.** The proposed project is setback approximately 500 feet from the Santa Ynez River (where California red-legged frog breeding ponds are known to be located) and avoids direct impacts to the riparian habitat associated with the Santa Ynez River. The project site does not support habitat for the western spadefoot toad. Although both species are not likely to occur on the project site, consultation with USFWS and CDFW shall occur for concurrence with this determination 30 days prior to initiation of grading and construction activities and appropriate avoidance measures from the USFWS/CDFW shall be implemented.

**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.

26. **BIO-12: Pre-construction Survey/Mammals.** A pre-construction survey for American badger shall be conducted of the project site by a qualified biologist 30 days prior to initiation of grading and construction activities. If evidence of this species is observed (old or new dens), potential dens shall be monitored with tracking material and/or wildlife movement cameras. If a den is deemed inactive for three consecutive days, a qualified biologist shall 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.

#### Cultural Resources

27. **CR-1: Extended Phase 1 Archaeological Survey.** Prior to commencement of grading and construction activities, the developer shall have an extended Phase 1 Archaeological Survey prepared by a qualified archaeologist acceptable to the City and the Chumash Tribe. The developer shall work with the Chumash Tribe on the scope of the extended Phase 1 survey and a native american monitor shall be present during all surveys. Any cultural resources that are discovered shall be mitigated pursuant to current Federal regulations and the requirements of the Chumash Tribe. Work may begin in the affected area once mitigation has been completed.

**Monitoring.** The City, the applicant's archaeologist, and the Chumash Tribal representative will monitor this implementation of this mitigation measure.

### Greenhouse Gas

28. **GHG-1: GHG Reduction Plan.** The project shall reduce operational GHG emissions through implementation of one or more of the following measures:
- A. Prior to permit issuance, develop a project GHG Reduction Plan that reduces annual GHG emissions from the project by a minimum of 13.3 MT CO<sub>2</sub>e per year over the operational life of the project. The plan will be implemented on site by the project applicant and may include, but is not be limited to, the following components:
    - 1. Charging stations for alternative fuel vehicles
    - 2. Water conservation and recycling
    - 3. Renewable energy production
    - 4. Trip reduction (e.g., employee ridesharing, vanpool/shuttle)
    - 5. Carbon sequestration
    - 6. Recycling and composting of solid wasteand/or
  - B. If GHG emissions cannot be fully reduced by a minimum of 13.3 MT CO<sub>2</sub>e per year over the operational life of the project through compliance with a project GHG Reduction Plan, purchase carbon offsets to reduce GHG emissions below threshold levels.

### Hazards and Hazardous Materials

29. **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 permits.

### Traffic

30. **T-1: Striping and Signage.** The cul-de-sac intersection shall be striped and signs installed in accordance with the diagram included as Appendix D to the initial study prior to the issuance of the certificate of final occupancy.
- Monitoring:** Planning Department and Public Works will verify installation of striping and signs prior to final occupancy.

**C. ENGINEERING CONDITIONS – FINAL DEVELOPMENT PLAN****PRIOR TO GRADING PERMIT ISSUANCE:**

31. **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.
32. **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.
33. **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.
34. **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.
35. **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.
36. **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 the reviews pre-development and post development flood conditions, recommendations to be implemented to minimize or resolve flood issues that may impact the proposed development and recommendations to be implemented that minimize or resolve flood issues outside of the development property that results from the proposed development. These recommendations shall be incorporated in the project improvement plans.

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.

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

It is recommended that the Applicant shall file the appropriate documentation with FEMA removing other buildings 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.

38. **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.

39. **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.
40. **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.
41. **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.
42. **Private Sewer Lift Station.** Applicant shall provide engineering plans and calculations for the proposed private sewer lift station. 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.
43. **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.
44. **Trails.** Project components include off-site trails. Applicant is required to secure an easement agreement and access/maintenance agreement for such facilities prior to issuance of grading permits. All trails proposed shall be developed, operated and maintained by the property owner.

**PRIOR TO BUILDING PERMIT ISSUANCE:**

45. **Grading Permit.** Applicant shall obtain a grading permit from the City Engineer prior to obtaining a building permit.
46. **Rough Grading.** Rough grading certification by the geotechnical engineer shall be approved by the City Engineer prior to obtaining a building permit.

47. **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.
48. **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.
49. **Traffic Mitigation Fee.** Applicant shall pay all Traffic Mitigation Fees prior to obtaining a building permit.

**PRIOR TO OCCUPANCY CLEARANCE:**

50. **Completion of Improvements.** Applicant shall complete all required improvements to the satisfaction of the City Engineer prior to occupancy clearance. 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".
51. **Dedication of Public Easements.** Any public easements requiring dedication shall be approved and accepted by the City prior to occupancy clearance.
52. **Payment of Fees.** Applicant shall pay in full all fees and any unpaid balances from plan check or inspection and permits related to the Project prior to occupancy clearance.

**GENERAL CONDITIONS:**

53. **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.
54. **Utility Easements.** Existing and proposed easements for all utilities shall be located and described on the engineering plans.
55. **Utility Locations.** All utilities shall be shown on the plans. Proposed water and sewer lines shall be highlighted. Lines on-site shall be maintained as private. Should any utilities be determined to be public, appropriate easements shall be granted to the City.
56. **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.

57. **River Trail.** Pursuant to the City's Bicycle and Pedestrian Master Plan, a walking trail shall be incorporated on-site for a "creekside trail". An easement for public trails shall be dedicated to the City. The developed trail system shall be operated and maintained by the Property Owner as part of the regular site maintenance requirements.

#### **D. ENGINEERING CONDITIONS – TENTATIVE TRACT MAP**

##### **PRIOR TO GRADING PERMIT ISSUANCE:**

58. **Easement Dedications.** The Applicant shall offer for dedication any utility easements required to accommodate the proposed water lines. Public Dedications shall be supplemented with Grant of Easement Deeds to the City of Buellton.
59. **Sureties.** A faithful performance and labor/material bond for each: grading, utilities, and monumentation (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 and until receipt of As-built Record Drawings and Surveyor's certificate and all fees paid.
60. **Easements on Map.** Any public or private easements required for drainage, access, trails, etc., shall be described and shown on the Map.
61. **Geotechnical.** Any geotechnical hazard or other hazard determinations, including flood hazards shall be shown on the map.
62. **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.
63. **Mylars.** Plans for the improvements 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.
64. **Other Permits.** The Applicant shall acquire additional permits from other affected agencies (Caltrans, Fish & Game, etc.) prior to grading permit issuance if applicable.
65. **Final Development Plan.** All conditions with the final development plan shall apply.

66. **RWQCB.** Compliance with all Regional Water Quality Control Board regulations shall apply, including but not limited to stormwater control plans and water quality control plans.

**PRIOR TO BUILDING PERMIT ISSUANCE:**

67. **Final Map.** A Final Map shall be submitted by the Applicant to the City Engineer for review and approval prior to the City Council approval and authorization to record. Said Map shall be prepared by a licensed Surveyor or a qualified Civil Engineer, registered in the State of California. Closure calculations shall be submitted with the Final Map along with adequate reference data, easement documentation, current title report and map check processing fees.

**PRIOR TO OCCUPANCY CLEARANCE:**

68. **Final Map Conformance.** The Final Map shall be in substantial conformance with the approved Tentative Map and shall be subject to final review by the City Council prior to recordation, if a public easement is required for dedication. All applicable fees then outstanding at the time of Council approval shall be paid by the Applicant prior to Map recordation including, but not limited to, outstanding balances owed for development and map processing. Copies of the recorded Final Map shall be filed by the applicant with the City Engineer and Planning Director.
69. **CC&Rs.** Codes, Covenants and Restrictions (CC&Rs) for the project shall be submitted for review to the City Attorney, City Engineer, and Planning Director. The CC&Rs shall include provisions to ensure the fulfillment and ongoing maintenance plans outlined in the Stormwater Control Plan and maintenance of the public trails. The City Engineer and City Attorney may require additional restrictions within the CC&Rs as deemed appropriate.
70. **Map Recordation.** The Final Map and all applicable private and public easements must be recorded with the County Recorder.
71. **Public Improvements.** The applicant shall complete all required public improvements to the satisfaction of the City Council. Prior to accepting the public improvements, the applicant shall furnish the original mylar or a reproducible copy of the improvement plans to the City Engineer, modified to reflect field changes made during construction and stamped "Record Drawings." Public improvements shall only be accepted after: (i) all items required are completed to the satisfaction of the City Engineer; and (ii) a Notice of Completion is filed by the City Engineer and accepted by the City Council.

**GENERAL CONDITIONS:**

72. **Phase I Environmental.** Prior to recordation of the Final Map, the Applicant shall have an environmental auditor (appropriately certified by the State of

California and approved by the City Engineer) submit to the City Engineer a Phase I environmental site assessment for review and approval as to those portions of the project which are proposed for dedication to the City. The report shall state that all property within the boundaries of the map and any property being dedicated to the City (i.e., streets and off-site easements) have been evaluated for hazardous materials. The Phase I Assessment shall have been prepared no more than two years prior to submitting the offer to dedicate. Should additional assessment be required, the Applicant shall have a Phase II environmental site assessment performed at his sole cost.

Should there be any form of contamination found; the Applicant shall comply, at its sole expense, with all measures and recommendations contained in the environmental site assessment report approved by the City Engineer for the handling, removal, and disposal of any hazardous materials found at the property. The City will not accept any property dedication until the site has been proven clear from all known contaminants and a report is received from the consultant stating that the site in question is clean.

#### E. PLANNING CONDITIONS

73. **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.
74. **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.
75. **Fire Department.** The Project is located within the jurisdiction of the County Fire Department and shall comply with all applicable standards of that agency.
76. **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.
77. **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.

78. **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 Applicant shall provide proof that all construction equipment utilizing internal combustion engines have mufflers that are in good condition.
79. **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.
80. **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](http://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).
81. **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.
82. **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: trac-out grates of gravel beds at each egress point, wheel-washing at each egress point during muddy conditions, soil binders, chemical soil stabilizers, geotextiles, mulching, or seeding; and
  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 PM<sub>10</sub>-Efficient Street Sweeper shall be used. The use of blowers for removal of track-out/carry-out is prohibited.

83. **Exterior Building Materials.** New structures shall utilize non-reflective exterior materials to prevent glare, as feasible.
84. **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 Applicant 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.
85. **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 in the Safety Element of the General Plan, 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.
86. **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.

87. **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.
88. **Community Design Guidelines.** The Project shall be in conformance with the Community Design Guidelines.
89. **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 with the City's Water Efficient Landscaping Ordinance and utilize species from the City's Approved Tree Planting List or to the satisfaction of the City Planning Director.
90. **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.
91. **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.
92. **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.
93. **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.

94. **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.
95. **Approval.** Approval of 16-FDP-06 and TTM 31061 (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.
96. **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.
97. **Parking.** A minimum of 306 parking spaces are required and must be provided for the Project as shown on the project plans. All parking spaces shall be striped in accordance with City of Buellton standards prior to issuance of the occupancy permit.
98. **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.

99. **Master Sign Program Corrections.** Corrections shall be made to the Master Sign Program for consistency and clarification prior to Zoning Clearance issuance. The signage shall be revised to show a maximum of 200 square feet of sign area, dimensions for all signs shall be provided, and the wayfinding signs shall be reduced to 5 feet in height and 5 square feet of sign area each. If the wayfinding signs exceed the 5 square feet of sign area then the amount exceeded shall be counted towards the overall maximum allowed sign area of 200 square feet.
100. **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 Agrarian.
101. **Masonry Block.** All masonry walls shall be split face block.
102. **Bike Racks.** Bike racks shall be provided as shown on the Project plans.
103. **Lighting.** All new exterior lighting fixtures shall comply with the design requirements of the Community Design Guidelines and shall protect dark skies. All lighting shall be LED or Inductive technology or other energy efficient type of lighting, consistent with what is indicated in the lighting specifications included with the project plans.
104. **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.
105. **Eastern Perimeter Fencing.** The fence along the eastern property boundary shall be a 5 foot high wood/wire fence with vines as shown as Detail H on Sheet L-2 of the landscape plans.
106. **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.
107. **Affordable Housing.** 15% or the units, or 8.1 units, are required to be affordable to lower, low, and moderate income households. An in-lieu housing fee, equivalent to 8.1 units, shall be paid prior to occupancy of the residential units. The amount of said fee shall be determined based on the housing income percentage breakdown in effect at the time of final occupancy.
108. **Workforce Housing.** In order to target the local workforce, 50% of the units shall be first marketed to tenants of the Hub project for occupancy by their employees. Following an initial 45-day offer to Hub employees, the units shall be made available to workers on Industrial Way for another 45 days. Finally, there will be an additional 45 days of availability to qualified residents of Buellton before the

apartments are marketed for rent outside of Buellton. The final marketing plan shall be submitted prior to occupancy of the first residential building.

109. **Trails.** All trails shown on the plans shall be public with a public access easement to the City of Buellton. All trails shall be privately maintained by the property owner. Easement document shall be recorded prior to issuance of the first occupancy permit.
110. **Eastern Off-Site Trail.** The proposed off-site trail along the east boundary of the property shall require easements from both the City of Buellton and the Rancho de Maria Homeowner's Association. Easement documents shall be recorded prior to issuance of the first occupancy permit.
111. **Mixed Use Regulations.** This project is subject to the mixed use regulations contained in Chapter 19.18 of the Buellton Municipal Code.

#### **F. FIRE DEPARTMENT CONDITIONS**

112. The single access as proposed to this development does not meet a normal standard for access width.
  - This proposed project shall require a 30-foot unobstructed roadway from Industrial Way to this development. This shall be exclusive of bike lanes and sidewalks.
  - The widest width allowed under development standards is required to keep large vehicles in their lane once engaged in a turn.
  - A complete and dimensioned access plan showing all access ways shall require Fire Department approval.
113. This development shall comply with California Fire Code Appendix D-105 for all structures over 30 feet in height.
114. On site fire hydrants shall be required for this development. Please include fire hydrants on access plan.
115. All standard fire department conditions, current codes and fees shall apply at time of development.

#### **G. COUNTY OF SANTA BARBARA BUILDING DIVISION CONDITIONS**

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

117. **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 feet will be required.
118. **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. Plans shall fully detail compliance with CBC 11A & 11B accordingly.
119. **Conditions on Plans.** Incorporate all discretionary conditions of approval and department condition letters into the plans.
120. **Green Code Compliance.** Incorporate compliance with the applicable CA Green Code in the plans to include commissioning.
121. **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.
122. **Building Egress.** A separate, detailed egress plan will be required for clarity of plan review and field inspection. Clearly show egress requirements for the buildings. Show occupant load, number of exits required, and number of exits provided at each space/floor/building. Provide a calculation for required exit width. Specify and detail an accessible path of travel to and from all entrances and exits to the public right of way. It appears 2 exits are required from the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the Hub buildings where one is currently proposed.
123. **Plumbing Fixture Analysis.** Provide a plumbing fixture analysis.
124. **Flood Plain Conditions on Plans.** Incorporate the conditions of approval by the Flood Plain Administrator into the plans. Identify the flood plain and floodway boundaries on the plans. Provide structural design for flood loads as required by the 2016 CBC as applicable.
125. **Water Efficiency Plans.** Landscape plans which detail compliance with the current MWELO or City requirements (whichever are most stringent) will be required.
126. **California Codes.** Applications submitted after January 1, 2017, will be subject to the 2016 California Codes.

- 127. **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 as part of TTM 31061. Prior to final plan check approval and issuance of permits, the final map must be recorded and new property line locations reflected in the final plans.

**H. FINANCE DEPARTMENT CONDITIONS**

- 128. **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.
  
- 129. **Impact Fees.** Applicant shall pay the water, sewer, housing, parks, and traffic impact fees in accordance with City requirements.

**Project Applicant/Property Owner Acknowledgement of Required Conditions of Approval**

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Property Owner Signature

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Date

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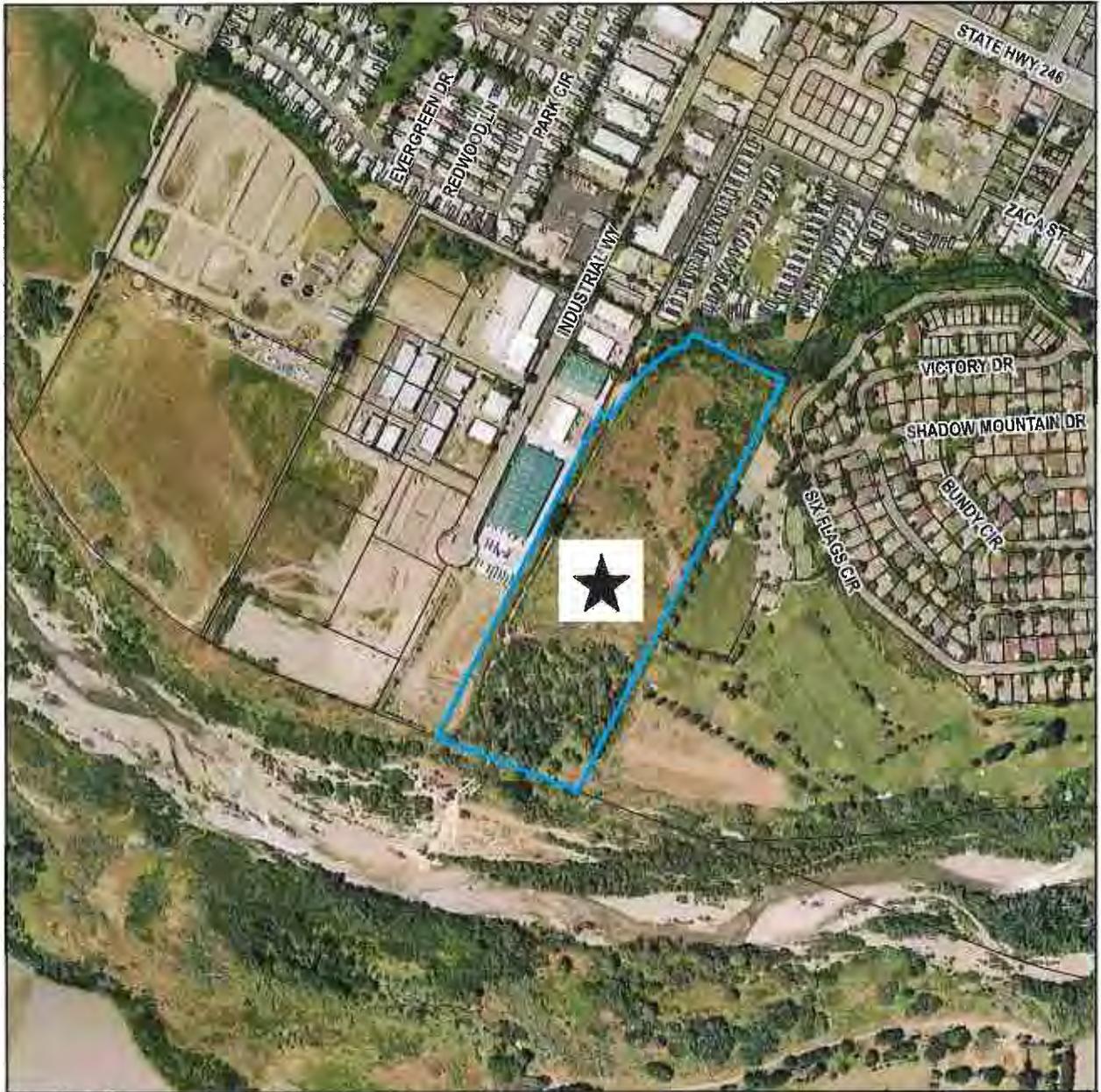
Project Applicant/Agent/Representative Signature

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Date

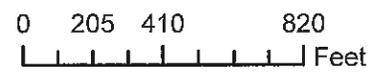


# ATTACHMENT 1



**Legend**

-  City Parcels
-  Project Location





MAP FOR CONSTRUCTION

Buellton Hub

Table with columns: No. Description, Date, Location, etc.

SHEET INDEX table listing sheet numbers and descriptions.

SCOPE OF PROJECT

- List of project goals and objectives.

PROJECT INFORMATION

Client: Buellton Hub, Buellton, CA

Table with columns: Year, Area, etc.

LANDSCAPE STATISTICS

Summary of landscape statistics and findings.

CIVIL STATISTICS

Summary of civil statistics and findings.

PROJECT DIRECTORY

Table listing project participants and their roles.

Buellton Hub  
Industrial Way, Buellton, CA 93427



APR 15 2017



GENERAL NOTES

- 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF BUELLTON...

CODE COMPLIANCE

- 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF BUELLTON...

VICINITY MAP



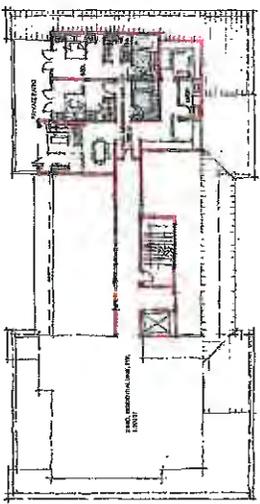






**Buellifon Hub**

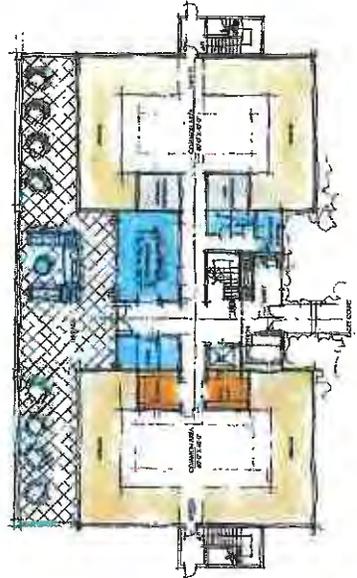
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PROJECT ENGINEER	[Firm Name]
PROJECT LANDSCAPE ARCHITECT	[Firm Name]
PROJECT CIVIL ENGINEER	[Firm Name]
PROJECT MECHANICAL ENGINEER	[Firm Name]
PROJECT ELECTRICAL ENGINEER	[Firm Name]
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PROJECT ENVIRONMENTAL ENGINEER	[Firm Name]
PROJECT HISTORIC ARCHITECTURE CONSULTANT	[Firm Name]
PROJECT ENERGY RATER	[Firm Name]
PROJECT SOUND CONSULTANT	[Firm Name]
PROJECT VIBRATION CONSULTANT	[Firm Name]
PROJECT TRANSPORTATION CONSULTANT	[Firm Name]
PROJECT TRAFFIC CONSULTANT	[Firm Name]
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PROJECT BICYCLE CONSULTANT	[Firm Name]
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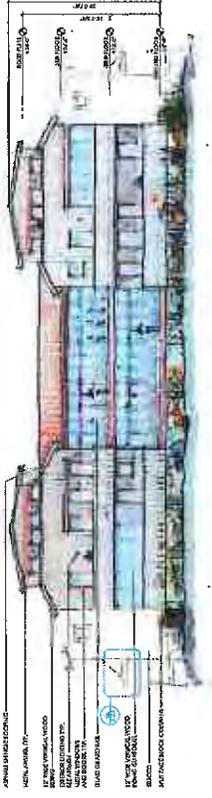
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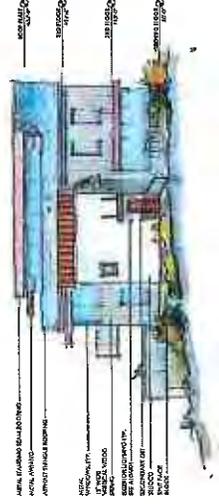
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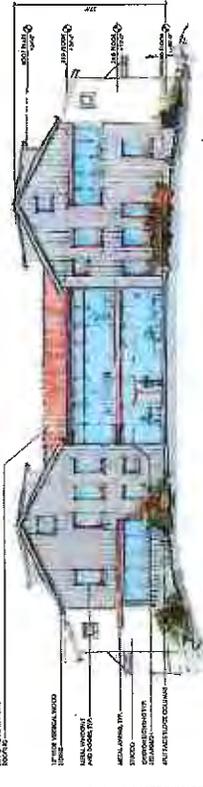
TYPICAL FIRST FLOOR PLAN 01



RISE ELEVATION 06



RISE ELEVATION 05



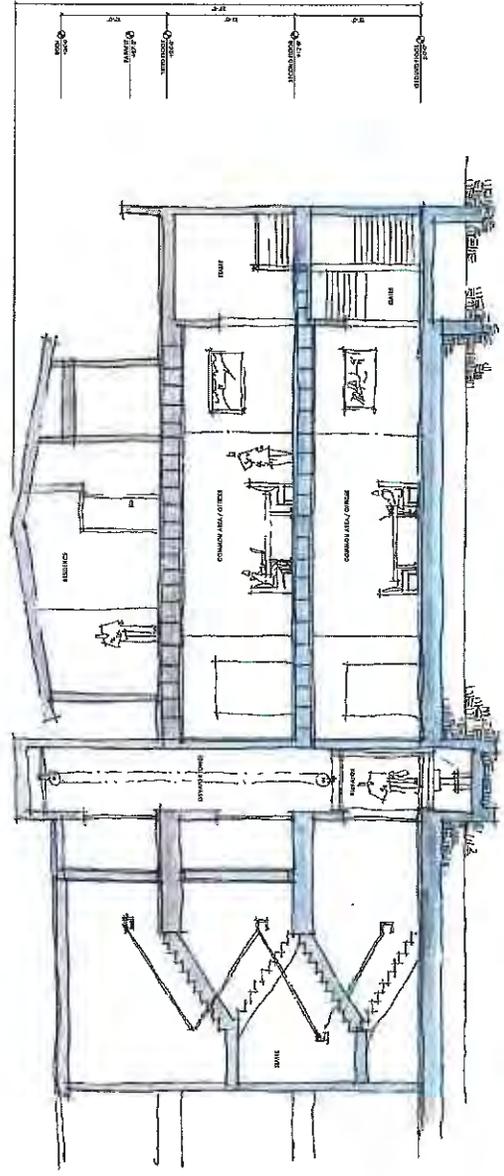
RISE ELEVATION 04



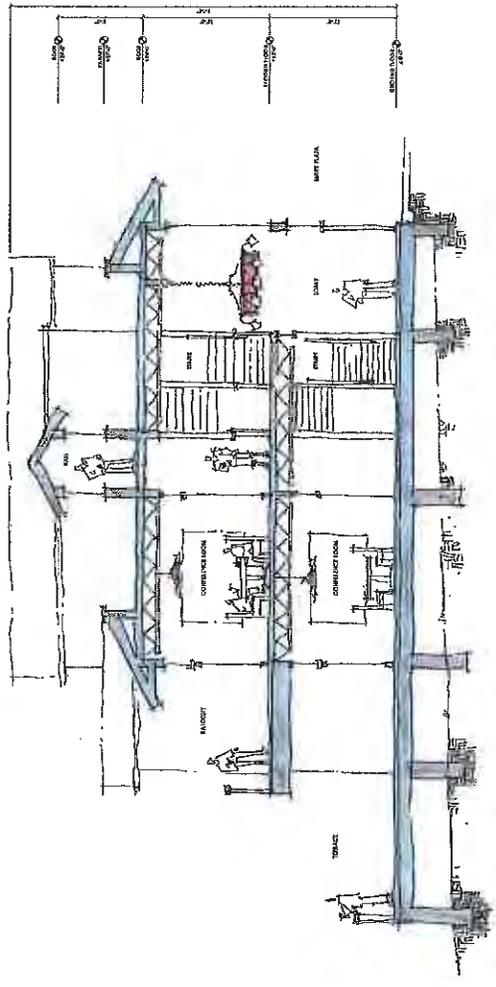
ARCHITECTURAL DRAWING

**Buellton Hub**

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 CONTRACTOR:   
 ARCHITECT:   
 DATE:   
 REVISIONS:



TYPICAL 100' LONGitudINAL SECTION 02



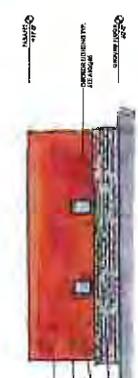
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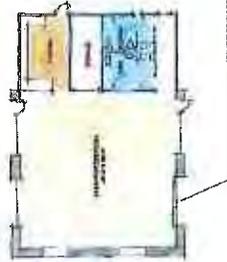
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**Buellton Hub**

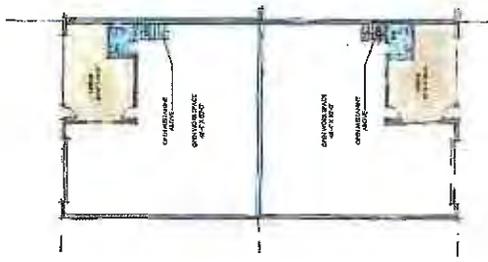
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 Checker: [Redacted]  
 Approver: [Redacted]



COMMUNITY BUILDING ELEVATION 08



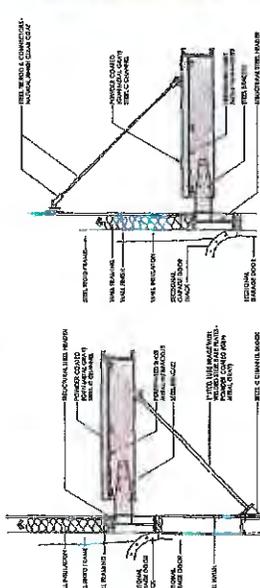
COMMUNITY BUILDING FLOOR PLAN 08



INDUSTRIAL BUILDING FLOOR PLAN 01



COMMUNITY BUILDING ELEVATION 03



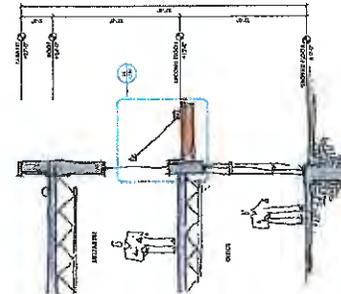
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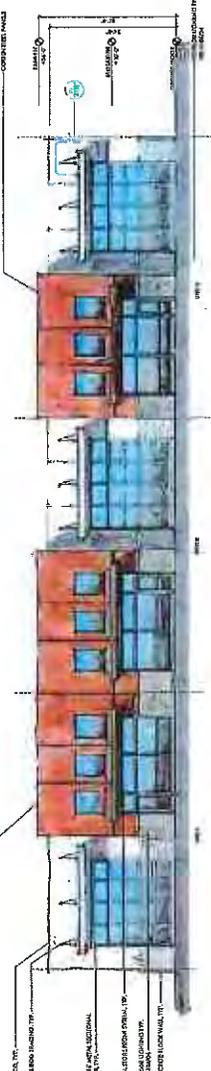
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COMMUNITY BUILDING ELEVATION 10



TYPICAL INDUSTRIAL WALL SECTION 09



TYPICAL INDUSTRIAL BUILDING ELEVATION 04

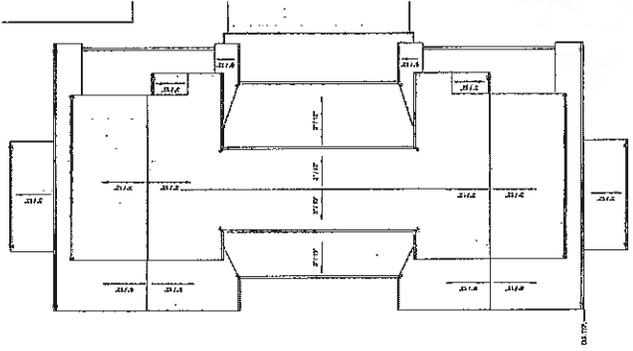




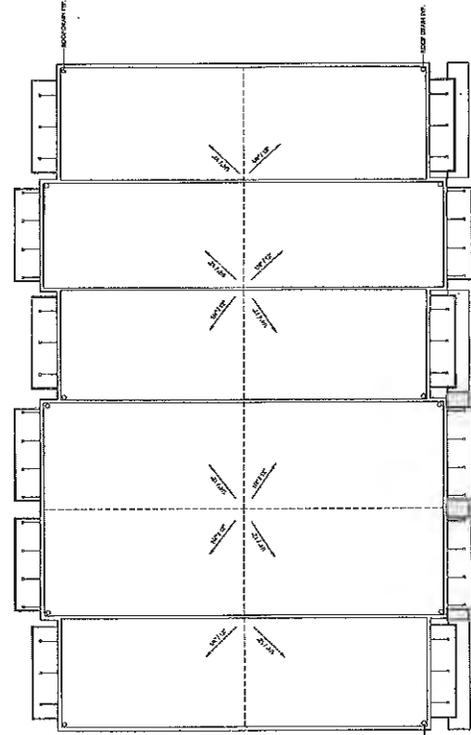
**Buellton Hub**

11111 California Street  
Suite B  
San Francisco, CA 94111

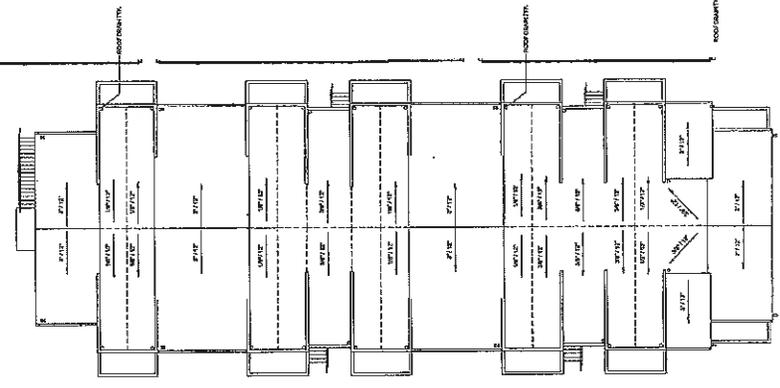
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REVISION	
DESCRIPTION	
BY	
CHECKED	
APPROVED	
PROJECT NO.	
PROJECT NAME	
CLIENT	
ARCHITECT	
ENGINEER	
PLUMBER	
ELECTRICIAN	
Mechanical	
Plumbing	
Electrical	
Structural	
Other	



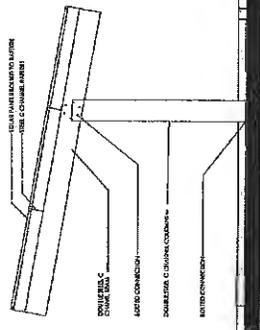
MECHANICAL FLOOR PLAN 01



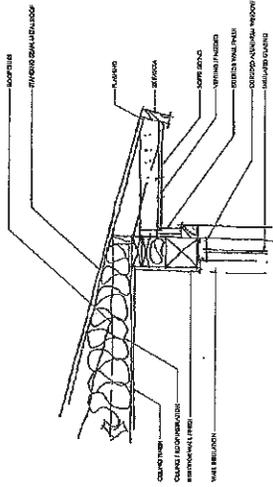
COMMERCIAL ROOF PLAN 02



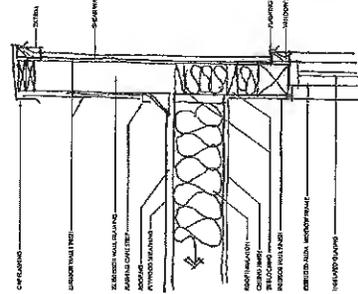
RESIDENTIAL FLOOR PLAN 03



03  
CABLE CHANNEL MOUNT



02  
TYPICAL RECESSED HANG BEZEL



01  
TYPICAL RECESSED HANG BEZEL

BASE



**BASE**  
 Material: Cast Aluminum  
 Finish: Powder Coat  
 Dimensions: 10" x 10" x 1.5"  
 Weight: 0.5 lbs  
 Mounting: 1/4" x 1/4" x 1/4" holes for mounting screws  
 Notes: This base is designed to be mounted to a wall or ceiling. It is not intended for use in wet or corrosive environments. The base is compatible with the Calvin Wall lighting fixture.

05  
EXTERNAL LIGHT FIXTURE



**Calvin Wall**  
 Features:  
 • Powder coat finish  
 • Polycarbonate lens  
 • Cast aluminum body  
 • 100% weather resistant  
 • 100% recyclable  
 • 100% energy efficient  
 • 100% eco friendly

**EXTERNAL LIGHT FIXTURE**  
 Material: Cast Aluminum  
 Finish: Powder Coat  
 Dimensions: 10" x 10" x 1.5"  
 Weight: 0.5 lbs  
 Mounting: 1/4" x 1/4" x 1/4" holes for mounting screws  
 Notes: This fixture is designed to be mounted to a wall or ceiling. It is not intended for use in wet or corrosive environments. The fixture is compatible with the Calvin Wall lighting fixture.



**Sea Bull Lighting**  
 100% weather resistant  
 100% energy efficient  
 100% eco friendly  
 100% recyclable  
 100% durable  
 100% reliable  
 100% safe  
 100% secure  
 100% sound  
 100% smooth  
 100% soft  
 100% strong  
 100% sturdy  
 100% stable  
 100% solid  
 100% sensible  
 100% sensible

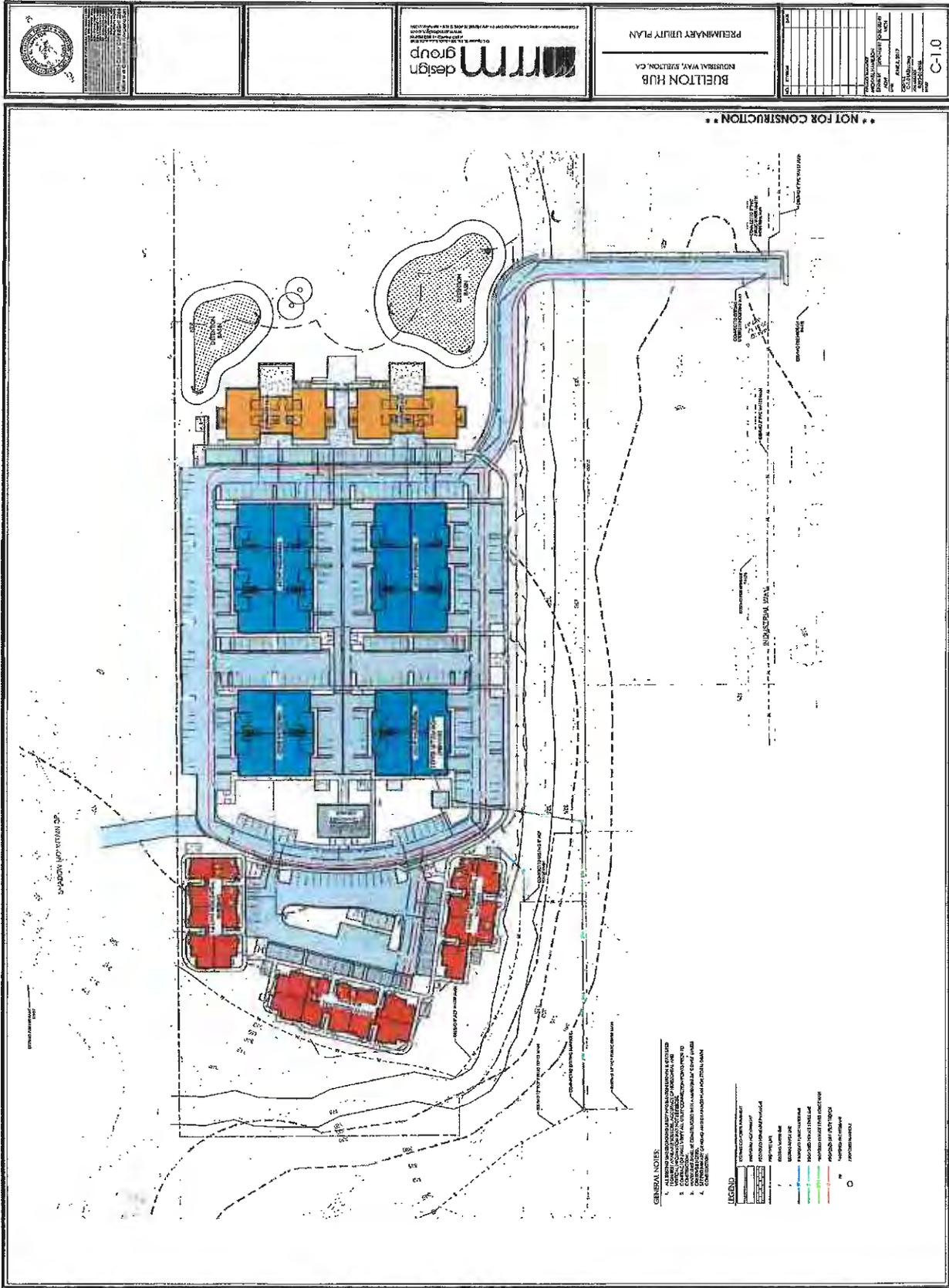
Model	Material	Finish	Dimensions	Weight	Mounting
CB-101	Cast Aluminum	Powder Coat	10" x 10" x 1.5"	0.5 lbs	1/4" x 1/4" x 1/4" holes
CB-102	Cast Aluminum	Powder Coat	10" x 10" x 1.5"	0.5 lbs	1/4" x 1/4" x 1/4" holes
CB-103	Cast Aluminum	Powder Coat	10" x 10" x 1.5"	0.5 lbs	1/4" x 1/4" x 1/4" holes
CB-104	Cast Aluminum	Powder Coat	10" x 10" x 1.5"	0.5 lbs	1/4" x 1/4" x 1/4" holes
CB-105	Cast Aluminum	Powder Coat	10" x 10" x 1.5"	0.5 lbs	1/4" x 1/4" x 1/4" holes

06  
RECESSED HANG BEZEL









NOT FOR CONSTRUCTION

- GENERAL NOTES:**
1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
  2. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC UTILITIES CODE AND THE CALIFORNIA ELECTRICAL CODE.
  3. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC UTILITIES CODE AND THE CALIFORNIA ELECTRICAL CODE.
  4. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PUBLIC UTILITIES CODE AND THE CALIFORNIA ELECTRICAL CODE.

**LEGEND**

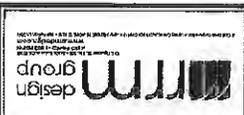
Water	12" Water
Sanitary Sewer	12" Sanitary Sewer
Storm Sewer	12" Storm Sewer
Gas	12" Gas
Electric	12" Electric
Telephone	12" Telephone
Cable	12" Cable
Other	12" Other



STATE OF CALIFORNIA  
 PROFESSIONAL ENGINEER  
 No. 10000  
 DATED 10/15/00

PROJECT NO. 10000  
 SHEET NO. C-1.0

PRELIMINARY UTILITY PLAN  
 BUELLTON HUB  
 NORTON WAY, BUELLTON, CA



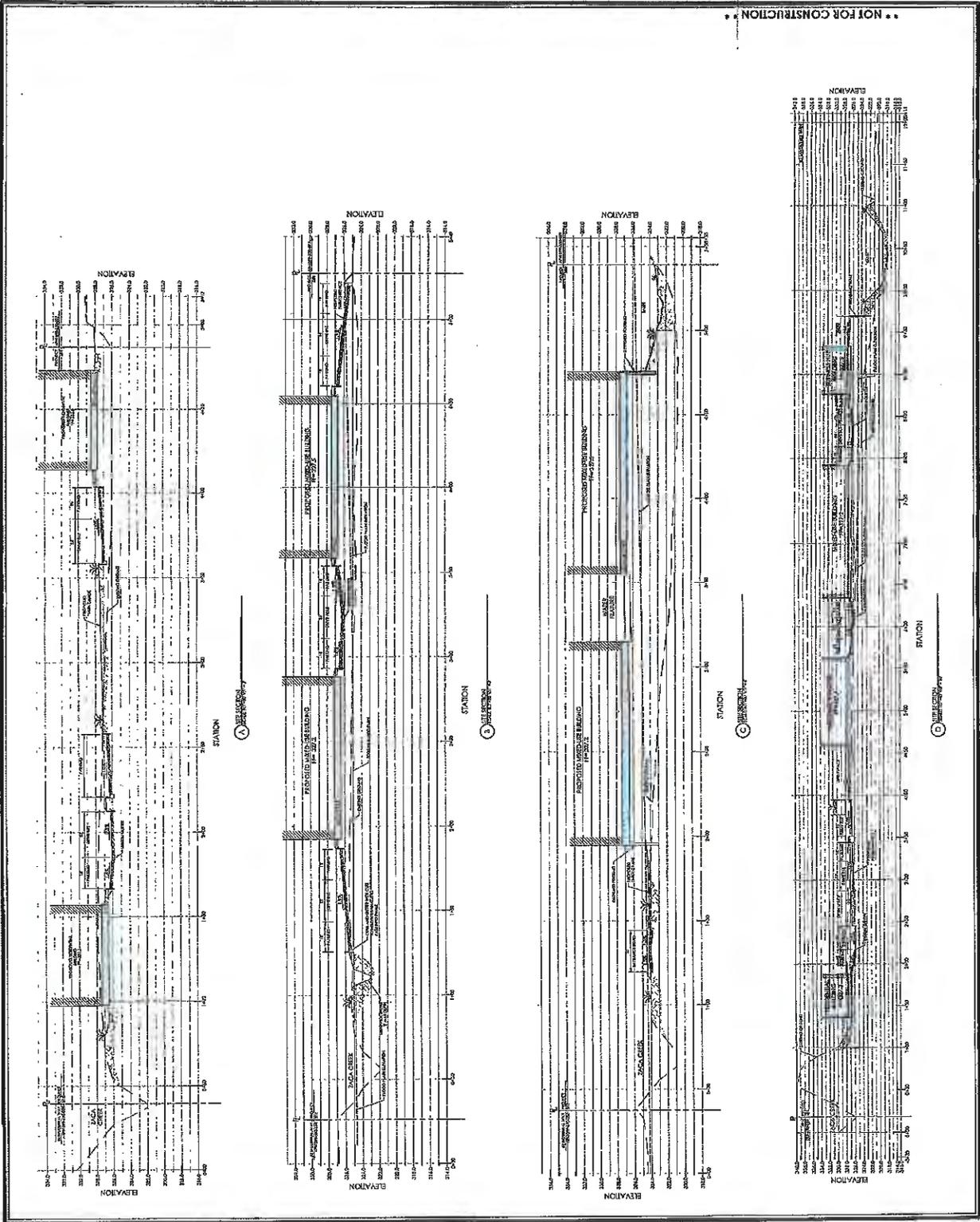
PRELIMINARY UTILITY PLAN  
 BUELLTON HUB  
 NORTON WAY, BUELLTON, CA

DATE	DESCRIPTION
10/15/00	ISSUED FOR PERMIT
10/15/00	ISSUED FOR CONSTRUCTION
10/15/00	ISSUED FOR RECORD
10/15/00	ISSUED FOR AS-BUILT

C-1.0



 <p>Professional Engineer Seal</p>	 <p>m design group</p>	<p>PRELIMINARY SITE SECTIONS BUELLTON HUB INDUSTRIAL WAY, BUELLTON, CA</p>	<table border="1"><tr><td>DATE</td><td>NOV 11 2011</td></tr><tr><td>PROJECT</td><td>BUELLTON HUB</td></tr><tr><td>LOCATION</td><td>INDUSTRIAL WAY, BUELLTON, CA</td></tr><tr><td>SCALE</td><td>AS SHOWN</td></tr><tr><td>DESIGNED BY</td><td>...</td></tr><tr><td>CHECKED BY</td><td>...</td></tr><tr><td>DATE</td><td>...</td></tr></table> <p>C-3.0</p>	DATE	NOV 11 2011	PROJECT	BUELLTON HUB	LOCATION	INDUSTRIAL WAY, BUELLTON, CA	SCALE	AS SHOWN	DESIGNED BY	...	CHECKED BY	...	DATE	...
DATE	NOV 11 2011																
PROJECT	BUELLTON HUB																
LOCATION	INDUSTRIAL WAY, BUELLTON, CA																
SCALE	AS SHOWN																
DESIGNED BY	...																
CHECKED BY	...																
DATE	...																











**ROBERT ADAMS, ASLA**  
 LANDSCAPE ARCHITECT  
 215 W. LINDSAY STREET  
 SUITE 100, LOS ANGELES, CA 90012  
 TEL: 213.722.4411  
 FAX: 213.722.4411  
 WWW: RADIANSHIP.COM

**IRRIGATION PLAN**

BUELTON HUB (BUE-17)  
 Industrial Way  
 Buelton, California 93427  
 APN: 099-690-048

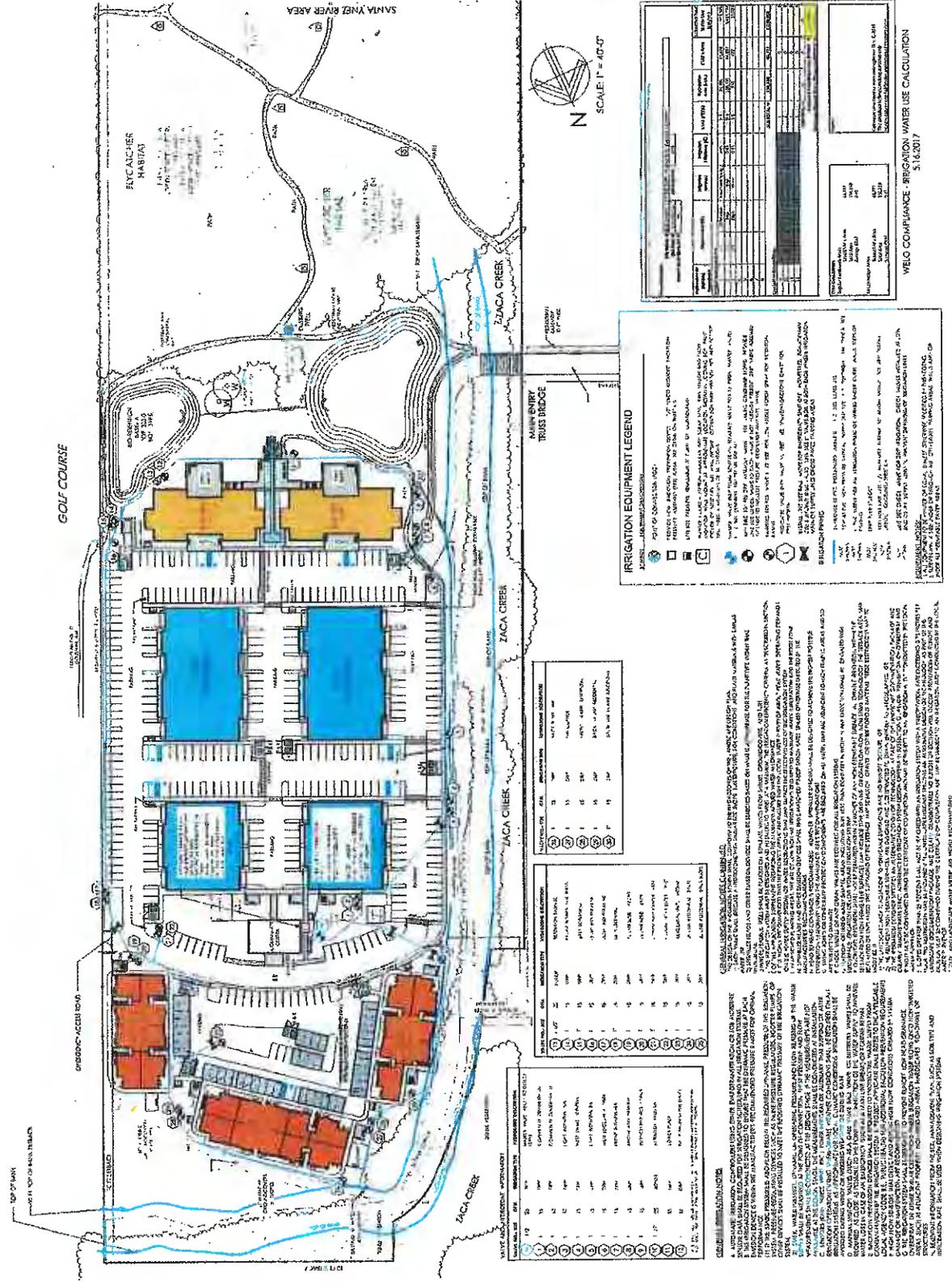
REVISIONS

NO.	DATE	DESCRIPTION
1	5/14/2017	ISSUED FOR PERMITS

**SHEET 5 OF 5**

**L-3**

DATE: 05/14/2017  
 JULY 28, 2017



**WELQ COMPLIANCE - IRRIGATION WATER USE CALCULATION**  
 5/14/2017

Area	Area (sq ft)	Area (ac)	ET (in)	ET (ft)	Water Use (gal)	Water Use (ft <sup>3</sup> )
Building	100,000	2.28	0.5	0.0125	28,125	108
Parking	200,000	4.57	0.5	0.0125	56,250	216
Golf Course	1,000,000	22.83	0.5	0.0125	281,250	1,080
Other	50,000	1.12	0.5	0.0125	14,062	54
<b>Total</b>	<b>1,550,000</b>	<b>34.78</b>	<b>0.5</b>	<b>0.0125</b>	<b>479,687</b>	<b>1,858</b>

**IRRIGATION EQUIPMENT LEGEND**

POINT OF QUESTION (POQ) - IRRIGATION EQUIPMENT

- VALVE: A valve is a device that allows, controls, or prevents the flow of liquid or gas.
- EMITTER: An emitter is a device that delivers water to a plant's root zone at a specific rate.
- PIPE: A pipe is a hollow tube that carries water from the source to the emitters.
- TRUNK LINE: A trunk line is the main pipe that carries water from the source to the submain.
- SUBMAIN: A submain is a pipe that carries water from the trunk line to the emitters.
- EMITTER LINE: An emitter line is a pipe that carries water from the submain to the emitters.

**VALVE SCHEDULE**

NO.	TYPE	SIZE	LOCATION
1	Gate	12"	Main Entry Truss Bridge
2	Gate	12"	Building
3	Gate	12"	Parking
4	Gate	12"	Golf Course
5	Gate	12"	Other

**EMITTER SCHEDULE**

NO.	TYPE	SIZE	LOCATION
1	Emitter	1/2"	Building
2	Emitter	1/2"	Parking
3	Emitter	1/2"	Golf Course
4	Emitter	1/2"	Other

**GENERAL NOTES:**

- ALL IRRIGATION SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE IRRIGATION DESIGN MANUAL, 4TH EDITION, 2008, PUBLISHED BY THE IRRIGATION SOCIETY OF AMERICA.
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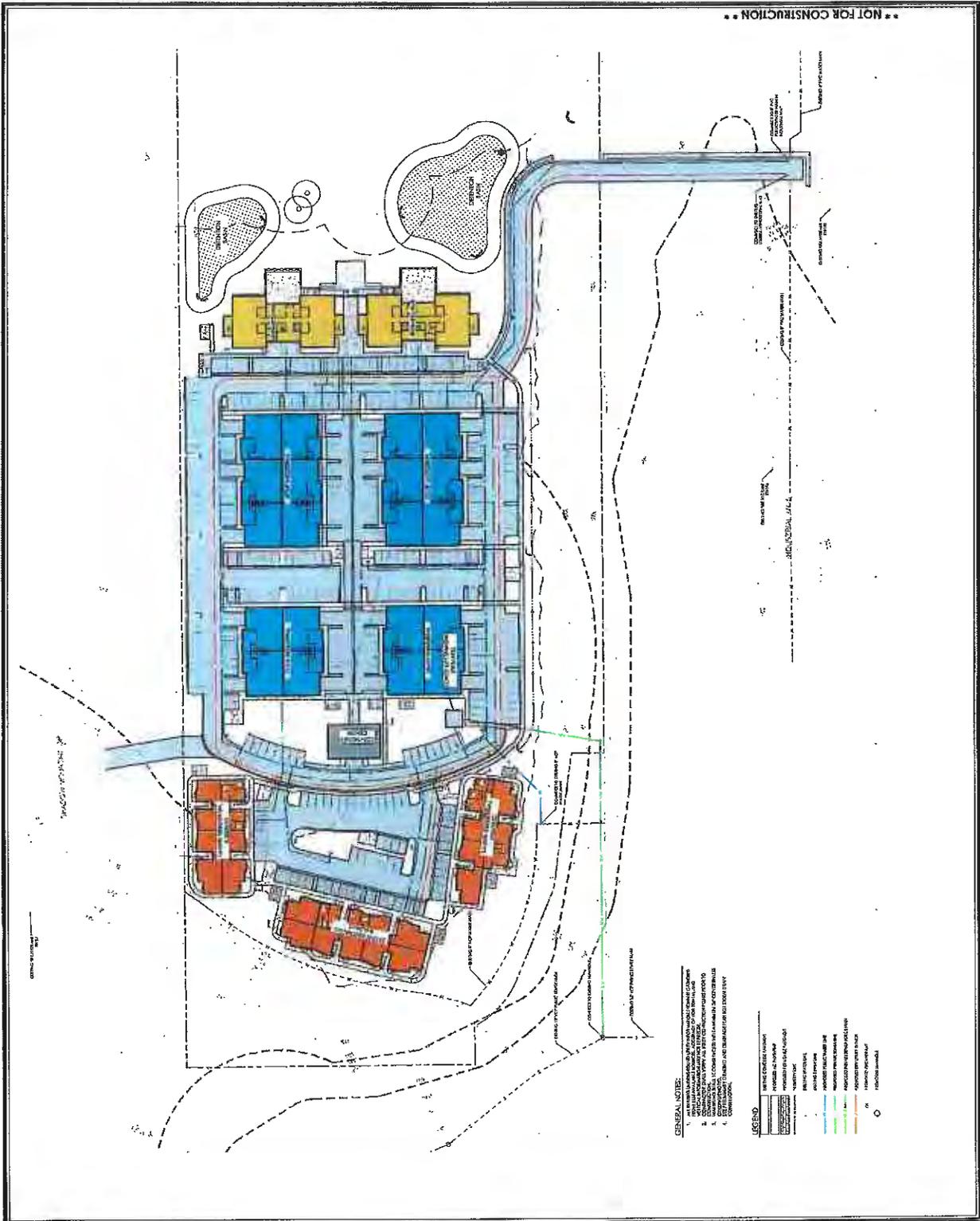








			<b>BUELTON HUB</b> INDUSTRIAL WAY, BUELTON, CA PRELIMINARY UTILITY PLAN	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8px;">DATE</td> <td style="font-size: 8px;">BY</td> <td style="font-size: 8px;">CHECKED</td> <td style="font-size: 8px;">APPROVED</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	DATE	BY	CHECKED	APPROVED				
DATE	BY	CHECKED	APPROVED									





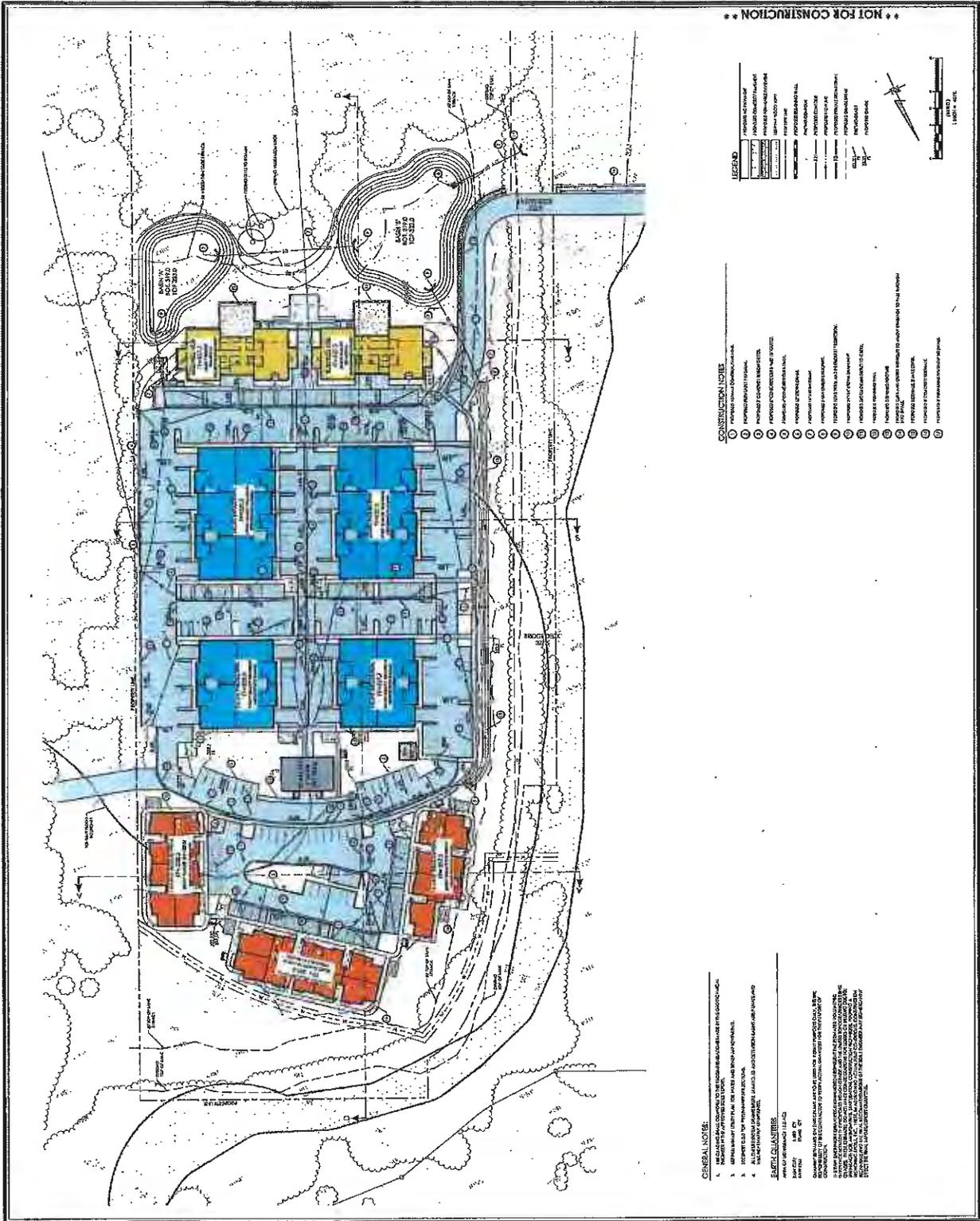
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
REGISTERED PROFESSIONAL ENGINEER  
No. 10000  
EXPIRES 12/31/2018



rrm design  
INCORPORATED  
10000 LA JOLLA VILLAGE CENTER DRIVE, SUITE 100  
SAN DIEGO, CALIFORNIA 92122  
TEL: 619.444.8800 FAX: 619.444.8801  
WWW.RRMDESIGN.COM

**BUELTON HUB**  
PROGRESS WAY, BULLHORN, CA  
**PRELIMINARY GRADING AND DRAINAGE PLAN**

DATE	11/15/17
PROJECT	BUELTON HUB
CLIENT	TRM
DESIGNER	RRM DESIGN
CHECKER	RRM DESIGN
APPROVER	RRM DESIGN
SCALE	AS SHOWN
SHEET NO.	1
TOTAL SHEETS	1



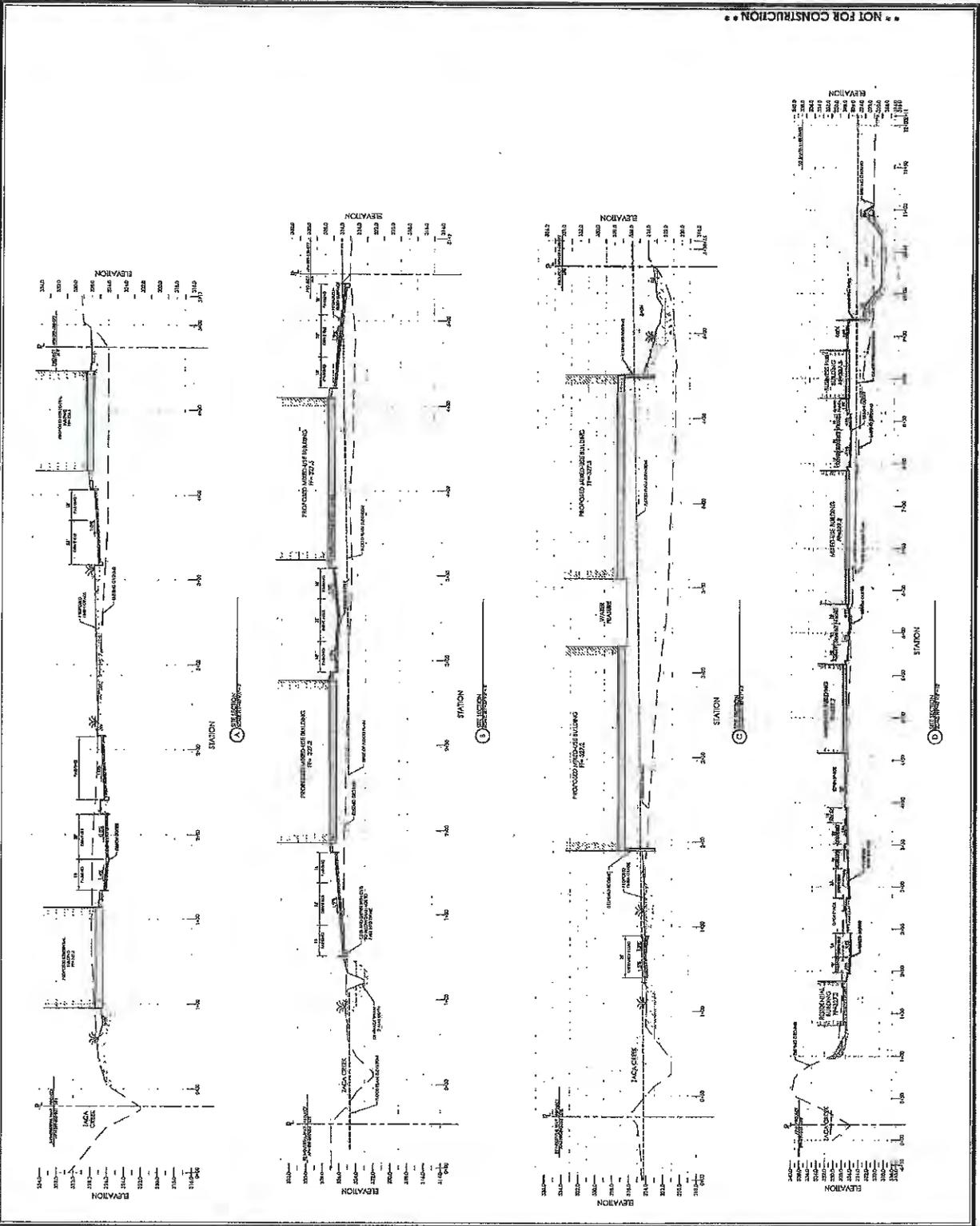
- GENERAL NOTES:**
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CIVIL ENGINEERING BOARD'S SPECIFICATIONS FOR THE DESIGN AND CONSTRUCTION OF BUILDINGS.
  2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CIVIL ENGINEERING BOARD'S SPECIFICATIONS FOR THE DESIGN AND CONSTRUCTION OF BUILDINGS.
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  4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CIVIL ENGINEERING BOARD'S SPECIFICATIONS FOR THE DESIGN AND CONSTRUCTION OF BUILDINGS.
- LEGEND:**
- 1. PROPOSED EXISTING GRADE
  - 2. PROPOSED FINISHED GRADE
  - 3. PROPOSED EXISTING DRAINAGE
  - 4. PROPOSED FINISHED DRAINAGE
  - 5. PROPOSED EXISTING EROSION CONTROL
  - 6. PROPOSED FINISHED EROSION CONTROL
  - 7. PROPOSED EXISTING UTILITIES
  - 8. PROPOSED FINISHED UTILITIES
  - 9. PROPOSED EXISTING STRUCTURES
  - 10. PROPOSED FINISHED STRUCTURES
  - 11. PROPOSED EXISTING LANDSCAPE
  - 12. PROPOSED FINISHED LANDSCAPE
  - 13. PROPOSED EXISTING ROADS
  - 14. PROPOSED FINISHED ROADS
  - 15. PROPOSED EXISTING UTILITIES
  - 16. PROPOSED FINISHED UTILITIES
  - 17. PROPOSED EXISTING STRUCTURES
  - 18. PROPOSED FINISHED STRUCTURES
  - 19. PROPOSED EXISTING LANDSCAPE
  - 20. PROPOSED FINISHED LANDSCAPE
  - 21. PROPOSED EXISTING ROADS
  - 22. PROPOSED FINISHED ROADS

**CONSTRUCTION NOTES:**

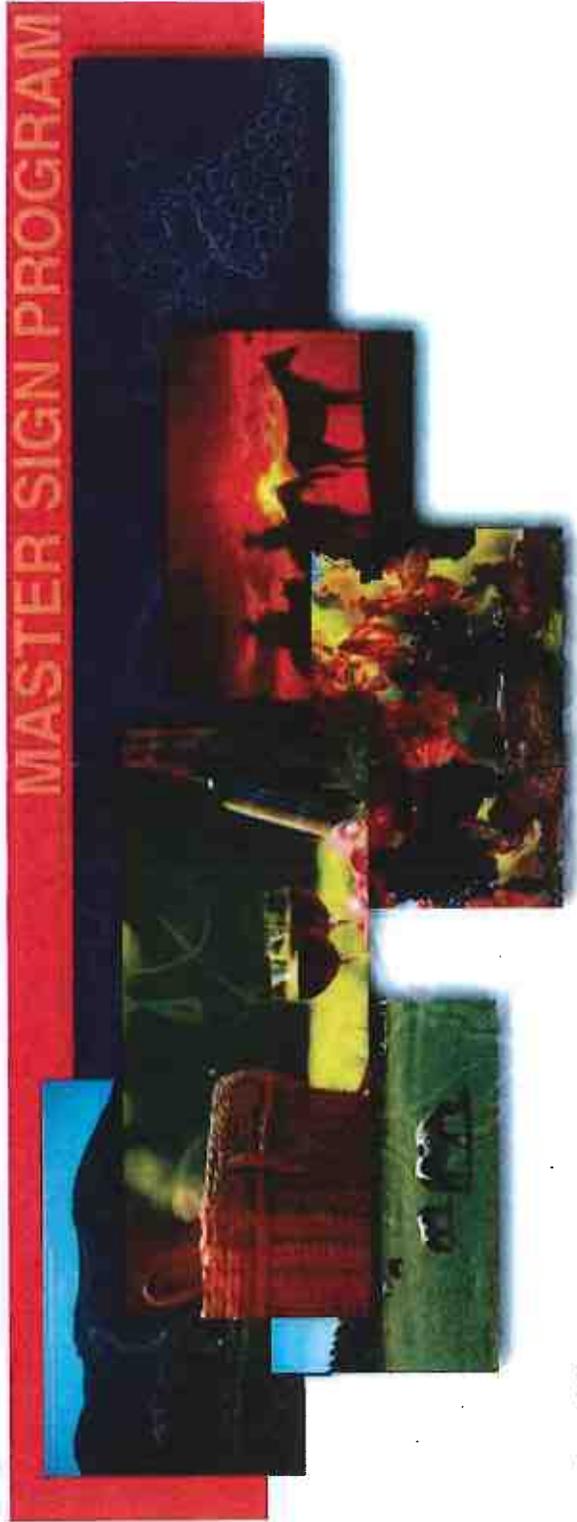
1. PROPOSED EXISTING GRADE
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4. PROPOSED FINISHED DRAINAGE
5. PROPOSED EXISTING EROSION CONTROL
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11. PROPOSED EXISTING LANDSCAPE
12. PROPOSED FINISHED LANDSCAPE
13. PROPOSED EXISTING ROADS
14. PROPOSED FINISHED ROADS
15. PROPOSED EXISTING UTILITIES
16. PROPOSED FINISHED UTILITIES
17. PROPOSED EXISTING STRUCTURES
18. PROPOSED FINISHED STRUCTURES
19. PROPOSED EXISTING LANDSCAPE
20. PROPOSED FINISHED LANDSCAPE
21. PROPOSED EXISTING ROADS
22. PROPOSED FINISHED ROADS

		<b>BUELTON HUB</b> INDUSTRIAL WAY, BUELTON, CA	PRELIMINARY SITE SECTIONS	PROJECT NO. _____ SHEET NO. _____ DATE _____ DRAWN BY _____ CHECKED BY _____ APPROVED BY _____
				T.M.J.

NOT FOR CONSTRUCTION



# THE BUELLTON



## ASI

ABSOLUTE SIGN INC  
 10665 Humbolt Street  
 Los Alamitos, CA 90720  
 (562) 592-5638 Fax (562) 592-6198  
 www.absolute-sign.com  
 email: tish@absolute-sign.com

**INDUSTRIAL WAY, BUELLTON, CA 93427**

05152017

Prepared by Absolute Sign Inc., © Copyright 2017, Contact: Tish Soialampo Absolute Sign Inc. (562) 592-5638

**PROJECT DIRECTORY**

**Owner:** Peter Hauber  
2660 Jarini Way  
Solvang CA, 93463

**Agent:** Gavin Moores  
CPDG Inc.  
(805) 692-0474  
gavinm@CPDGinc.com

**Project Architect:** DeVicente, Mills, Holiday and Associates  
1 Calle Cesar Chavez #102  
Santa Barbara, CA 93103  
(805) 965-7777

**City Planning:** City of Buellton  
107 West Highway 246  
P.O. Box 1819  
Buellton, CA 93427  
T: (805) 688-5177  
F: (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

**TABLE OF CONTENTS**

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### INTRODUCTION

The purpose of this sign criteria is to ensure that the signage at Buelton Hub reflects the integrity and overall aesthetic values of the Landlord and the City of Buelton. 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 design guidelines.

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.

**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 complementary 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.

**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**

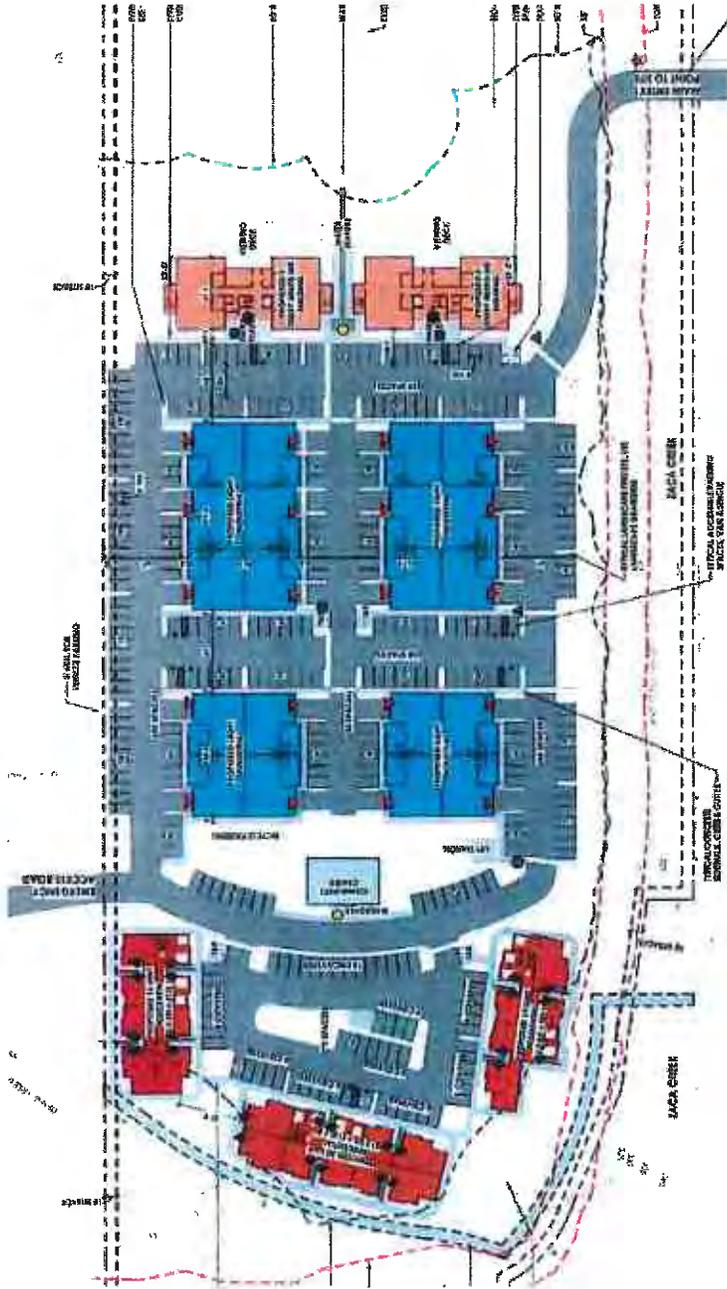
- 1. Animated Signs. Signs that are moving, flashing, blinking, reflecting, glaring or revolving, except time and temperature signs.
- 2. Handbills/Flyers. Announcements or posters attached to utility poles, trees, fence posts, and other fixed structures, or placed on the windshields of parked cars.
- 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
- 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).



MASTER SIGN PROGRAM



◆ Residential Unit Numbers	★ Primary Project ID Signs	◼ Channel Letter Wall Sign
■ Building Directory Sign	▲ Vehicular Wayfinding / LG	◼ Blade Sign
● Building Monument Sign	⊕ Vehicular Wayfinding / SM	

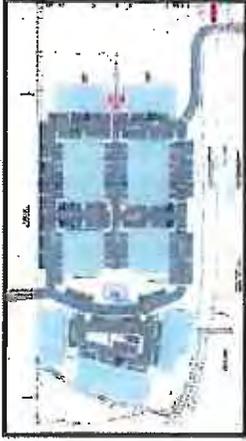
**PROJECT SIGN LIST**

- 1 EA. PRIMARY ID SIGN
- 2 EA. LARGE VEHICULAR WAYFINDING SIGN
- 2 EA. SMALL VEHICULAR WAYFINDING SIGN
- 1 EA. RESIDENTIAL DIRECTORY
- 2 EA. BUSINESS HUB DIRECTORIES
- 2 EA. BUSINESS HUB CHANNEL LETTER SIGNS
- 1 EA. COMMUNITY CENTER WALL MOUNTED SIGN
- 1 EA. BUSINESS HUB MONUMENT SIGN

ASI  
ABSOLUTE SIGN INC

MASTER SIGN PROGRAM - THE HUB

05-16-2017



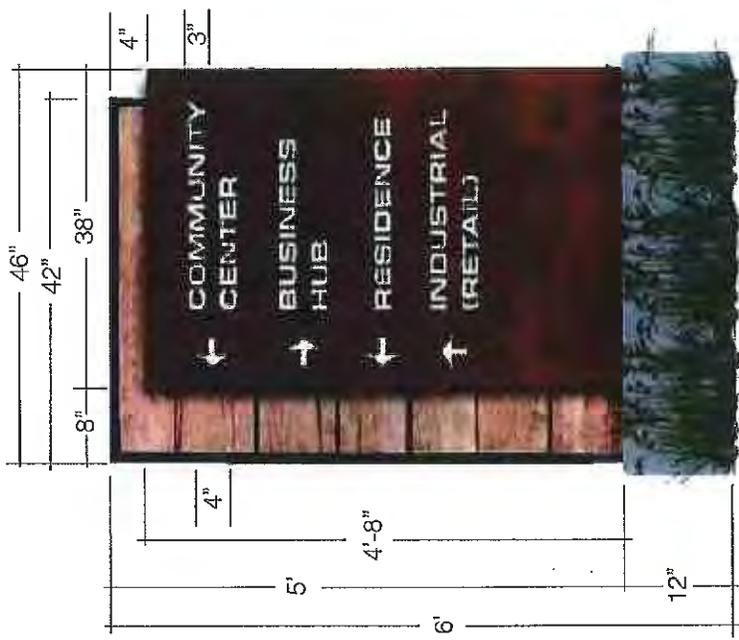
MASTER SIGN PROGRAM

05152017

MASTER SIGN PROGRAM - THE HUB

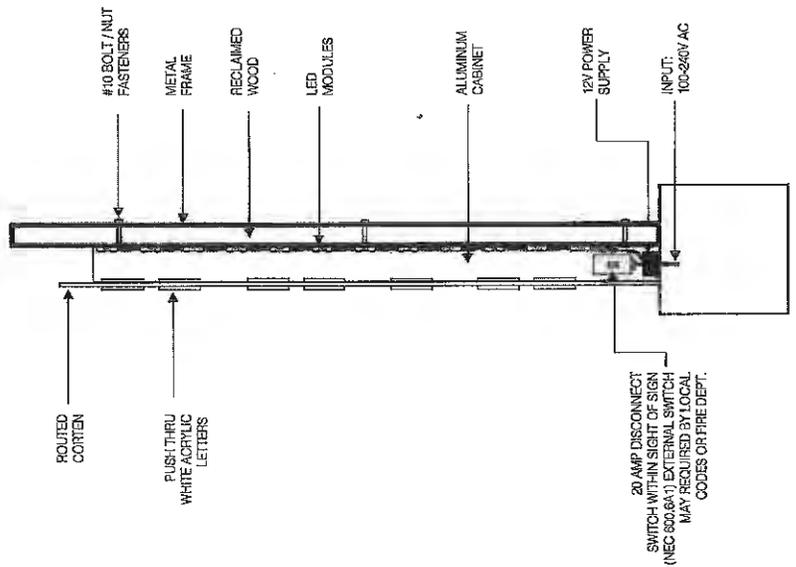
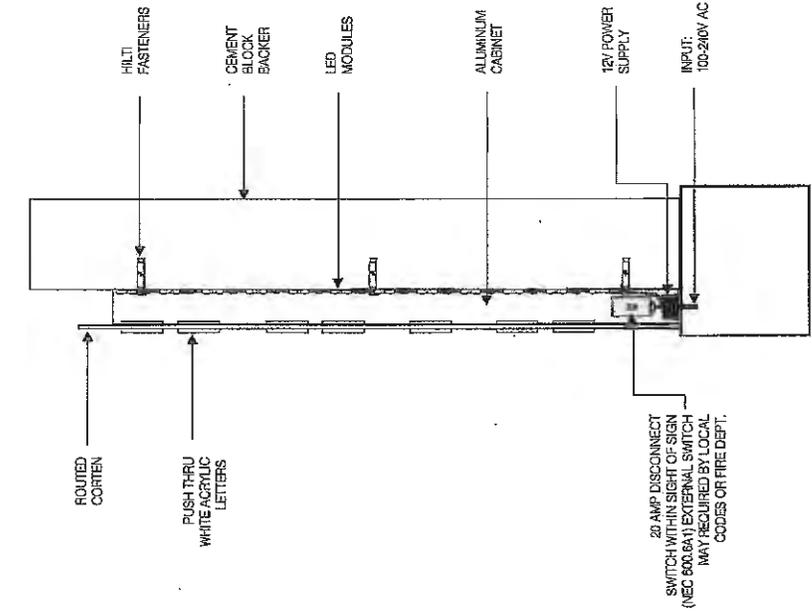
ASI  
ABSOLUTE SIGN INC.

MASTER SIGN PROGRAM



05152017

MASTER SIGN PROGRAM - THE HUB



MASTER SIGN PROGRAM

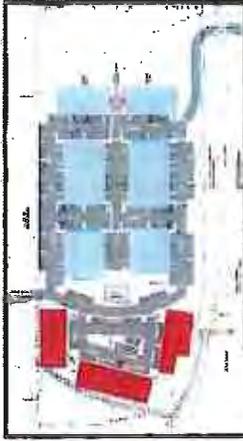
VEHICULAR WAYFINDING SECTION DETAIL

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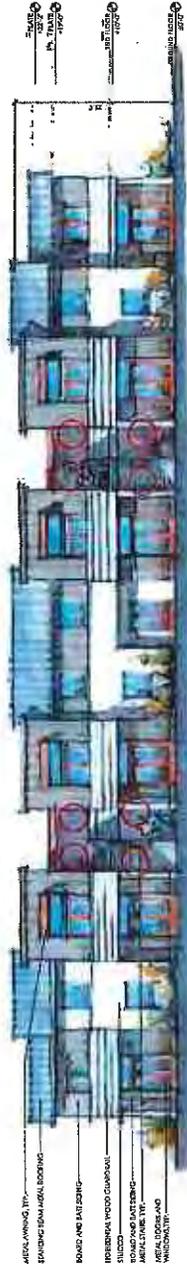
MASTER SIGN PROGRAM



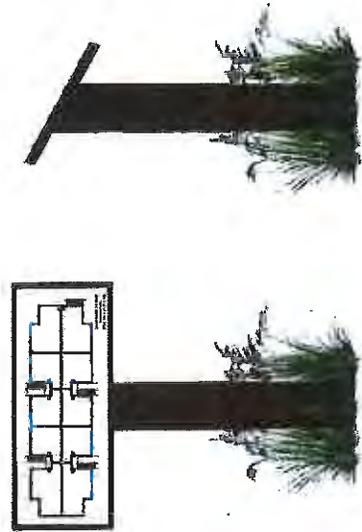
EXAMPLE: ADDRESS ID



05152017



MASTER SIGN PROGRAM - THE HUB



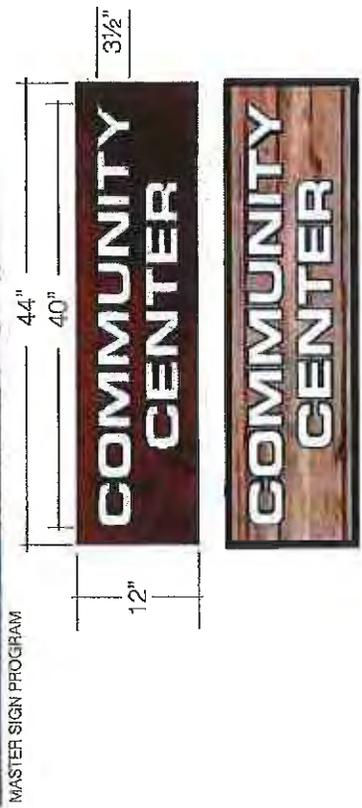
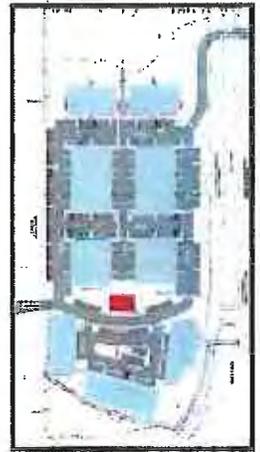
EXAMPLE: RESIDENCE DIRECTORY

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Page 12 of 19



COMMUNITY CENTER

Prepared by Absolute Sign Inc., © Copyright 2017, Contact: Tish Scialampo Absolute Sign Inc. (562) 592-5888

**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

**ABCDEFGHIJKLMNOPQRSTUVWXYZ**  
**abcdefghijklmnpqrstuvwxy 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.

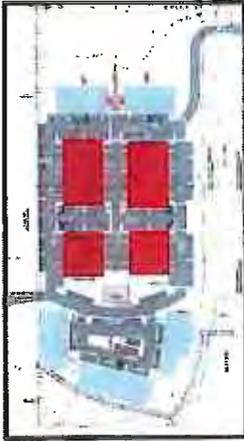
Colors: Signs may incorporate regionally and nationally recognized logo colors. Face color pending Landlord approval, unless trademarked or nationally recognized brand states otherwise.

Illumination: Down facing lights, LED

Installation: Blade sign will be mounted to the front fascia of the building and below the canopy.

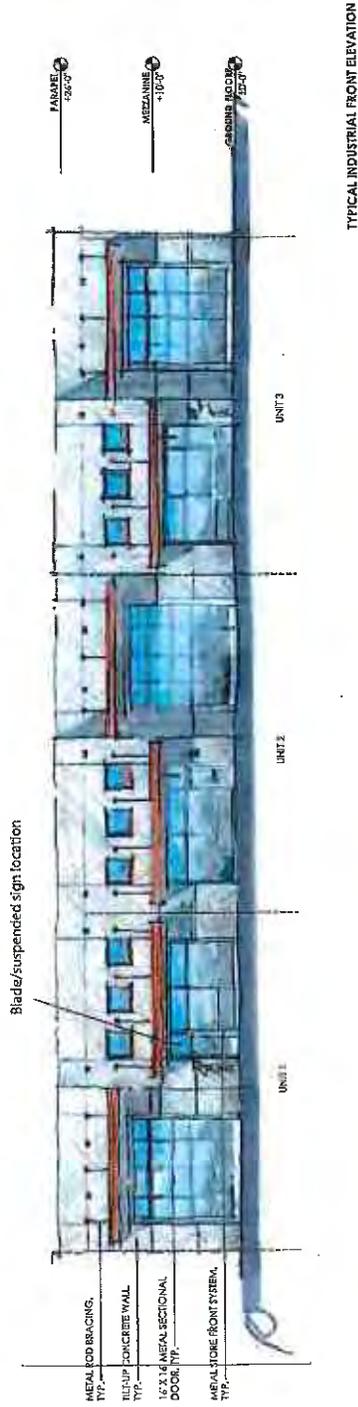
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EXAMPLES: BLADE/SUSPENDED SIGN

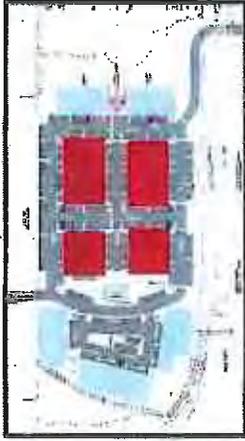
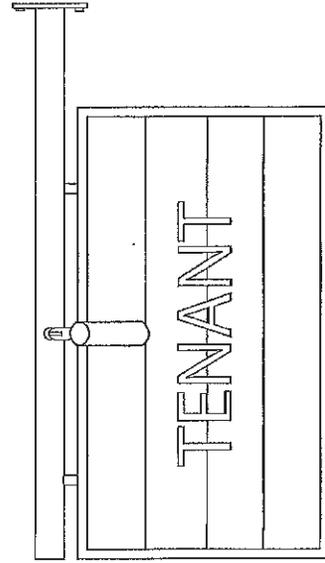
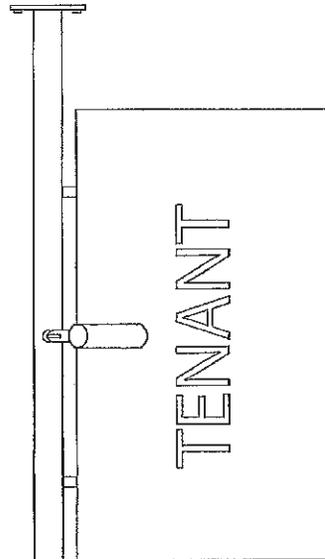
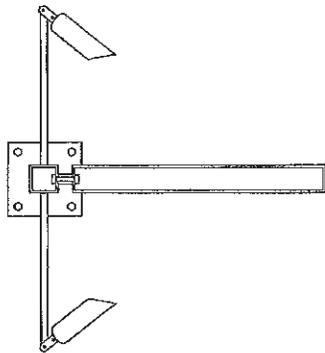


05/15/2017

MASTER SIGN PROGRAM - THE HUB



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

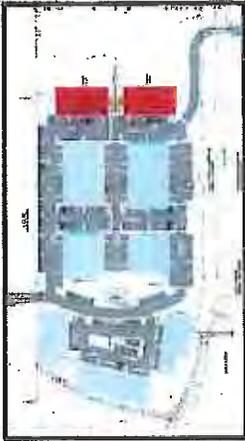
THE HUB

chilibox

EXAMPLES: BUSINESS HUB FRONT ILLUMINATED CHANNEL LETTERS WITH WOOD BACKER

THE HUB

chilibox



05152017

MASTER SIGN PROGRAM - THE HUB

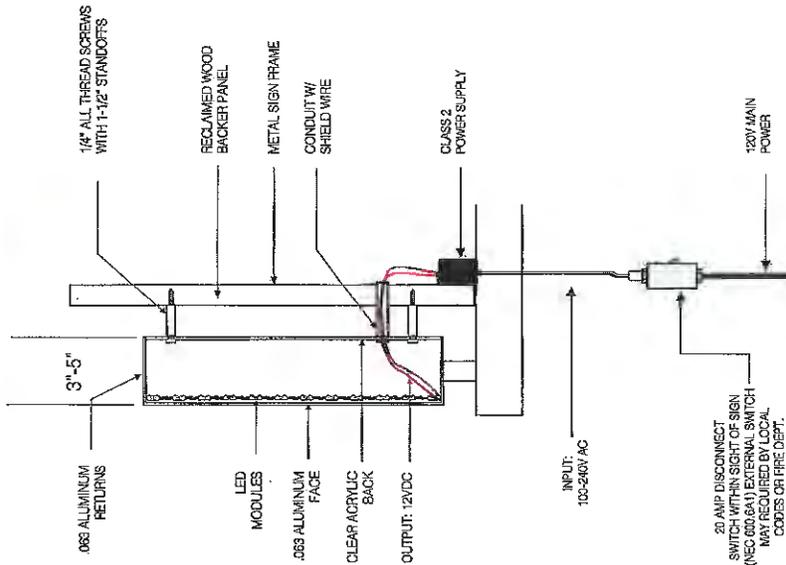
ASI  
ABSOLUTE SIGN INC



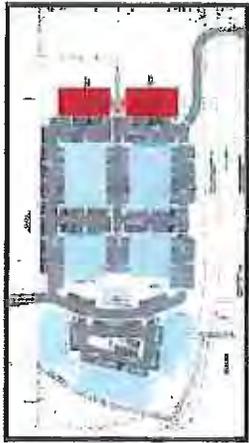
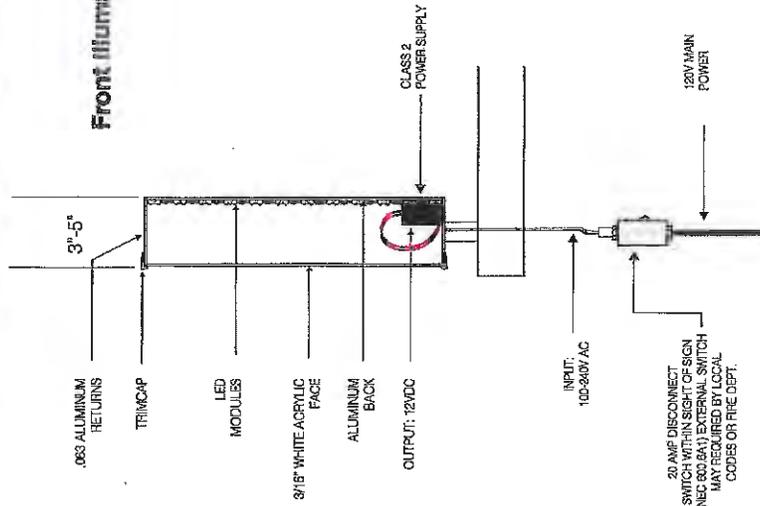
EXAMPLES: DIRECTORY SIGN



Reverse Illuminated



Front Illuminated



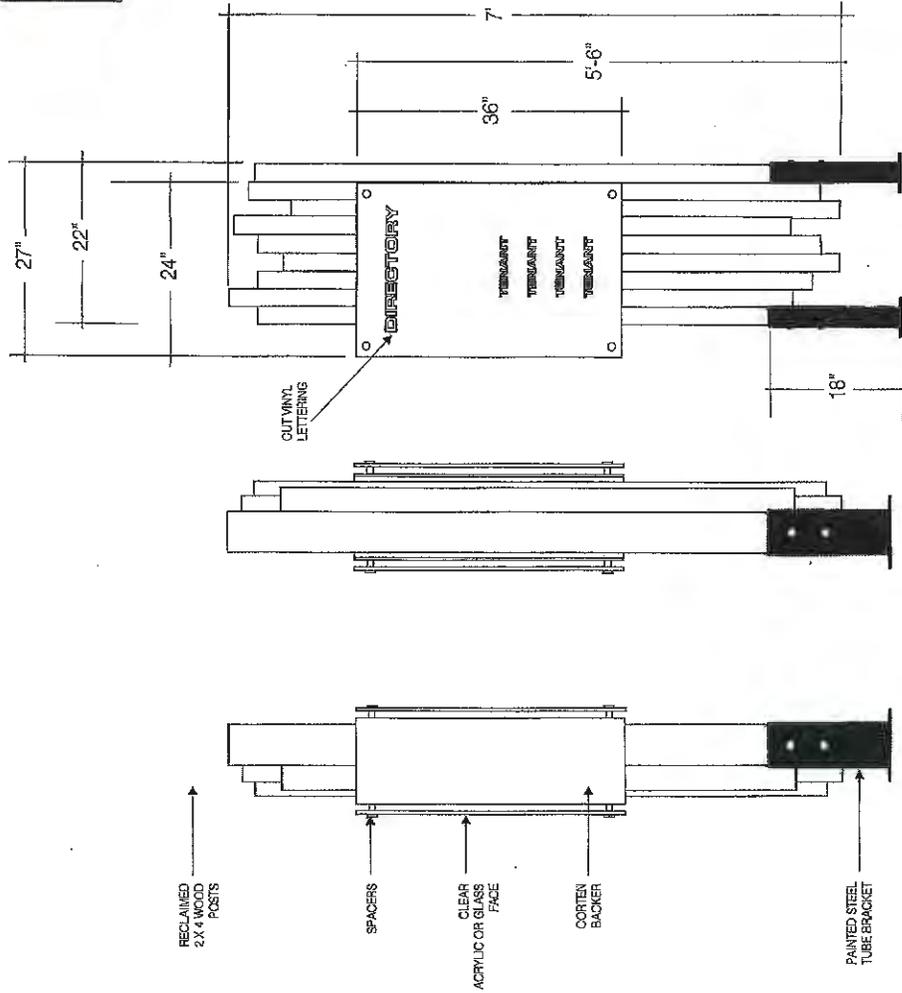
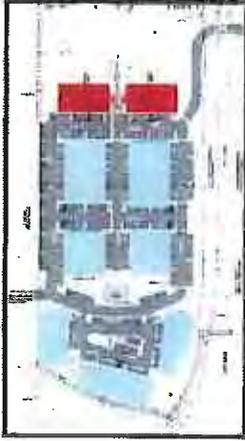
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05-15-2017

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### COLORS



PMS 23116C



PMS 7487C



PMS 2322C



PMS White



PMS 2835C



PMS 1010C

### SIGN MATERIALS



Corten



Reclaimed Wood



Gabion Cage



Acrylic Push Thru Letters



Aluminum Letters

### FONT:

**EUROSTILE  
BOLD  
EXTENDED**

*Draft*  
**Initial Study/Mitigated Negative Declaration  
for the  
Buellton Hub  
17-MND-03**

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



*Prepared by:*  
**City of Buellton**  
107 West Highway 246  
Buellton, California 93427

December 19, 2017

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: The Hub

Lead Agency: City of Buellton

Contact Person: Marc Bierdzinski

Mailing Address: P.O. Box 1819

Phone: 805-688-7474

City: Buellton, CA

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 " N / 120 ° 12 ' 12 " W Total Acres: 17

Assessor's Parcel No.: 099-690-048

Section: Twp.: Range: Base:

Within 2 Miles: State Hwy #: SR 246, SR 101

Waterways: Zaca Creek, santa Ynez River

Airports: --

Railways: --

Schools: Jonata MS, Oak Valley

Document Type:

- CEQA: [ ] NOP [ ] Draft EIR [ ] Early Cons [ ] Supplement/Subsequent EIR [ ] Neg Dec [ ] Mit Neg Dec [ ] NEPA: [ ] NOI [ ] EA [ ] 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: Devt Plan

Development Type:

- [x] Residential: Units 54 Acres Employees [ ] Transportation: Type Mineral [ ] Office: Sq.ft. Acres Employees [ ] Mining: Mineral [ ] Commercial: Sq.ft. Acres Employees [ ] Power: Type MW [ ] Industrial: Sq.ft. 74,742 Acres Employees [ ] Waste Treatment: Type MGD [ ] Educational: [ ] Hazardous Waste: Type [ ] Recreational: [ ] Other: [ ] Water Facilities: Type MGD

Project Issues Discussed in Document:

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

Present Land Use/Zoning/General Plan Designation:

Vacant/M (Industrial)/M

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

Final Development Plan (16-FDP-06) and Tentative Tract Map (TTM 31061) for Airspace Condominium Purposes: 50 Apartment units and a community center in three buildings; 46,676 square feet of industrial space in 4 buildings; 28,066 square feet of office/business space in 2 buildings with 4 rooftop residential units; 316 parking spaces; dedicated open space with public trails; and restoration of Zaca Creek

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.

Attachment 3

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X". If you have already sent your document to the agency please denote that with an "S".

- Air Resources Board
Boating & Waterways, Department of
California Emergency Management Agency
California Highway Patrol
S Caltrans District #5
Caltrans Division of Aeronautics
Caltrans Planning
Central Valley Flood Protection Board
Coachella Valley Mtns. Conservancy
Coastal Commission
Colorado River Board
Conservation, Department of
Corrections, Department of
Delta Protection Commission
Education, Department of
Energy Commission
S Fish & Game Region #5
Food & Agriculture, Department of
Forestry and Fire Protection, Department of
General Services, Department of
Health Services, Department of
Housing & Community Development
S Native American Heritage Commission

- Office of Historic Preservation
Office of Public School Construction
Parks & Recreation, Department of
Pesticide Regulation, Department of
Public Utilities Commission
S Regional WQCB #3
Resources Agency
Resources Recycling and Recovery, Department of
S.F. Bay Conservation & Development Comm.
San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
San Joaquin River Conservancy
Santa Monica Mtns. Conservancy
State Lands Commission
SWRCB: Clean Water Grants
SWRCB: Water Quality
SWRCB: Water Rights
Tahoe Regional Planning Agency
Toxic Substances Control, Department of
Water Resources, Department of
Other:
Other:

Local Public Review Period (to be filled in by lead agency)

Starting Date December 19, 2017 Ending Date January 18, 2018

Lead Agency (Complete if applicable):

Consulting Firm: Applicant: Gavin Moores
Address: 10 East Yanonali Street, STE 2B
City/State/Zip: Santa Barbara, CA 93101
Contact: Phone: 805-692-4701
Phone:

Signature of Lead Agency Representative: [Signature] Date: 12/19/17

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

## Attachment 3



### **PUBLIC NOTICE OF AVAILABILITY OF ENVIRONMENTAL DOCUMENT DRAFT MITIGATED NEGATIVE DECLARATION CITY OF BUELLTON**

Notice is hereby given that a draft Mitigated Negative Declaration has been prepared for the below described project in accordance with the provisions of the California Environmental Quality Act of 1970, as set forth in the Public Resources Code, Sections 21000 et. seq., as amended. As a result of the project, no significant environmental impacts have been identified.

1. Environmental Document No: 17-MND-03
2. Applicant: Gavin Moores, (applicant and Peter Hauber (owner)
3. Project Description:
  - A. Project Title: The Hub (BUE 17) (16-FDP-06 and TTM 31061)
  - B. Assessor's Parcel Number: 099-690-048
  - C. Location: southeast terminus of Industrial Way
  - D. Project Description:

The proposed project consists of a Final Development Plan (16-FDP-06) and Tentative Tract Map (TTM 31061) for Airspace Condominium Purposes for a mixed use project with the following uses:

- 50 Apartment units and a community center in three buildings. There is a mix of 1 and 2 bedroom units
- 46,676 square feet of industrial space in 4 buildings
- 28,066 square feet of office/business space in 2 buildings with 4 rooftop residential units
- 316 parking spaces
- Dedicated open space with public trails and paths
- Restoration of Zaca Creek

The draft Mitigated Negative Declaration and all referenced documents may be reviewed beginning on December 19, 2017 at the City of Buellton Planning Department, 107 W. Highway 246, Buellton, CA 93427, Phone No. (805) 688-7474, FAX No. (805) 686-1729; at the Buellton Public Library, 140 West Highway 246, Buellton, CA 93427; and on the City's website, [www.cityofbuellton.com](http://www.cityofbuellton.com) . Written comments on the draft Mitigated Negative Declaration will be accepted during the period from **December 19, 2017 through January 18, 2018**. Please submit comments on or before 5:00 p.m. on January 18, 2018, the close of the written public comment period. The project is scheduled for a Planning Commission **public hearing on January 18, 2018**.

Marc P. Bierdzinski, Planning Director  
Newspaper Publish Date: December 14, 2017

Attachment 3

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- Appendix A – Project Vicinity Map
- Appendix B – Project Plans
- Appendix C – Plant List
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## Attachment 3

# INTRODUCTION

### LEGAL AUTHORITY

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

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

- (1) To provide the Lead Agency with the necessary information to decide whether to prepare an Environmental Impact Report (EIR) or a Mitigated Negative Declaration;
- (2) To enable the Lead Agency to modify a project, mitigating adverse impacts, thus avoiding the need to prepare an EIR; and
- (3) To provide sufficient technical analysis of the environmental effects of a project to permit a judgment based on the record as a whole, that the environmental effects of a project have been adequately mitigated.

### IMPACT ANALYSIS AND SIGNIFICANCE CLASSIFICATION

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

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

Attachment 3  
**INITIAL STUDY**

**PROJECT TITLE**

Buellton Hub – APN 099-690-048  
Final Development Plan (16-FDP-06), Tentative Map 31061, and Mitigated Negative Declaration (17-MND-03)

**LEAD AGENCY and CONTACT PERSON**

City of Buellton Planning Department  
P.O. Box 1819  
Buellton, CA 93427  
*Contact:* Marc Bierdzinski, Planning Director, (805) 688-7474

**PROJECT APPLICANT AND OWNER**

*Applicant:*  
Gavin Moores  
10 E. Yanonali Stret, STE 2B  
Santa Barbara, CA 93101

*Owner:*  
Peter Hauber  
2660 Janin Way  
Solvang, CA 93463

**PROJECT SITE CHARACTERISTICS**

**Location and Surrounding Land Uses:** The 17.22-acre property is located east of Industrial Way and adjoining the Santa Ynez River to the south (Appendix A – Vicinity Map). The property consists of one parcel (Assessor’s Parcel Number 099-690-048). The property is currently vacant. An existing residential mobile home park in a MHP zone is located to the north. A golf course and single family residences exist to the east with a zoning of PRD-OS and PRD. Industrial uses are located to the west in an M zone. The Santa Ynez River located outside the City Limits is located to the south of the project site.

**Existing General Plan Designation (Land Use Category) and Zoning:** The proposed developed portion of the site has a General Plan designation of Industrial with a corresponding zoning of M (Industrial). The remaining portion of the site containing Zaca Creek and the floodplain of the Santa Ynez River has a General Plan designation of Open Space, Parks and Recreation, with a corresponding zoning of OS (Open Space)..

## Attachment 3

### PROJECT DESCRIPTION

The proposed project consists of a Final Development Plan (16-FDP-06) and Tentative Map for Airspace Condominium Purposes (31061) for a mixed use project with the following uses:

- 50 Apartment units and a community center in three buildings. There is a mix of 1 and 2 bedroom units
- 46,676 square feet of industrial space in 4 buildings
- 28,066 square feet of office/business space in 2 buildings with 4 rooftop residential units
- 316 parking spaces
- Dedicated open space with public trails and paths
- Restoration of Zaca Creek

The project plans are included in Appendix B.

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

None.

### REFERENCES

This Initial Study was prepared using the following information sources:

- Application Materials;
- Field Reconnaissance;
- Buellton General Plan;
- Buellton Municipal Code;
- Buellton Zoning Ordinance;
- General Plan EIR;
- December 2016 Air Quality Analysis from Rincon Consultants
- December 16, 2016 Soils Report. Geosolutions, Inc.
- Departmental and Public Agency Consultations
- Associated Transportation Engineers. *Traffic Impact Study*. July 18, 2017.
- State Water Resources Control Board. *Revenue Programs Guideline Appendix G*. 1998
- December 16, 2016, as Revised June 9, 2017, Biological Resources Memo from Dudek
- May 10, 2017, Biological Peer Review from Rincon Consultants
- July 20, 2017, comments from the Santa Ynez Band of Mission Indians as part of the AB52 consultation
- RRM Design Group. *Preliminary Hydrology and Flood Study Report*. June 9, 2017.

### Attachment 3

## ENVIRONMENTAL DETERMINATION

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

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology / Soils
<input checked="" type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Land Use / Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input checked="" type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Utilities / Service Systems	<input type="checkbox"/> Tribal Cultural Resources	<input checked="" type="checkbox"/> Greenhouse Gas Emiss.
<input checked="" type="checkbox"/> Mandatory Findings of Significance		

On the basis of this initial evaluation:

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

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

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

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

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

\_\_\_\_\_  
 Marc P. Bierzinski  
 Environmental Officer  
 City of Buellton

\_\_\_\_\_  
 Date

## Attachment 3

### EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a Lead Agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses and references are discussed at the end of the checklist.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The analysis of each issue should identify:
  - a) the significance criteria or threshold used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance

### Attachment 3

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

a., b. Scenic Vistas/Resources: No roadways in the project area are designated as state or local scenic highways. No scenic aspects are associated with the property and development of the project would not block any scenic vistas from other properties since it is an infill project located below the grade of surrounding properties. No impacts would result.

c. Visual Quality: Development of the project site would result in a new building, parking areas, habitat restoration, and landscaping that would replace a vacant parcel bounded on the north, east and west by existing development. The architecture of the proposed project is considered Agrarian as defined in the City's Community Design Guidelines.

The proposed project intends to reduce the potential effects of a monolithic buildings through use of façade variation, material and plane changes, architectural details.

The impact is considered less than significant for the following reasons: 1) the project conforms to the design requirements of the Community Design Guidelines; and 2) this is an infill project within an area designated for industrial uses under the existing General Plan.

d. Light and Glare: The project site currently has no lighting or nighttime activity that is lighted. Current lighting sources surrounding the project site include sporadic lighting from adjacent residential and industrial uses. As part of the proposed project, outdoor downward directed lighting is proposed. The project includes a photometric lighting plan, which shows onsite fixtures and the intensity of lighting at the site boundaries. Implementation of the proposed project would result in additional lighting that could be visible from the nearby uses and habitat areas.

The project would be required to adhere to Zoning Ordinance requirements for dark sky compliant lighting. The project would include a variety of downward directed light poles, bollards, and wall-mounted fixtures. All specified lighting will be energy efficient, and parking lot lighting is shown to be decorative in nature. Lighting intensity at the property lines would not exceed 0.3 foot-candles, which is within City requirements, and would not adversely affect the existing residential area. Lighting intensities at the southern portion of the site, at the edge of development, would produce 0.0 foot candles, meaning that there would be no light intrusion into the Santa Ynez River habitat area. Impacts would be less than significant.

**Findings and Mitigation:** Impacts would be less than significant, so no mitigation is required.

### Attachment 3

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

- a. through e. Farmland, Forest Land, Timberland: The site is an urban infill site and is not designated as farmland in the City’s General Plan, or Zoning Ordinance. The property is not in a Williamson Act contract.

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

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

The air quality section has been prepared by Rincon Consultants on contract to the City of Buellton. All data used in the creation of this section is on file at the Buellton Planning

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Department and is hereby incorporated by reference into this Initial Study. Table numbers shown are in correspondence to the original Air Quality Report prepared by Rincon Consultants.

### Setting

The federal and state Clean Air Acts (42 United States Code §7401 *et seq.* and the California Health and Safety Code §40910, *et seq.*) empower federal and state governments to regulate emissions of airborne pollutants and have established ambient air quality standards for the protection of public health. The U.S. Environmental Protection Agency (EPA) is the federal agency designated to administer federal air quality regulation, while the California Air Resources Board (ARB) is the state equivalent and operates under the auspices of the California Environmental Protection Agency (CalEPA). Local control in air quality management is provided by the ARB through county-level or regional (multi-county) air pollution control districts. The ARB establishes statewide air quality standards and is responsible for enforcing standards and regulating stationary sources. The ARB has established 15 air basins statewide.

The City of Buellton is located within the South Central Coast Air Basin (SCCAB), which includes all of San Luis Obispo, Santa Barbara, and Ventura counties and is within the jurisdiction of the Santa Barbara County Air Pollution Control District (SBCAPCD). The climate of SCAAB is strongly influenced by its proximity to the Pacific Ocean and the location of the semi-permanent high-pressure cell in the northeastern Pacific. With a Mediterranean-type climate, the area is characterized by warm, dry summers and cool winters with occasional rainy periods. Annual precipitation averaged 22 inches per year between 1981 and 2010, with most rainfall between November and March. Average monthly temperatures range from a high of 92 degrees Fahrenheit (°F) in August to a low of 38°F in December (U.S. Climate Data, 2016).

Federal and state standards have been established for six criteria pollutants, including ozone (O<sub>3</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), particulate matter less than 10 and 2.5 microns in diameter (PM<sub>10</sub> and PM<sub>2.5</sub>), and lead (Pb). California air quality standards are identical to or stricter than federal standards for all criteria pollutants.

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

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

- *Emit (from all project sources, both stationary and mobile) less than the daily trigger for offsets or Air Quality Impact Analysis set in the APCD New Source Review Rule<sup>1</sup>, for any*

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<sup>1</sup> The APCD New Source Review Rule as it existed at the time the APCD Environmental Review Guidelines were

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*pollutant (i.e., 240 pounds/day for ROC or NO<sub>x</sub>; and 80 lbs/day for PM<sub>10</sub>. There is no daily operational threshold for CO; it is an attainment pollutant<sup>2</sup>); and*

- *Emit less than 25 lbs/day of NO<sub>x</sub> or ROC from motor vehicle trips only; and*
- *Not cause or contribute to a violation of any California or National Ambient Air Quality Standard (except ozone); and*
- *Not exceed the APCD health risk public notification thresholds adopted by the APCD Board (10 excess cancer cases in a million for cancer risk and a Hazard Index of more than one (1.0) for non-cancer risk; and*
- *Be consistent with the latest adopted federal and state air quality plans for Santa Barbara County.*

The SBCAPCD has not adopted quantitative thresholds of significance for construction emissions since such emissions are temporary. However, according to the SBCAPCD's *Scope and Content of Air Quality Sections in Environmental Documents* (April 2015b), construction-related NO<sub>x</sub>, reactive organic compounds (ROC), PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from diesel and gasoline powered equipment, paving, and other activities, should be quantified. SBCAPCD uses 25 tons per year for all pollutants except CO as a guideline for determining the significance of construction impacts. In addition, standard dust control measures must be implemented for any discretionary project involving earth-moving activities, regardless of size or duration. According to the SBCAPCD, proper implementation of these required measures reduces fugitive dust emissions to a level that is less than significant (SBCAPCD, April 2015b). Therefore, all construction activity would be required to incorporate the SBCAPCD requirements pertaining to minimizing construction-related emissions.

### Impact Analysis

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

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

According to SBCAPCD's *Scope and Content of Air Quality Sections in Environmental Documents* (April 2015b), projects that involve population growth above the amount forecasted for that jurisdiction would be considered inconsistent with the Clean Air Plan and may have a significant impact on air quality. Commercial and industrial projects would be consistent with

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adopted (in October, 1995).

<sup>2</sup> Due to the relatively low background ambient CO levels in Santa Barbara County, localized CO impacts associated with congested intersections are not expected to exceed the CO health-related air quality standards. Therefore, CO "Hotspot" analyses are not required.

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the CAP if they are consistent with APCD rules and regulations. The project would include 50 ancillary employee housing apartments and a total of 4 rooftop residential units. Assuming that one person would live in each available bedroom and half of the 50 units are 1-bedroom units and half are 2-bedroom units with 4 rooftop 2-bedroom units, the project would increase the population by approximately 83 people. The City of Buellton has a total population of 5,129 persons (California Department of Finance 2017) and with the project contributing potentially 83 persons, the total population would increase to 5,212 persons. The SBCAG forecast for Buellton is 5,550 by the year 2020, which is a 2.66 percent increase in population over the next three years. The project would not cause the City's population to exceed the projection for 2020. Therefore, the project would be consistent with the growth forecasts contained in the 2013 Clean Air Plan. Furthermore, the project would be required to implement SBCAPCD's standard dust control measures and would not be inconsistent with APCD rules and regulations. If individual tenants proposed the use of stationary equipment, impacts would be reviewed as part of the Tenant Improvements application and the tenant would be required to obtain an Authority to Construct Permit and a Permit to Operate per SBCAPCD Rule 809, or an exemption (Exemption Request Form APCD 38B, 38D, or 50). Therefore, the project would be consistent with APCD rules and regulations and impacts would be *less than significant*.

b, c) Air pollutant emissions associated with the project were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.1. To provide a conservative calculation of air pollutant emissions, modeling takes into account compliance with SBCAPCD Rule 329 (Cutback and Emulsified Asphalt Paving Materials), which restricts the percent by volume of ROCs in asphalt material, Rule 323.1 (Architectural Coatings), which restricts percent by volume of ROCs in architectural coatings, or Rule 345, which regulates fugitive dust for any activity associated with construction.

Construction Emissions. Construction of the project would generate temporary air pollutant emissions associated with fugitive dust (PM<sub>10</sub> and PM<sub>2.5</sub>), exhaust emissions from heavy construction vehicles and ROC that would be released during the drying phase after application of architectural coatings. These emissions would be reduced through implementation of the required SBCAPCD dust and emissions control measures.

Construction would generally consist of site preparation, grading, and building construction, as well as paving and architectural coating. Architectural coatings were assumed to be applied to the interiors and exteriors of all proposed buildings, as well as the parking lot. The project would also preserve and restore over 4 acres of natural habitat.

Project construction was assumed to begin in January 2018 and conclude in mid-2019, based on an applicant provided construction schedule of 19 months. Based on grading plans, the project would disturb approximately 13 acres and require a net import of 12,500 cubic yards (cy). The CalEEMod results are available in Appendix A. Air Quality Table 1 summarizes the estimated maximum daily construction emissions of ROC, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub>. Air Quality Table 2 summarizes these emissions relative to the SBCAPCD recommended significance thresholds in tons per year.

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**Air Quality Table 1**

**Estimated Construction Maximum Daily Air Pollutant Emissions (lbs/day)**

Year	ROC	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
2018	6.1	74.1	43.5	10.8	6.9
2019	121.5	32.8	29.6	3.6	2.0

*Notes: All calculations were made using CalEEMod. See Appendix A for calculations. Site Preparation, Grading, Paving, Building Construction and Architectural Coating totals include worker trips, construction vehicle emissions and fugitive dust.*

**Air Quality Table 2**

**Estimated Construction Maximum Daily Air Pollutant Emissions (tons/year)**

Year	ROC	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
2018	0.6	5.2	3.9	0.6	0.3
2019	1.7	1.7	1.4	0.2	0.1
<b>Maximum Emissions (tons/year)</b>	2.3	6.9	5.3	0.8	0.4
<b>Threshold</b>	25	25	None	25	25
<b>Threshold Exceeded?</b>	No	No	n/a	No	No

*Notes: See Appendix A for calculations. Site Preparation, Grading, Paving, Building Construction and Architectural Coating totals include worker trips, construction vehicle emissions and fugitive dust.*

As shown in Air Quality Table 2, construction emissions would not exceed the recommended thresholds for any criteria pollutant. Nonetheless, the SBCAPCD requires implementation of dust control measures for all projects involving earthmoving activities. With implementation of standard dust control measures, temporary construction emissions would be further reduced. SBCAPCD Rule 345 regulates fugitive dust for any activity associated with construction or demolition of structures. The proposed project would be required to comply with Rule 345, as described below, which would ensure that construction emissions would be *less than significant*.

- No person shall engage in any construction or demolition activity or earth moving activities subject to this rule in a manner that causes discharge into the atmosphere beyond the property line visible dust emissions of 20% opacity or greater for a period or periods aggregating more than 3 minutes in any 60 minute period.
- No person, including facility or site owner or operator of source, shall load or allow the loading of bulk materials or soil onto outbound trucks unless at least one of the following dust prevention techniques is utilized:
  - Use properly secured tarps or cargo covering that covers the entire surface area of the load or use a container-type enclosure.
  - Maintain a minimum of 6 inches of freeboard below the rim of the truck bed where the load touches the sides of the cargo area and ensure that the peak of the load does not extend above any part of the upper edge of the cargo area.
  - Water or otherwise treat the bulk material to minimize loss of material to wind or spillage.
  - Other effective dust prevention control measures approved in writing by the Control Officer.

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- *Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out shall be controlled as outlined below:*
  - *Visible roadway dust shall be minimized by the use of any of the following track-out/carry-out and erosion control measures that apply to the project or operations: 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*
  - *Visible roadway dust shall be removed at the conclusion of each work day when bulk material removal ceases, or every 24 hours for continuous operations. If a street sweeper is used to remove any track-out/carry-out, only a PM<sub>10</sub>-Efficient Street Sweeper shall be used. The use of blowers for removal of track-out/carry-out is prohibited.*

On-Site Operational Emissions. The majority of project-related operational emissions would be due to vehicle trips to and from the site. Potential operational emissions were estimated using CalEEMod and are based on trip generation rates from the Traffic and Circulation Study prepared for the project by Associated Transportation Engineers (April 2017). Air Quality Table 3 summarizes the projected emissions associated with operation of the proposed project. This includes emissions generated by vehicles traveling to and from the site, as well as emissions due to energy use (electricity), and long-term, low-level architectural coating emissions as the proposed structures are repainted over the life of the project (area sources). The project's use of high efficiency LED lighting was taken into account in CalEEMod. The project would increase land use diversity and density in the vicinity of the project site by introducing a mixed use campus of businesses, light industrial and manufacturing uses, and ancillary employee housing apartments with a community center. The project would reduce commuter trips and associated vehicle miles traveled (VMT) because employees would have housing options on the project site within walking distance of their workplace. A reduction in VMT as a result of land use diversity and density was taken into account in the emissions modeling for the project. As shown in Table 3, operational emissions from the project would be below applicable SBCAPCD thresholds for ROC, NO<sub>x</sub>, and PM<sub>10</sub>. The project's long-term regional air quality impacts would be *less than significant*.

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**Air Quality Table 3  
Project Operational Emissions (lbs/day)**

Emission Source	ROC	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Mobile	2.5	7.9	23.3	3.1	0.9
Energy (Natural Gas and electricity)	0.1	0.5	0.4	<0.1	<0.1
Area (Consumer Products and Architectural Coating)	3.7	0.1	4.2	<0.1	<0.1
<b>Total Mobile + Area Emissions</b>	<b>6.3</b>	<b>8.5</b>	<b>27.9</b>	<b>3.1</b>	<b>0.9</b>
<i>Threshold: Total Emissions (Mobile and Area Sources)</i>	240	240	None	80	None
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>n/a</b>	<b>No</b>	<b>n/a</b>
<i>Threshold: Total Emissions (Mobile Sources Only)</i>	25	25	None	None	None
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>n/a</b>	<b>No</b>	<b>n/a</b>

Source: See Appendix A for CalEEMod output.

d) Certain population groups are considered more sensitive to air pollution than others. Sensitive population groups include children, the elderly, the acutely ill, and the chronically ill, especially those with cardio-respiratory diseases. Residential uses are also considered sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Sensitive receptors near the project site include Rancho de Maria, a residential community approximately 160 feet west of the project site and Rivergrove Mobile Home Park, approximately 205 feet north of the project site. In addition, the project includes residential development, which would introduce sensitive receptors within the project site.

The project would not expose sensitive receptors to substantial pollutant emissions, since the project's construction and operational emissions are below recommended thresholds. The proposed residences and office buildings are not sources of toxic air contaminants and would be compatible with nearby residential uses. Additionally, there are no significant risk facilities within Santa Barbara County; therefore, the project would not locate proposed residences near a facility operation that emits toxic air contaminants that pose health risks at levels that exceed SBCAPCD's thresholds (SBCAPCD website, N.D.). Furthermore, due to the relatively low background ambient CO levels in Santa Barbara County, localized CO emissions associated with congested intersections would not exceed the CO health-related air quality standards.

While potential users of the light industrial and manufacturing space may require stationary equipment, no stationary source equipment is proposed at this time. If individual tenants

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proposed the use of stationary sources, associated emissions would be reviewed as part of the Tenant Improvements application and equipment would be required to obtain an Authority to Construct Permit and a Permit to Operate per SBCAPCD Rule 809. As part of the application process the tenant would need to submit an Air Quality Impact Analysis (AQIA) report that demonstrates to the satisfaction of the SBCAPCD that stationary source emissions would not exceed SBCAPCD’s Rule 202.D.16 offset thresholds, or cause a violation of or interfere with the attainment of any national or state ambient air quality standard, which are designed to be protective of public health. Furthermore, the associated health risks of any proposed stationary equipment would be evaluated by SBCAPCD pursuant to the Air Toxics “Hot Spots” Information and Assessment Act of 1987 (Assembly Bill 2588). If emissions result in health risk exceedances for workers, or on-site and off-site residences, mitigation to reduce health risks to below APCD thresholds would be required prior to permit issuance. Therefore, impacts to sensitive receptors would be *less than significant*.

e) The uses proposed for the project would not result in substantial objectionable odors. The proposed residences and office buildings are not odor-generating uses and would be compatible with the nearby residential uses to the east. While the proposed light industrial and manufacturing uses may generate odors depending on future tenants, these uses would be approximately 300 feet from the nearest sensitive receptor (residences to the east). Facility maintenance (e.g. regulary scheduled waste pickup) would address and reduce potential odors generated by the tenents. In addition, SBCAPCD Rule 303 regulates nuisance, including odors. The proposed project would be required to comply with Rule 303, as described below, which would reduce odor impacts to existing off-site residences and proposed on-site residences.

- *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.*

Due to the distance between proposed light industrial builings and off-site residents, the facility providing maintenance and upkeep, and compliance with SBCAPCD Rule 303, the project would not expose existing or proposed sensitive receptors to objectionable odors. Impacts would be *less than significant*.

**Findings and Mitigation:** All impacts, with the inclusion of the conditions of approval related to fugitive dust, would be less than significant without mitigation.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
<b>IV. <u>BIOLOGICAL RESOURCES</u> – Would the project result in:</b>				
a) Have a substantial adverse effect on any species identified as a candidate, sensitive, or		X		

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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
<b>IV. <u>BIOLOGICAL RESOURCES</u> – Would the project result in:</b>				
special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c) Have a substantial effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

A through f) The Biological Resources section has been summarized from the following sources:

- Revised Biological Resources Memo for the Buellton Hub, Dudek, December 16, 2016 (Revised June 9, 2017)
- Peer Review of the Biological Resources for the Buellton Hub Project, Rincon Consultants, May 10, 2017

Both reports are available for review and on file at the Buellton Planning Department and are hereby incorporated by reference into this Initial Study.

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### Setting

The biological analysis is based on a recent field surveys, agency meetings, a peer review of the Pope Property Biological Resources Assessment and Wetland Delineation (APN 099-690-048) Buellton, Santa Barbara County, California (Rincon 2006), and a site plan review. Biology Figure 1 is the biological constraints map of the property.

### *Literature Review*

Prior to the site survey, the location of documented sensitive vegetation communities, special-status plant species, and special-status wildlife species present near the Project site and that have potential to occur on-site were identified through a query of the California Natural Diversity Database (CNDDDB; CDFW 2016) and U.S. Fish and Wildlife Service (USFWS 2016). Biology Figure 2 shows the results within a 5-miles radius of the property. Additional data sources were also referenced including the California Native Plant Society's online Inventory of Rare and Endangered Plants (CNPS 2016a), and the on-line database Calflora: Information about California Plants for Education, Research and Conservation (Calflora 2016). A six U.S. Geological Survey 7.5-minute quadrangle of the project site was queried for sensitive biological resources instead of the standard nine U.S. Geological Survey 7.5-minute quadrangle maps since the habitats south of the Project vary greatly from the Project site. Additional literature reviewed included review of Pope Property Biological Resources Assessment and Wetland Delineation (APN 099-690-048) Buellton, Santa Barbara County, California (Rincon 2006).

### *Field Surveys*

Dudek conducted a reconnaissance-level field survey and wetland delineation review in October of 2016 to assess the existing biological conditions, conduct vegetation mapping, and a habitat assessment for special-status plant and special-status wildlife species, and delineate top-of-bank of Zaca Creek. In 2017, Dudek initiated focused and protocol surveys for rare plant species, the least Bell's vireo, and southwestern willow flycatcher. Additionally, Dudek revisited top-of-bank and edge of riparian along the entire on-site segment of Zaca Creek and conducted a wetland delineation at the bridge crossing. The focused and protocol surveys are currently on-going, while the field work for the wetland delineation is complete for the bridge site.

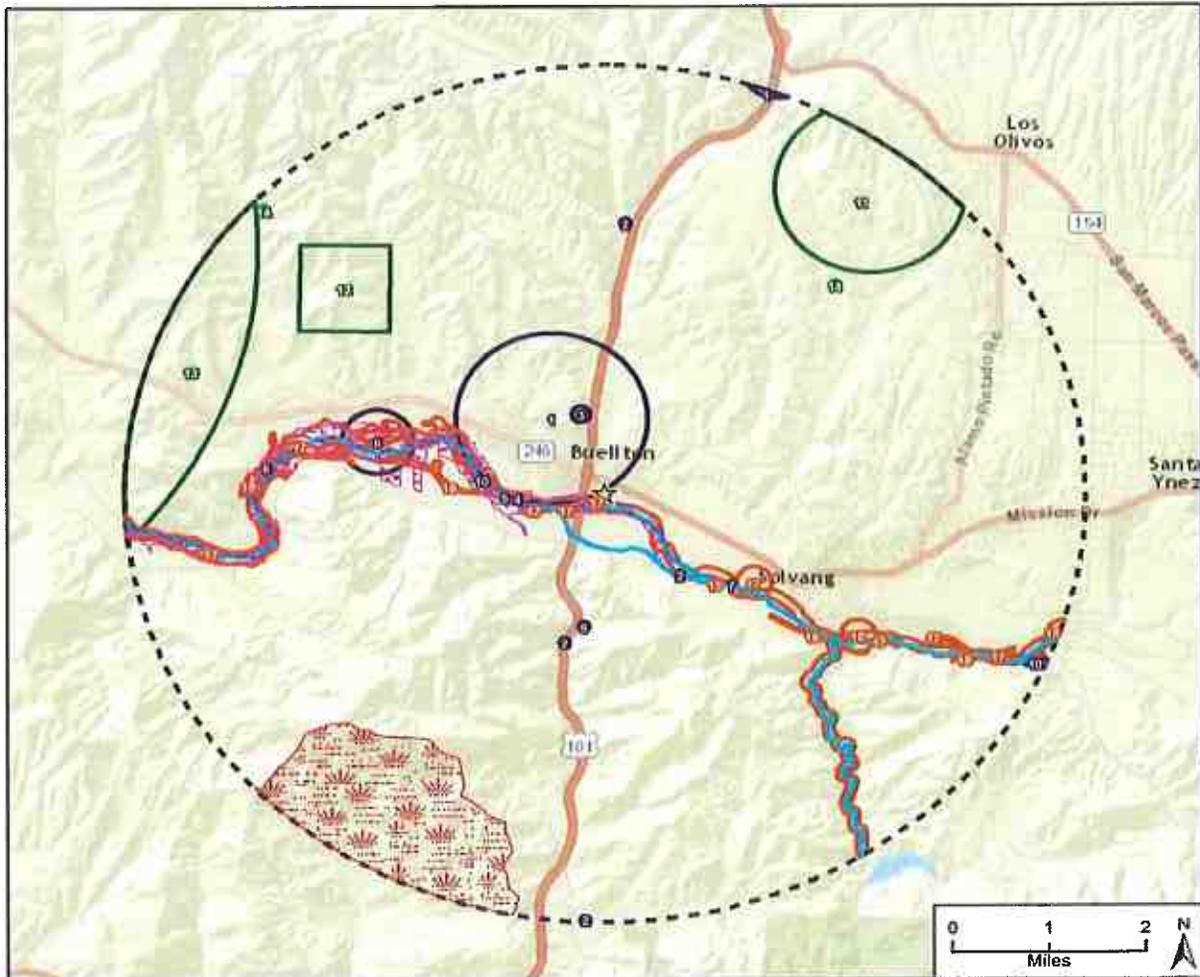
Vegetation mapping was performed in the field, based on the Manual of California Vegetation, Second Edition (Sawyer et al. 2009) through interpretation of field maps with a high quality aerial photographic base (Bing Maps 2016). Dudek GIS technician later digitized the delineated vegetation boundaries from field efforts. Vegetation mapping covered all areas within the Project site.

Dudek conducted the first of two seasonally timed floristic surveys on April 6, 2016, throughout the proposed development and property. A Dudek biologist familiar with the target special-status plant species and general flora of the coastal Santa Barbara County region conducted the floristic surveys in accordance with the USFWS, CDFW, and CNPS guidelines (USFWS 2000; CDFW 2009; CNPS 2001). During the surveys, if a special-status species was observed, the occurrence was mapped using a Trimble GPS unit with sub-meter accuracy.



Biology Figure 1 – Biological Constraints

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Imagery provided by ESRI and its licensors © 2016. Special status species data source: California Natural Diversity Database, November, 2016. For more information please contact the Department of Fish and Game. Critical habitat data source: U.S. Fish and Wildlife Service, June, 2016. Final critical habitat acquired via the USFWS Critical Habitat Portal. It is only a general representation of the data and does not include all designated critical habitat. Contact USFWS for more specific data.

- |                                  |   |
|----------------------------------|---|
| ★ Project Location               | 1 - American badger                             |
| --- 5 Mile Buffer                | 2 - California red-legged frog                  |
| <b>CNDDB</b>                     | 3 - ferruginous hawk                            |
| □ Animals                        | 4 - least Bell's vireo                          |
| □ Plants                         | 5 - pallid bat                                  |
| □ Natural Communities            | 6 - southwestern willow flycatcher              |
| <b>Critical Habitat</b>          | 7 - steelhead - southern California DPS         |
| □ California red-legged frog     | 8 - Townsend's big-eared bat                    |
| □ Southwestern willow flycatcher | 9 - two-striped gartersnake                     |
| □ Steelhead                      | 10 - western pond turtle                        |
|                                  | 11 - Hoover's bent grass                        |
|                                  | 12 - Miles' milk-vetch                          |
|                                  | 13 - Santa Ynez groundstar                      |
|                                  | 14 - southern curly-leaved monardella           |
|                                  | 15 - Southern California Steelhead Stream       |
|                                  | 16 - Southern Coast Live Oak Riparian Forest    |
|                                  | 17 - Southern Cottonwood Willow Riparian Forest |
|                                  | 18 - Southern Willow Scrub                      |

Biology Figure 2

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Plant species bloom at slightly different times each year, depending on temperature, rainfall patterns, elevation, and other environmental factors. Reference population checks involve locating known populations of special-status plant species during a timeframe when they are known to be blooming or exhibit other phenological characteristics that allow for species identification. Dudek biologists also visited reference sites for special-status plants with potential to occur on the project site.

Native and naturalized plant species encountered during the surveys were identified and recorded. Scientific and common names for plant species with a California Rare Plant Rank (formerly CNPS List) follow the California Native Plant Society On-Line Inventory of Rare, Threatened, and Endangered Plants of California (CNPS 2016). For plant species without a California Rare Plant Rank, Latin names follow the Jepson Interchange List of Currently Accepted Names of Native and Naturalized Plants of California (Jepson Flora Project 2016) and common names follow the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Plants Database (USDA 2016).

A review of Rincon's (2006) wetland delineation report was performed in the field documenting current site conditions along Zaca Creek. The top-of-bank and edge of riparian canopy were mapped in the field through interpretation of field maps with a high quality aerial photographic base and delineated using a Trimble Geo XT global positioning system unit capable of sub-meter accuracy.

Dudek revisited the site on March 20 and 27, 2017, to inspect top of bank and correct, as necessary. During the site visit, a wetland delineation was conducted at two proposed bridge location (currently one bridge), including a buffer, between Industrial Way and the project site. Dudek also assisted with identifying an appropriate bridge style to avoid impacts to Zaca Creek.

Habitat characteristics observed in the field were compared with characteristics of habitat known to be occupied by special-status plant species and special-status wildlife species potentially occurring on the Project site as documented in the literature (i.e., CNDDDB (CDFW 2016), USFWS (2016) and Rincon (2006)).

Dudek initiated U.S. Fish and Wildlife Service (USFWS) protocol surveys for the least Bell's vireo (LBVI, *Vireo bellii pusillus*) on May 16, 2017, and the southwestern willow flycatcher (SWFL, *Empidonax traillii extimus*) on May 26, 2017, both federally- and state- listed species, to determine the presence or absence of these species on the property. Protocol surveys are following the USFWS protocol for LBVI (USFWS 2001) and SWFL (Sogge et al. 2010). All riparian habitats determined to be potentially suitable as nesting habitat for these species and within 500 feet of the Project site will be surveyed for an estimated total of 22 acres (9 hectares) of suitable LBVI and SWFL habitat. A total of 8 surveys will be conducted to cover both species; currently three surveys have been completed for the least Bell's vireo and two for the southwestern willow flycatcher.

Field surveys for special-status species were conducted on a habitat suitability level (i.e., potential to occur) and did not follow established guidelines or focus on a particular species. Additionally, responsible or trustee agency (i.e., USFWS and CDFW) developed protocol surveys or guidelines were not conducted as part of this biological assessment survey. However, all special-status species observed were documented along with occupied habitat(s). Surveys were conducted during daylight hours under weather conditions that allowed for quality

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biological observations (e.g., surveys were not conducted during heavy fog or rain); however, the fall time of surveys precluded the observation of many species not active (i.e., breeding birds, herpetofauna, etc.) or evident (i.e., annual plants). Additionally, there was an approximately 5 acre fire that burned on May 23, 2017 in the grassland portion of the site, just north of the Santa Ynez River riparian habitat. The fire was initiated by an individual welding outdoors near dried vegetation along Industrial Way and Zaca Creek. A very small portion of Zaca Creek was burned, however, the fire primarily burned the grassland vegetation in the central to southern portion of the Project site.

#### *Vegetation Communities and Wildlife Habitats*

A total of six general land cover types were mapped during field surveys, five of which are vegetation communities identified in Sawyer et al. (2009) and CDFG (2010): annual brome grassland, coyote brush scrub, arroyo willow thickets, blue elderberry stands, and mulefat thickets, as shown in the figure in Biology Figure 1. One additional land cover type, parks and ornamental plantings, was mapped. The vegetation communities and other land cover types are listed in Biology Table 1 and further described below.

**Biology Table 1  
Summary of Vegetation Communities and Land Cover Types**

Physiognomic Category	General Habitat	Vegetation Communities	Rarity Ranking State/City
Herbaceous Alliances and Stands	Grassland	Annual Brome Grassland (Semi-Natural Stand)	-/-
Shrubland Alliances and Stands (Uplands)	Coastal Scrub	Coyote Brush Scrub	S5/-
Shrubland Alliances and Stands (Riparian)	Riparian Scrub	Arroyo willow thickets	S4/Protected
		Blue elderberry stands	S3/Protected
		Mulefat thickets	S4/Protected
Other Habitats	-	Parks and Ornamental Plantings	NA

**Notes:**

- Does not apply

<sup>1</sup> - State rank in accordance with Sawyer et al. (2009) current rarity ranking (CNPS 2106b)

NA - Not identified as a vegetation community in Sawyer et al. (2009)

State Rank - the alliance's rarity and threat in California.

S3: 21-100 viable occurrences statewide, and more than 2,590-12,950 hectares

S4: Greater than 100 viable occurrences statewide, and/or more than 12,950 hectares

S5: Demonstrably secure because of its statewide abundance

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Sensitive vegetation communities include wetland and riparian communities, as well as those communities that CDFW has identified (CDFG 2010) as a high priority for inventory due to rarity or threat (ranked S1, S2, or S3). In addition, the City designates riparian habitat as a special-status community (City of Buellton 2015). Therefore, the following vegetation communities are considered sensitive.

Arroyo willow thickets alliance is ranked by CDFG (2010) as a S4 community (CNPS 2016a), indicating it is “apparently secure” within California. However, arroyo willow thickets alliance is considered sensitive as a riparian vegetation community, and is considered a riparian habitat per the City (City of Buellton 2015), when adjacent to a creek.

Blue elderberry stands are ranked by CDFG (2010) as a S3 community (CNPS 2016a), indicating it is vulnerable statewide. Additionally, blue elderberry stands alliance is considered special-status as a riparian vegetation community, and is considered a riparian habitat per the City (City of Buellton 2015), when adjacent to a creek.

Mulefat thickets alliance is ranked by CDFG (2010) as a S4 community (CNPS 2016a), indicating it is “apparently secure” within California. However, mulefat thickets alliance is considered sensitive as a riparian vegetation community, and is considered a riparian habitat per the City (City of Buellton 2015) and California Department of Fish and Wildlife, when adjacent to a creek.

The reconnaissance-level field surveys were performed in October, which outside is the typical blooming period of many annual plant species. Therefore, the results of this survey effort are not representative of appropriately timed special-status plant surveys. Special-status plant survey recommendations are included later in this report.

One special-status plant species, Southern California black walnut (*Juglans californica*), was observed in two locations on the Project site. Southern California black walnut is a CNPS CRPR 4.2 (uncommon in California, fairly endangered in California) species that occurs predominately in coastal counties from San Diego County through Santa Barbara County. This perennial deciduous tree is found in chaparral, cismontane woodland, coastal scrub, and riparian woodland habitats up to elevations of approximately 2,950 feet. It blooms from March through August (CNPS 2016a).

No additional special-status plants species were found during the April 6, 2017, focused floristic survey. Plants observed are listed in Appendix C.

Protocol-level or species focused wildlife surveys were not conducted as part of this biological assessment survey; therefore, presence or absence could not be determined for special-status species whose habitat(s) are located on-site (i.e., southwest willow flycatcher, least Bell’s vireo, etc.). No direct observations of special-status wildlife species occurred; however, woodrat middens, primarily composed of plant branches and sticks, were observed in multiple locations throughout the Project site as displayed in Biology Figure 2. The San Diego desert woodrat (*Neotoma lepida intermedia*), which has potential to occur, is considered a Species of Special Concern (SSC). If the middens are considered occupied by the San Diego desert woodrat, avoidance, or if avoidance is not feasible, relocation of the middens may be necessary.

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In June 2006, Rincon conducted a delineation of USACE waters of the United States and determined the extent of CDFW (formerly California Department of Fish and Game [CDFG]) (Rincon 2006). Dudek reviewed the findings of the 2006 wetland delineation and assessed areas of potential jurisdiction during field surveys. The edge of the riparian vegetation canopy and top of bank were mapped, as shown in Biology Figure 1. These results were provided to the client and associated buffers from the edge of riparian vegetation canopy and top of bank were incorporated into the site plan for the Project site. USACE and RWQCB jurisdictions were mapped at the ordinary high water mark at bridge sites, including a buffer.

### *Consistency with 2006 Rincon Report*

The Pope Property Biological Resources Assessment and Wetland Delineation (APN 099-690-048) Buellton, Santa Barbara County, California (Rincon 2006) characterized biological resources in 2006 by mapping existing habitat types and delineating USACE and CDFW jurisdictional areas to characterize the existing biological resources and assess the habitats that could potentially support special-status biological resources under the USACE, RWQCB, and or CDFW jurisdiction and City policies.

Rincon habitat mapping was based generally on Holland's classification system of California native terrestrial communities (Holland 1986) and Sawyer and Keeler-Wolf's A Manual of California Vegetation (Sawyer and Keeler-Wolf 1995). A total of two CDFW special-status plant communities were recorded and include riparian forest and riparian scrub which are identified on the report habitat map as riparian. During the 2016 surveys, Dudek also documented riparian habitat which includes arroyo willow thickets, blue elderberry scrub, and mulefat thickets. Although the riparian habitat identified is consistent between Rincon and Dudek, the boundary of the riparian habitat has changed and thus the mapping conducted by Dudek in 2016 is most current, as shown in Biology Figure 1.

Rincon identified a total of four special-status plant species that have the potential to occur on the Project site due to documented nearby occurrences, the known elevation range of the species, soils present, and potential suitable habitat. The special-status plant species include:

- Santa Ynez groundstar (*Ancistrocarphus keilii*) CNPS CRPR 1B.1 (rare, threatened, or endangered in California and elsewhere, seriously endangered in California),
- seaside bird's-beak (*Cordylanthus rigidus* ssp. *littoralis*) State Endangered; CNPS CRPR 1B.1 (rare, threatened, or endangered in California and elsewhere, seriously endangered in California),
- Black-flowered figwort (*Scrophularia atrata*) CNPS CRPR 1B.2 (rare, threatened, or endangered in California and elsewhere, fairly endangered in California), and
- Sonoran maiden fern (*Thelypteris puberula* var. *sonorensis*) CNPS CRPR 2B.2 (endangered in California, fairly endangered in California).

Upon completion of the literature review and reconnaissance level survey, it is agreed that the special-status plant species identified by Rincon (2006) have to potential to occur on the Project site. In addition to the above mentioned special-status plant species, there is potential for Hoover's bent grass (*Agrostis hooveri*) CNPS 1B.2 (rare, threatened, or endangered in California and elsewhere, fairly endangered in California) to occur.

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Rincon identified a total of 12 special-status wildlife species that have the potential to occur on the Project site due to documented occurrences in the vicinity, relevant ecological information, and potential suitable habitat. The special-status wildlife species include:

### Birds

- Cooper's hawk (*Accipiter cooperii*) State Watch List
- Least Bell's vireo (*Vireo bellii pusillus*) Federally endangered, State endangered
- Southwestern willow flycatcher (*Empidonax traillii extimus*) Federally endangered, State endangered
- Tricolored blackbird (*Agelaius tricolor*) State Species of Special Concern (SSC)
- Yellow warbler (*Setophaga petechia*) State SSC

### Reptiles and Amphibians

- Blainville's horned lizard (*Phrynosoma blainvillii*) State SSC
- California legless lizard (*Anniella pulchra pulchra*) State SSC
- California red-legged frog (*Rana draytonii*) Federally threatened, State SSC
- Western spadefoot (*Spea hammondi*) State SSC

### Mammals

- American badger (*Taxidea taxus*) State SSC
- Pallid bat (*Antrozous pallidus*) State SSC
- Townsend's big-eared bat (*Corynorhinus townsendii*) State candidate threatened, State SSC

Upon completion of the literature review, reconnaissance-level survey, and review of the current proposed Project, California red-legged frog and western spadefoot are not likely to occur. The current proposed Project is setback approximately 500 feet from the Santa Ynez River and a much greater distance from known breeding pools in Zaca Creek and other creeks in the vicinity. Additionally, the project will avoid direct impacts to the riparian habitat associated with the Santa Ynez River. The Project site does not appear to support breeding habitat for western spadefoot. Although California red-legged frog and western spadefoot are not likely to occur, consultation with USFWS and CDFW is recommended for concurrence with avoidance measures.

In addition to the species with potential to occur identified by Rincon (2006), there is potential for yellow-breasted chat (*Icteria virens*) State SSC and ringtail (*Bassariscus astutus*) State fully protected to occur. Although ringtail may occasionally forage on the site, no impacts are expected to this species, as no denning habitat is present.

In October of 2016, Dudek performed a wetland field review, and in March 2017 conducted a formal jurisdictional delineation for the bridge sites. The riparian habitat identified by Rincon (2006) and Dudek is consistent; however, the boundary of the riparian habitat has changed and thus the mapping conducted by Dudek is most current, as shown in Biology Figure 1. The wetland delineation of the bridge site is currently in preparation.

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### *Site Plan Review*

The site plan was reviewed for consistency with City required setbacks/buffers from Santa Ynez River and Zaca Creek. As identified in City policies and guidelines, Zaca Creek should have a 50-foot buffer from top-of-bank (not necessarily riparian vegetation) and a 200-foot buffer for the Santa Ynez River. The biology report reviewed a 35-foot Zaca Creek setback although the City requires a 50-foot setback.

The main entry point to the site and secondary access point both cross Zaca Creek and will likely have impacts to jurisdictional areas. Additionally, the existing 10-foot water line easement is within riparian vegetation and crosses Zaca Creek. It is highly recommended that a Habitat Mitigation Monitoring Plan (HMMP) be developed and appropriate regulatory permits received prior to development. The Project maintains a 200-foot buffer from the Santa Ynez River. The site plan also maintains a 50-foot top of bank buffer for Zaca Creek. Project components such as well-designed natural bioswales may be placed in within the buffers, as appropriate. Measures are recommended for incorporation into the project to avoid potential impacts to the riparian habitat during construction. Any unforeseen impacts that cannot be avoided will be described in the agency permit applications and mitigated as required in the issued agency permits and HMMP.

### **Impacts and Mitigation**

This section provides recommendations for focused surveys, permits, buffers, and mitigation reports for the proposed project based on existing vegetation communities and wildlife habitats, hydrological features, prior survey results, and 2016 reconnaissance level surveys. Available Project-specific literature, regional data, and recent surveys on nearby properties were also used in the analysis.

#### *Vegetation Communities and Wildlife Habitats*

The City considers riparian habitat sensitive and if a project proposes to encroach into a creek corridor (riparian vegetation) or creek setback, the City requires the client to replace riparian vegetation in accordance with USFWS and CDFW standards, as applicable, restore another section of creek, and or pay mitigation fee for restoration elsewhere.

#### *Special-Status Plant Species*

##### Floristic Surveys

Further focused floristic surveys for special-status plant species will occur on the Project site in accordance with USFWS, CDFW, and CNPS guidelines. Floristic guidelines indicate that surveys are required to occur in the time(s) that plants are in identifiable condition; often, flowers and/or fruit are necessary for correct identification. Based on the blooming period of the special-status plant species with potential to occur, two survey passes would be required to observe the spring and summer blooming periods (one in April and one in June). According to the guidelines, all blooming plants encountered during the surveys will be identified to subspecies or variety, if applicable, to determine the sensitivity status. The final report will provide the details of the completed floristic surveys. Appendix C contains a plant species list of the April 6, 2017 survey.

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### Arborist Survey

A certified arborist or certified forester shall perform a physical inventory, collecting tree location and arboricultural attribute information for each tree that is special-status or that meets the minimum size requirements to be a protected tree. The tree height, canopy spread to drip line, trunk diameter, and tree health/structural condition shall be collected. If needed, each mapped and assessed tree shall be tagged with an aluminum tree tag identifying it with a unique tree number corresponding to GPS mapping data. Photographs of the site and of representative trees shall be collected.

### *Special-Status Wildlife Species*

#### Birds

Southwestern Willow Flycatcher - A qualified biologist initiated USFWS protocol level southwestern willow flycatcher surveys to determine the presence or absence of southwestern willow flycatchers on the Project site and suitable habitat within 500 feet. No southwestern willow flycatcher was detected for the two surveys completed to date. The survey area include critical habitat along the Santa Ynez River, which extends onto the southern portion of the property.

Least Bell's Vireo - A qualified biologist initiated USFWS protocol level least Bell's vireo surveys to determine the presence or absence of least Bell's vireo on the Project site and suitable habitat within 500 feet. No least Bell's vireo was detected during the three conducted to date. No critical habitat exists on or near The Buellton Hub project site.

Other Protected Bird Species - Other special-status bird species with potential to occur within the Project site, including Cooper's hawk, tricolored blackbirds, yellow-breasted chat, and yellow warbler, do not have protocol level or species specific survey guidelines. However, if these special-status bird species are observed during site surveys they will be documented and mitigation measures to avoid impacts will be developed. Surveys for Cooper's hawk, tricolored blackbirds, and yellow warbler can be performed during pre-construction nesting bird surveys, which are further described below.

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, 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.

#### Reptiles and Amphibians

Blainville's Horned Lizard and California Legless Lizard - Pre-construction surveys for Blainville's horned lizard and California legless lizard should be conducted 30 days prior to the initiation of Project activities. Subject species of surveys may vary depending on timing and

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species' activity patterns. At any time of year when Project activities are initiated, pre-construction surveys should 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, a salvage and relocation plan would be implemented to allow a qualified biologist to capture and relocate the species away from ground disturbance and into protected open space. These survey and reporting measures are often a condition of the CDFW's Streambed Alteration Agreement (SAA).

California Red-legged Frog and Western Spadefoot - The current proposed Project is setback approximately 500 feet from the Santa Ynez River (where California red-legged frog breeding ponds are known to be located) and avoids direct impacts to the riparian habitat associated with the Santa Ynez River. The Project site does not support habitat for western spadefoot. Although California red-legged frog and western spadefoot are not likely to occur, consultation with USFWS and CDFW is recommended for concurrence with avoidance measures. If required, a California red-legged frog and western spadefoot avoidance plan should be prepared and include specified work hours, construction equipment work areas, and measures to keep the species from entering the site including silt fencing.

### Mammals

American Badger - Pre-construction surveys for American badger should 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 would 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.

### *Wetland Delineation*

Zaca Creek is subject to the jurisdiction of the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) under Section 404 of the CWA, the RWQCB under the Porter-Cologne Act, and the CDFW under Section 1600-1607 of the California Fish and Game Code. A wetland delineation has been completed for the bridge site as well as a recent top-of-bank and riparian delineation for the on-site extent of Zaca Creek. The final wetland delineation report is currently in preparation.

### *Creek Buffers*

In accordance with General Plan Flood Hazard Policy S-2 (City of Buellton 2015):

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

In accordance with City of Buellton Land Use Element and Circulation Element Update Program EIR Hazards Policy HZ-1 (City of Buellton 2008):

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*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 professional can certify that a lesser setback will provide an adequate margin of safety from erosion and flooding, to the satisfaction of the City Engineer, and a lesser setback will not adversely impact sensitive riparian corridors or associated plant and animal habitats.*

### *Agency Permits*

Construction of a free span truss bridge will require a Streambed Alteration Agreement (i.e., permit) for impacts to CDFW jurisdictional features (i.e., streambed and banks, and riparian vegetation), mainly vegetation trimming. It is assumed that the streambed and banks (below top of bank) of Zaca Creek would not be impacted; however, the final design is still pending. Since Waters of the U.S. and State would be avoided, permits from U.S. Army Corps of Engineers and Regional Water Quality Control Board (Clean Water Act, Section 404 and 401, respectively) would be necessary. Restoration opportunities (non-compensatory mitigation) adjacent to and within the creek have been discussed. Beneficial ecological restoration within the jurisdiction of the USACE, RWQCB, and CDFW would require permits. Once details are available, the appropriate permit(s) will be required. As indicated, coordination with CDFW was initiated, including a site visit to the site on May 26, 2017. Sarah Rains, Environmental Scientist with CDFW, confirmed Dudek's top-of-bank and edge of riparian. Rincon in their peer review also concurred with Dudek's delineation of these features.

Surveys for the federally-listed least Bell's vireo and southwestern willow flycatcher were initiated. Critical habitat for the willow flycatcher and southern-central steelhead are located south of the development. While critical habitat for the steelhead is located within the Santa Ynez River, the critical habitat for the southwest willow flycatcher includes all of the riparian vegetation adjacent to the river and onto the property. The public currently uses trails through the riparian habitat to reach the river. A component of the project is minor trail improvements. While we believe these activities will result in better trail condition and will provide education opportunities, including federally-listed species use of the area, we will remain in contact with the USFWS and CDFW on our surveys results and proposed project impacts to critical habitat for the steelhead and willow flycatcher. We expect a no effect determination; therefore, Incidental Take Permits are unlikely to be required.

### *Habitat Mitigation Monitoring Plan*

Prepare a Habitat Mitigation and Monitoring Plan (HMMP) based on requirements outlined in the Streambed Alteration Agreement (SAA) and Clean Water Act (CWA) Section 401 and 404 certifications, if required, which should be issued prior to initiating work on the HMMP. To ensure compliance with the SAA and certifications associated with CWA Sections 401 and 404, the HMMP task shall include:

- Mitigation ratios for permanent and temporary impacts to riparian habitat, waters of the U.S. and State, and CDFW streambed and riparian should be established, in consultation with CDFW, USACE, and the RWQCB.
- Development of the Landscape Plan to include habitat restoration and a plant palette in keeping with fulfillment of established mitigation ratios.

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- Identification of areas where habitat could potentially be improved and restored.
- Defined attainable and measurable goals and objectives to be achieved through implementation of the HMMP.
- A restoration work plan that details methodologies, a restoration schedule, plant materials (seed), and implementation strategies.
- Schedules for planting, irrigation, and monitoring.
- A detailed maintenance plan to include removal of invasive non-native species.
- Defined performance standards for restoration.
- A monitoring plan that includes methods and analysis of results, goals for success or failure, and an adaptive management plan and suggestions for failed restoration efforts.
- Restoration activities using native riparian and wetland species from locally collected stock.
- Details for implementation of any additional permit requirements.

**Findings and Mitigation:** The following mitigation measures are required to be incorporated into the project to mitigate potential biology impacts noted above to a less than significant level:

**BIO-1 Habitat Mitigation and Monitoring Plan (HMMP).** Prior to issuance of building or grading permits, a HMMP shall be prepared by a qualified biologist based on requirements outlined in the Streambed Alteration Agreement (SAA) and Clean Water Act (CWA) Section 401 and 404 certifications, if required, which shall be issued prior to initiating work on the HMMP. The HMMP shall include, at minimum, the following components:

- Mitigation ratios for permanent and temporary impacts to riparian habitat, waters of the U.S. and State, and CDFW streambed and riparian shall be established, in consultation with CDFW, USACE, and the RWQCB;
- Development of the landscape plan to include habitat restoration and a plant palette in keeping with fulfillment of established mitigation ratios;
- Identification of areas where habitat could be potentially be improved and restored;
- Defined attainable and measurable goals and objectives to be achieved through implementation of the HMMP;
- A restoration work plan that details methodologies, a restoration schedule, plant materials (seed), and implementation strategies;
- Schedules for planting, irrigation, and monitoring;
- A detailed maintenance plan to include removal of invasive non-native species;
- Defined performance standards for restoration;
- A monitoring plan that includes methods and analysis of results, goals for success or failure, and an adaptive management plan and suggestions for failed restoration efforts;
- Restoration activities using native riparian and wetland species from locally collected stock; and
- Details for implementation of any additional permit requirements.

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**Monitoring:** Applicant shall prepare and provide the HMMP to the City of Buellton Planning Department prior to issuance of building permits. The Planning Department will verify compliance prior to beginning of construction.

**BIO-2 Floristic Surveys.** A focused floristic survey was conducted in April 6, 2017, and a second survey shall occur pursuant to protocol requirements at least 30 days prior to commencement of grading and construction activities.

**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-3 Arborist Surveys.** 30 days prior to initiation of grading and construction activities; a certified arborist or certified forester shall perform a physical inventory of the site by collecting tree locations and arboricultural attribute information for each tree that is special-status or that meets the minimum size requirements to be a protected tree (oak and sycamore). The tree height, canopy spread to drip line, trunk diameter, and tree health/structural condition shall be collected. If needed, each mapped and assessed tree shall be tagged with an aluminum tree tag identifying it with a unique tree number corresponding to GPS mapping data. Photographs of the site and of representative trees shall be collected.

**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-4 Native Tree Removal.** Protected trees shall not be removed without prior authorized consent from the planning director. Prior to the removal of any protected tree, the applicant shall submit an application, on a form authorized by the city, along with the applicable fee, to the planning department of the city for determination by the planning director. Replacement standards shall include the following:

- All oak trees of sizes defined as protected in the Native Tree Ordinance shall be replaced at a ratio of three oak trees planted for every oak tree removed.
- Prior to removal of any protected trees, a tree replanting schedule, site plan, and long term maintenance plan shall be submitted and approved.
- Replacement oak trees that are planted must come from nursery stock grown from locally-sourced acorns, or use acorns gathered locally, preferably from the same watershed in which they are planted.
- Replacement oak trees shall be established in a location suitable for their growth and survival as determined by an arborist, no closer than twenty (20) feet from each other or from existing oak trees and no farther than one hundred sixty-five (165) to one hundred eighty (180) feet from each other or existing oak trees unless otherwise approved by the arborist.

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- The replacement trees shall be nurtured for five years, the last two without supplemental watering. At the end of the five years, all replacement trees must be alive, in good health as determined by the arborist, and capable of surviving without nurturing and protection
- Each replacement tree must be protected against damage from ground disturbance, soil compaction, or over-irrigation within the dripline. It must be fenced to protect it from browsing by animals both below and above ground until it has reached a minimum of eight feet in height.

**BIO-5** **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:* Prior to removal of any protected tree, the applicant shall obtain written approval from the Planning Department. The Public Works and Planning Departments will verify that temporary construction fencing is installed prior to issuance of Grading Permits.

**BIO-6** **Birds/Southwestern Willow Flycatcher.** 30 days prior to initiation of grading and construction activities, a qualified biologist shall initiate a USFWS protocol level southwestern willow flycatcher survey to determine the presence or absence of the species on the project site and suitable habitat within 500 feet. No southwestern willow flycatchers were detected for the two surveys previously completed. State and Federal mitigation protocols shall be followed if this species is discovered.

*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-7** **Birds/Least Bell's Vireo.** 30 days prior to initiation of grading and construction activities, a qualified biologist shall initiate a USFWS protocol level least Bell's vireo survey to determine the presence or absence of the species on the project site and suitable habitat within 500 feet. No least Bell's vireo were detected for the three surveys previously completed. No critical habitat exists on or near the project site. State and Federal mitigation protocols shall be followed if this species is discovered.

*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-8** **Birds/Other Protected Species.** 30 days prior to initiation of grading and construction activities, a qualified biologist shall note the presence or absence of Cooper's hawk, tricolored blackbirds, yellow-breasted chat, and yellow warbler. If observed, mitigation measures to reduce the impact to these species shall be

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developed. State and Federal mitigation protocols shall be followed if this species is discovered.

**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-9

**Nesting Birds.** In compliance with the Migratory Bird Treaty Act and the California Fish and Game Code, a pre-construction survey for nesting birds shall be conducted 30 days prior to initiation of grading and construction activities that occur during the nesting/breeding season of native bird species potentially nesting on the site (typically February through August). If active nests are found, clearing or construction activities within 300 feet of the nest (500 feet for raptors), or at a distance deemed sufficient by the qualified biologist, 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.

- 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 no-construction

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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 the 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-10 Pre-construction Survey/Reptiles.** A pre-construction survey for Blainville's horned lizard and California legless lizard shall be conducted of the project site by a qualified biologist 30 days prior to initiation of grading and construction 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 lizard in open friable soils and California legless lizards in riparian habitats and areas with loose sand. If these species are observed, 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.

**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-11 Pre-construction Survey/Amphibians.** The proposed project is setback approximately 500 feet from the Santa Ynez River (where California red-legged frog breeding ponds are known to be located) and avoids direct impacts to the riparian habitat associated with the Santa Ynez River. The project site does not support habitat for the western spadefoot toad. Although both species are not likely to occur on the project site, consultation with USFWS and CDFW shall occur for concurrence with this determination 30 days prior to initiation of grading and construction activities and appropriate avoidance measures from the USFWS/CDFW shall be implemented.

**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-12 Pre-construction Survey/Mammals.** A pre-construction survey for American badger shall be conducted of the project site by a qualified biologist 30 days prior to initiation of grading and construction activities. If evidence of this species is

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observed (old or new dens), potential dens shall be monitored with tracking material and/or wildlife movement cameras. If a den is deemed inactive for three consecutive days, a qualified biologist shall 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.

**Plan Requirements and Timing.** The applicant shall provide pre-construction survey results in accordance with the timing noted for each mitigation measure. On-going measures shall be accomplished by the applicant during construction. In the event any sensitive species is identified on the project site, the applicant shall coordinate with the USFWS, CDFW and/or City as appropriate and implement appropriate measures.

**Monitoring.** City staff will review any pre-construction survey report, and will perform on-site inspections as necessary during construction. City staff will monitor activities between the applicant/owner, City, CDFW and/or USFWS, as appropriate.

**Effectiveness of Mitigation Measures.** Potentially significant impacts to special status plants, CRLF, nesting birds, protected trees, and other sensitive species would be feasibly mitigated to a less than significant level with implementation of the above measures.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES</b> - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

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a. There are no historic resources located on the site, so no impacts to historic resources would occur.

b., c. The project site is undeveloped and vacant. A portion of the project site is located within the 100-year flood boundary of the Santa Ynez River. No known artifacts have been found on this site. However, after consultation with the Chumash Tribe (July 20, 2017, letter, and December 13, 2017, consultation), the potential for artifacts does exist on the property and that an extended Phase 1 archaeological survey is recommended prior to commencement of construction activities.

d. Since no known cemetery uses or pre-historic burial sites are located on or adjacent to the site, the proposed project would result in no impacts to human remains. If human remains are discovered, Health and Safety Code sections 7050.5 and 5097.98 contain protocols that must be followed.

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

**CR-1: Extended Phase 1 Archaeological Survey.** Prior to commencement of grading and construction activities, the developer shall have an extended Phase 1 Archaeological Survey prepared by a qualified archaeologist acceptable to the City and the Chumash Tribe. The developer shall work with the Chumash Tribe on the scope of the extended Phase 1 survey and a native american monitor shall be present during all surveys. Any cultural resources that are discovered shall be mitigated pursuant to current Federal regulations and the requirements of the Chumash Tribe. Work may begin in the affected area once mitigation has been completed.

Monitoring. The City, the applicant’s archaeologist, and the Chumash Tribal representative will monitor this implementation of this mitigation measure.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS</b> - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?			X	
ii) Strong seismic ground shaking?				X
iii) Inundation by seiche, tsunami, or mudflow?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

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The following analysis of geological resources is based on the City's Safety Element of the General Plan and the referenced geotechnical analysis for the project (GeoSolutions, December 16, 2016).

### a. Geologic Hazards:

*Fault Rupture:* There are no known active fault lines within the City. No impacts would occur.

*Groundshaking:* The San Andreas Fault, located approximately 74 kilometers east Buellton, dominates both the geologic structure and seismicity of the project area. However, faults closer to the project site also have the potential to generate earthquakes and strong groundshaking at the site. These include: (1) the offshore group, including the Hosgri and Santa Lucia (Purissima and Lompoc) faults; and (2) the Santa Ynez Fault. In addition, the Los Alamos-Baseline-Lions and Casmalia-Orcutt-Little Pine faults may be active and pose potential to generate groundshaking at the project site.

The largest upper level earthquake (ULE) in Buellton would be an approximate 7.8 moment magnitude earthquake on the San Andreas Fault. Such an event could produce peak horizontal ground acceleration on the order of  $0.16g^3$ . Due to the relative location of the Los Alamos-Baseline (approximately 8 kilometers south), Santa Ynez (approximately 10 kilometers northeast), and North Channel Slope (approximately 25 kilometers east) faults to Buellton, higher ULE accelerations may be expected from these faults. Although higher accelerations may be experienced in Buellton from these faults, compared to events on the San Andreas Fault, the recurrence interval for such events is much longer than for an event on the active San Andreas Fault Zone. Seismic safety issues would be addressed through the California Building Code and implementation of the recommendations on foundation and structural design contained in the geotechnical investigation. Less than significant impacts would result.

*Seismic Ground Failure:* Liquefaction is the phenomenon in which soil temporarily loses strength due to a buildup of excess pore-water pressure caused by seismic shaking. The primary factors influencing liquefaction potential include depth of groundwater, soil type, relative density of sandy soils, overburden pressure, fines content and the intensity and duration of ground shaking. Liquefaction potential is greatest in saturated, loose, poorly graded fine sands with grain size (D50) in the range of 0.1 to 0.5 millimeters. Per the geotechnical study, the potential for liquefaction is very low.

General Plan Safety Element Policy S-1 requires that new development (habitable structures including commercial and industrial buildings) be set back at least 200 feet from the bank of the Santa Ynez River. The nearest inhabited structure would be setback in excess of 200 feet from the river. The project would be consistent with this policy in this respect, which will also minimize liquefaction hazards.

Policy S-7 requires that all new development shall satisfy the requirements of the California Building Code regarding seismic safety. Conformance with this policy would ensure that potential impacts related to liquefaction would be reduced to a less than significant level.

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<sup>3</sup> The force on a building during an earthquake is proportional to ground acceleration. Such forces are prescribed by the UBC. During an earthquake the ground acceleration varies with time. "g" is a common value of acceleration equal to 9.8 m/sec/sec (the acceleration due to gravity at the surface of the earth). 30% of g is the acceleration one would experience in a car that takes 9 seconds to brake from 60 miles per hour to a complete stop.

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*Seiche, Tsunami, Mudflow:* The site is not located in the vicinity of any body of water that could result in a seiche or tsunami, and the project site is relatively flat and is not located adjacent to any substantial slopes. No impacts would occur.

*Landsliding:* Slopes in the City are geologically stable and are not subject to major landslides. The project site is on a generally level property. As such, landsliding impacts would not occur. This is conformed in the geotechnical study.

b. Erosion: The project proposes grading to create level building pads, above the 100-year floodplain limits, for the proposed structures and related improvements. Cutting and filling may result in increased erosion. The City’s adopted Grading Ordinance, requirements of the Regional Water Quality Control Board, and The City’s Standard Conditions of Approval require erosion and sediment control plans for all projects. Based on the required implementation of these requirements, the impact to erosion is considered less than significant.

c., d. Unstable/Expansive Soils: While the site is suitable from a geotechnical engineering standpoint, for the construction of the proposed project, the geotechnical analysis (December 16, 2016) provides specific recommendations for project design and construction. These project design recommendations related to grading, building foundation, driveway and parking area construction, etc. will be included as conditions of approval for the project.

e. Suitability for Septic Systems: All project wastewater would be discharged to the City sewer system. No septic systems have been proposed. No impacts would result.

**Findings and Mitigation:** All development of the site must follow standard California Building Code requirements. Compliance with these regulations and requirements and the recommendations contained in the geotechnical analysis would result in less than significant geology related impacts. The Public Works Department/City Engineer will verify that the final project design incorporates any design recommendations from an approved project-specific geologic study prior to issuing grading permits.

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

**Setting**

## Attachment 3

Project implementation would generate greenhouse gas (GHG) emissions through the burning of fossil fuels or other emissions of GHGs, thus potentially contributing to cumulative impacts related to global climate change. The following summarizes the regulatory framework related to climate change.

In response to an increase in man-made GHG concentrations over the past 150 years, California has implemented AB 32, the “California Global Warming Solutions Act of 2006.” AB 32 codifies the Statewide goal of reducing emissions to 1990 levels by 2020 (essentially a 15% reduction below 2005 emission levels) and the adoption of regulations to require reporting and verification of statewide GHG emissions. Furthermore, on September 8, 2016, the governor signed Senate Bill 32 (SB 32) into law, which requires the State to further reduce GHGs to 40 percent below 1990 levels by 2030. SB 32 extends AB 32, directing the California Air Resources Board (ARB) to ensure that GHGs are reduced to 40 percent below the 1990 level by 2030.

While the State has adopted the AB 32 Scoping Plan and multiple regulations to achieve the AB 32 year 2020 target, there is no currently adopted State plan to meet post-2020 GHG reduction goals. ARB is currently working to update the Scoping Plan to provide a framework for achieving the 2030 target set forth by SB 32 (ARB 2015). Achieving these long-term GHG reduction policies will require State and federal plans and policies for achieving post-2020 reduction goals.

Pursuant to the requirements of SB 97, the Resources Agency adopted amendments to the *State CEQA Guidelines* for the feasible mitigation of GHG emissions or the effects of GHG emissions in March 2010. These guidelines are used in evaluating the cumulative significance of GHG emissions from the proposed project. According to the adopted CEQA Guidelines, impacts related to GHG emissions from the proposed project would be significant if the project would:

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

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

The significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG reduction plan (such as a Climate Action Plan). The SBCAPCD has developed GHG thresholds for stationary projects, which include equipment, processes, and operations that require an APCD permit to operate. Neither the City of Buellton nor the SBCAPCD has developed or adopted GHG significance thresholds for residential and commercial projects; however, Santa Barbara County recommends the use of San Luis Obispo Air Pollution Control District (SLOAPCD) Greenhouse Gas Thresholds, as adopted in April 2012. SLOAPCD GHG thresholds are summarized in GHG Table 1.

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**GHG Table 1  
SLOAPCD GHG Significance Determination Criteria**

GHG Emission Source Category	Operational Emissions
Residential and Commercial Projects	Compliance with Qualified GHG Reduction Strategy OR Bright-Line Threshold of 1,150 MT of CO <sub>2</sub> e/yr OR Efficiency Threshold of 4.9 MT CO <sub>2</sub> e/SP*/yr

*\*SP = Service Population (residents + employees)  
 For projects other than stationary sources, compliance with either a Qualified Greenhouse Gas Reduction Strategy, or with the Bright-Line (1,150 CO<sub>2</sub>e/yr.) or Efficiency Threshold (4.9 MT CO<sub>2</sub>e/SP/yr.) would result in an insignificant determination, and in compliance with the goals of AB 32. The construction emissions of projects will be amortized over the life of a project and added to the operational emissions. Emissions from construction-only projects (e.g. roadways, pipelines, etc.) will be amortized over the life of the project and compared to an adopted GHG Reduction Strategy or the Bright-Line Threshold only.*

The SLOAPCD “bright-line threshold” was developed to help reach the AB 32 emission reduction targets by attributing an appropriate share of the GHG reductions needed from new land use development projects subject to CEQA. Land use sector projects that comply with this thresholds would not be “cumulatively considerable” because they would be helping to solve the cumulative problem as a part of the AB 32 process. Such small sources would not significantly add to global climate change and would not hinder the state’s ability to reach the AB 32 goal, even when considered cumulatively. The threshold is intended to assess small and average sized projects, whereas the per-service population guideline is intended to avoid penalizing larger projects that incorporate GHG-reduction measures such that they may have high total annual GHG emissions, but would be relatively efficient, as compared to projects of similar scale. Therefore, the bright-line threshold is the most appropriate threshold for the proposed project, and the proposed project would have a potentially significant contribution to GHG emissions if it would result in emissions in excess of 1,150 metric tons of CO<sub>2</sub>E per year.

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

Calculations of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O emissions are provided to identify the magnitude of potential project effects. The analysis focuses on CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O because these comprise 98.9% of all GHG emissions by volume (IPCC, 2007) and are the GHG emissions that the project would emit in the largest quantities. Fluorinated gases, such as HFCs, PFCs, and SF<sub>6</sub>, were also considered for the analysis. Emissions of all GHGs are converted into their equivalent weight in CO<sub>2</sub> (CO<sub>2</sub>e). Minimal amounts of other main GHGs (such as chlorofluorocarbons [CFCs]) would be emitted, but these other GHG emissions would not substantially add to the calculated CO<sub>2</sub>e amounts. Calculations are based on the methodologies discussed in the California Air Pollution Control Officers Association (CAPCOA) *CEQA and Climate Change* white paper (January 2008) and include the use of the California Climate Action Registry (CCAR) General Reporting Protocol (January 2009).

### Impact Analysis

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a) GHG emissions associated with project construction and operations are discussed below.

Construction Emissions. Although construction activity is addressed in this analysis, CAPCOA does not discuss whether any of the suggested threshold approaches adequately address impacts from temporary construction activity. As stated in the *CEQA and Climate Change* white paper, “more study is needed to make this assessment or to develop separate thresholds for construction activity” (CAPCOA, 2008). Nevertheless, air pollution control districts such as the SLOAPCD have recommended amortizing construction-related emissions over a 50-year period in conjunction with the proposed project’s operational emissions.

Construction of the proposed project would generate temporary GHG emissions primarily due to the operation of construction equipment and truck trips. Site preparation and grading typically generate the greatest amount of emissions due to the use of grading equipment and soil hauling. Emissions associated with the construction period were estimated using the California Emissions Estimator Model (CalEEMod) Version 2016.3.1, based on an estimated construction schedule of 19 months and the CalEEMod default projects for the equipment used during construction. For the proposed project, site grading would involve cut and fill with a net import of 12,500 cubic yards (cy). Default CalEEMod haul trip lengths were assumed for export. Complete results from CalEEMod and assumptions can be viewed in the Rincon report.

As shown in GHG Table 2, construction activity associated with the project would generate an estimated 740.4 metric tons of CO<sub>2</sub>e units. Amortized over a 50-year period (the assumed life of the project), construction of the proposed project would generate an estimated 14.8 metric tons of CO<sub>2</sub>e per year.

**GHG Table 2  
Estimated Construction Emissions of Greenhouse Gases**

	Annual Emissions (Carbon Dioxide Equivalent (CO <sub>2</sub> E))
Total Estimated Construction Emissions	740.4 metric tons
Amortized over 50 years	14.8 metric tons per year

On-Site Operational Emissions. Operational emissions from use of the proposed project were also estimated using CalEEMod. Operational impacts include emissions from energy and natural gas; area sources including consumer products landscape maintenance, and architectural coatings; waste generations; water and wastewater usage; and mobile combustion. Mitigated emissions from CalEEMod results are reported herein.

Direct Emissions from Mobile Combustion. Emissions from vehicles driving to and from the site were based on the Traffic and Circulation Study conducted by the Associated Transportation Engineers (2017), using the standard Institute of Transportation Engineers (ITE) vehicle trip rates. Emissions of CO<sub>2</sub> and CH<sub>4</sub> from transportation sources were quantified using CalEEMod. The project would increase land use density and diversity in the vicinity of the project site by introducing a mix use campus of businesses, light industrial and manufacturing uses, and

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ancillary employee housing apartments with a community center reducing vehicle trips and vehicle miles traveled (VMT) as people would be living and working in the same location and would not have a need to commute. The project's use of high efficiency LED lighting was also taken into account and a reduction in VMT through land use density and diversity was taken into account in the CalEEMod results reported herein. Because CalEEMod does not calculate N<sub>2</sub>O emissions from mobile sources, N<sub>2</sub>O emissions were quantified using the California Climate Action Registry General Reporting Protocol (January 2009) direct emissions factors for mobile combustion (refer to Appendix A for calculations). Emission rates for N<sub>2</sub>O emissions were based on the vehicle mix output generated by CalEEMod and the emission factors found in the California Climate Action Registry General Reporting Protocol.

Combined Annual Construction, Operational, and Mobile GHG Emissions. GHG Table 3 combines the construction and operational GHG emissions associated with development for the proposed project. As described above, emissions associated with construction activity (approximately 740.4 metric tons CO<sub>2</sub>e) are amortized over 50 years (the anticipated lifetime of the project).

**GHG Table 3  
Combined Annual Emissions of Greenhouse Gases**

<b>Emission Source</b>	<b>Annual Emissions</b>
<b>Construction</b>	14.8 metric tons CO <sub>2</sub> e
<b>Operational</b>	
Area	0.6 metric tons CO <sub>2</sub> e
Energy	415.6 metric tons CO <sub>2</sub> e
Solid Waste	51.6 metric tons CO <sub>2</sub> e
Water	55.1 metric tons CO <sub>2</sub> e
<b>Mobile</b>	
From CO <sub>2</sub> and CH <sub>4</sub>	601.1 metric tons CO <sub>2</sub> e
From N <sub>2</sub> O	24.5 metric tons CO <sub>2</sub> e
<b>Total</b>	<b>1,163.3 metric tons CO<sub>2</sub>e</b>
<i>Threshold</i>	<i>1,150 metric tons CO<sub>2</sub>e</i>
<b>Threshold Exceeded?</b>	<b>Yes</b>

Sources: Rincon report, May 8, 2017

As shown in GHG Table 3, the combined annual emissions would total approximately 1,163.3 metric tons per year of CO<sub>2</sub>e. These emissions exceed the applicable threshold of 1,150 metric tons per year. Therefore, impacts resulting from GHG emissions would be *potentially significant unless mitigation is incorporated*.

#### Mitigation Measures

Implementation of the following mitigation measure would be required to reduce impacts to a less than significant level.

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**GHG-1**      **GHG Reduction Plan.** The project shall reduce operational GHG emissions through implementation of one or more of the following measures:

- A. Prior to permit issuance, develop a project GHG Reduction Plan that reduces annual GHG emissions from the project by a minimum of 13.3 MT CO<sub>2</sub>e per year over the operational life of the project. The plan will be implemented on site by the project applicant and may include, but is not be limited to, the following components:
  - 1. Charging stations for alternative fuel vehicles
  - 2. Water conservation and recycling
  - 3. Renewable energy production
  - 4. Trip reduction (e.g., employee ridesharing, vanpool/shuttle)
  - 5. Carbon sequestration
  - 6. Recycling and composting of solid waste

and/or

- B. If GHG emissions cannot be fully reduced by a minimum of 13.3 MT CO<sub>2</sub>e per year over the operational life of the project through compliance with a project GHG Reduction Plan, purchase carbon offsets to reduce GHG emissions below threshold levels.

**Plan Requirements and Timing.** Applicable elements of the project GHG Reduction Plan shall be reflected on project site plans prior to permit approval. If GHG emissions cannot be reduced through compliance with such a plan, purchased carbon offsets shall be approved by Planning Department staff prior to permit approval.

**Monitoring:** Planning Department staff shall monitor and verify implementation of measures included in the GHG Reduction Plan to ensure implementation of mitigation measures included in the plan.

Mitigation Measure GHG-1 would feasibly reduce GHG-related impacts to a less than significant level.

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

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ratio in Buellton up from 1.08 to closer to the ideal ratio of 1.5. The project is consistent with the mixed-use objective through the creation of a work and residential campus and includes businesses, light industrial and manufacturing uses, and ancillary employee housing apartments with a community center. The project would also create job opportunities within Buellton to improve the jobs-housing balance. In addition, the project would be required to comply with existing State regulations, which include increased energy conservation measures and other actions adopted to achieve the overall GHG emissions reduction goals identified in AB 32 and SB 32.

Because there is no locally adopted GHG Reduction Plan to reduce emissions from new development, the project would be consistent with the applicable land use and zoning designations, and the project would not conflict with any State regulations intended to reduce GHG emissions statewide, the project would be consistent with applicable plans and programs designed to reduce GHG emissions. The project would not conflict with any plan, policy, or legislation related to GHG emissions. Therefore, impacts would be *less than significant*.

**Findings and Mitigation:** Impacts would be less than significant, so no mitigation is required.

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

a. Hazardous Substances: The project would not create reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, as the project would not involve the storage or transport of substantial quantities of such materials, or any hazardous design features. No impacts would occur.

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- b. Hazardous Materials Releases: Refer to the discussion in Section a. above.
- c. Hazardous Materials Near Schools: Zaca Pre-School and After School is located within ¼ mile of the project site. However, as noted in Section a above, no release of hazardous materials is anticipated with uses on the project site. No impacts are anticipated.
- d. Hazardous Materials Sites: The project site is vacant, and it is not anticipated that there will be any evidence of past underground storage tanks or soil contamination. However, no Environmental Site Assessment was conducted for the project to verify that the site is not included on the list pursuant to Government Code Section 65962.5. Therefore, the potential for contaminated soil on the project site exists. A mitigation measure is included to provide a Phase I Environmental Site Assessment prior to issuance of building permits. This would ensure that the impact would be less than significant.
- e., f. Public and Private Airstrip Safety Hazards: No public or private airports are in the vicinity of the project site.
- g. Emergency Response/Evacuation: The project site is not subject to an emergency response or evacuation plan. No impacts would occur.
- h. Wildland Fire Hazards: The proposed project is located on an infill site surrounded by existing development at the southern edge of the City. The site is located within a wildland fire hazard area as identified in the Safety Element of the Buellton General Plan. The proposed access and internal circulation system would ensure adequate emergency vehicle access to all portions of the site, including emergency ingress and egress to the east. Fire safety issues would be addressed through standard project conditioning including but not limited to the requirement for automatic sprinklers, alarm system, roadway and emergency access. Therefore, impacts are considered less than significant.

**Findings and Mitigation:** The following mitigation measure is required to reduce project impacts related to hazardous materials to a less than significant level:

- 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 permits.

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

a. RWQCB Standards: The proposed project would discharge wastewater directly to the public sewer system. Therefore, the impact is considered less than significant.

b. Groundwater Supply: Water is supplied to the City of Buellton from the Buellton Uplands Groundwater Basin, the Santa Ynez River Riparian Basin, and State Water Project (SWP). Water allocation from the SWP varies based on local demand and availability. Therefore, the City's SWP supplies may fluctuate based on the quantity of water the City needs to meet demand and whether or not it is available from the State. Neither groundwater basin is in a state of overdraft, as the natural recharge rates either exceed the capacity of the basin or exceed the rate of pumping from the basin. Furthermore, the Buellton Uplands Groundwater Basin has a net surplus of 800 AFY. The project would create an increased demand for water, but the City has an adequate supply to accommodate the proposed project, and development at this location is already anticipated under the General Plan. Impacts would be less than significant.

c. Runoff/Erosion and Siltation: The project proposes to collect runoff through the construction of several depressed bioretention facilities in the area of new development. The facilities will treat storm water runoff, as well as retain on-site stormwater runoff in swales and basins. The Preliminary Hydrology and Flood Study Report prepared by RRM Design Group (June 9, 2017), the Infiltration Testing Report by GeoSolutions (December 28, 2016), and the Stormwater Control Plan by RRM Design Group (June 9, 2017) have concluded that there will be a reduction

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in the flow leaving the project site in a 10-year storm event. Therefore, less than a significant impact would result.

The project will also be required to comply with the City's 2013 Stormwater Ordinance.

By law, all grading of the site must conform to the erosion control requirements of the National Pollutant Discharge Elimination System (NPDES) regulations. As such, erosion and siltation during the construction period would be minimized and would result in less than significant impacts.

d. Alter Drainage Pattern: The existing drainage pattern of the site flows southerly as sheet flow to the Santa Ynez River. The drainage pattern would not change as a result of this project, and in fact may improve from an erosion perspective, since drainage will be regulated to flow into the proposed bioretention facility to regulate the flow to the river. Impacts are considered less than significant.

e. Runoff/Stormwater Drainage System Capacity: See items b. and d.

f. Substantially Degrade Water Quality: Increase in potential erosion and sedimentation to drainages is expected with grading activities, which could impact water quality. However, compliance with the NPDES and Regional Water Quality Control Board Resolution R3-2013-0032 (Adopted July 12, 2013, which addresses Post-Construction Stormwater Management Requirements for development projects, essentially updating previous SWPPP regulations) would result in less than significant impacts. Also see items b. and d.

g. Housing within Floodplains: A portion of the parcel which the project is located on is within the 100-year flood plain, however, the area where development will occur is not within the 100-year flood plain, including the buildings with the housing units. No impacts to housing would occur.

h. Flood Hazards: The portion of the site which the structures will be located are not within the 100-year flood plain. As a condition of approval, the Public Works Department is requiring a hydraulic and hydrologic study from the applicant that must demonstrate there will be no adverse impact to upstream properties. Once the recommendations of this study are implemented, the project is not expected to significantly impact existing development along the river upstream.

i. Flooding and Dam Failure: The project site is located in a dam failure inundation hazard area. However, as this is a commercial project with limited patronage at any one time, the impacts are not considered significant.

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

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

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

a. Physical Division of Established Communities: The proposed project is an urban infill site, on the edge of existing development in an industrial portion of the City. As such, it does not divide an established community.

b., c. Policy Consistency/Habitat Plan: The proposed project is consistent with the applicable policies of the Buellton General Plan and meets the development standards of the Buellton Municipal Code. No habitat or conservation plans exist within the City of Buellton. A policy consistency analysis is provided below.

#### **GENERAL PLAN POLICY CONSISTENCY**

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 provide easements and access for a trail along the Santa Ynez River pursuant to 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.*

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

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

Consistent: The project uses Industrial Way for access.

#### **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 provide easements and access for a trail along the Santa Ynez River pursuant to 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 provide easements and access for a trail along the Santa Ynez River pursuant to the City's 2012 Bicycle and Pedestrian Master Plan.

#### **Conservation and Open Space Element**

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*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.

### **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, with residential to the north and east. Activities associated with the project will occur inside enclosed buildings.

*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: A portion of the project site is within the 100-year floodplain of the Santa Ynez River, however no development is proposed to occur within the floodplain, with the exception of a passive trail and habitat restoration. The project's grading and drainage plan shows how runoff from the site will be directed to a proposed detention basins. Onsite improvements will be constructed under the direction of the Public Works Department, and will be required to comply with all applicable regulations of the Regional Water Quality Control Board.

### **Safety Element**

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*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 buildings within the project area is setback at least 200 feet from the river bank. A proposed trail connection will also be located in the setback area. No other uses will be located in within the 200-foot setback area.

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

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

*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.

*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 a bio-filtration system to treat and capture stormwater on-site. This will minimize erosion potential.

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**Land Use Table 1. Project Consistency with M/Mixed Use Zoning District Standards**

Development Feature	City Requirement	Proposed	Project Consistency
Minimum Lot Area	No minimum	17.22 acres	Consistent
Front Setback	20 feet	107 feet	Consistent
Side Setback	None, 10 feet minimum along street	14.5 feet and 40 feet	Consistent
Rear Setback	Minimum of 10 feet	Excess of 200 feet from top of bank	Consistent
Landscaping Res. Open Space	15% Minimum 250 sf per unit: 13,500 sf required	>50% 5,617 sf amenities and over 5 acres of open space	Consistent Consistent
Site Coverage	60% Maximum	18%	Consistent
Height Limits	45 feet	37 feet	Consistent
Res. Density	8 units per acre	3.2 units per acre	Consistent
Parking	Industrial: 1 per 500 sf Business/Research: 1 per 300 sf One bedroom apt: 1 space per unit Two bedroom apt: 2 spaces per unit Guest parking: 1 per 5 units 306 required	323 proposed	Consistent

*Source: City of Buellton Municipal Code, Title 19, Zoning.*

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

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

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

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact

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<b>XII. NOISE</b> - Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip would the project expose people residing or working in the project area to excessive noise levels?				X

a., b, c. The proposed project has industrial and residential components with no outdoor work areas proposed. No significant noise generating activities are proposed. All activities within the City of Buellton shall conform to the noise standards in the Noise Element of the General Plan as well as the noise regulations contained in the Municipal Code. Any violations would be addressed through the City’s existing Code Compliance procedures. No significant impacts are anticipated.

d. Construction noise is not expected to significantly impact noise sensitive receptors. Assuming onsite construction equipment may temporarily generate noise levels up to 88 dBA at 50 feet from the equipment, and assuming that point source noise attenuates at a rate of 6dB per doubling of distance, it is anticipated that the maximum noise levels experienced would be about 64 dB within 800 feet, and 58 dBA at 1,600 feet from the noise source. This does not account any barrier attenuation from intervening structures. The nearest residential neighborhood is roughly 200 feet away to the north and east. Policy N-7 of the Noise element of the General Plan requires that 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. *Impacts would therefore be less than significant.*

e., f. The project is not located within an airport land use plan or near any airstrip. No impacts would occur.

**Findings and Mitigation:** Impacts would be less than significant, therefore no mitigation is required.

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

a. Population Growth: The site is planned for and zoned for industrial or mixed use development.

b, c. Displacement: The vacant site does not contain any housing units.

**Findings and Mitigation:** No impacts would occur so no mitigation is required.

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

a. Fire Services: The project area is served by Station 31 of the Santa Barbara County Fire Department located at 168 West Highway 246. The station is located within 1.0 mile of the project site and is within the 5-minute response time of the station. Fire protection impacts are considered less than significant.

b. Police Services: The project area is served by the City of Buellton Police Department which is contracted through the Santa Barbara County Sheriff's Department. One patrol officer is on duty at all times. No significant impacts have been identified with respect to police services.

c. School Services: The proposed project has 54 housing units but would not generate significant students to the local school districts. No impacts would occur.

d. Parks: The project is mixed use and is not expected to impact parks or park services. No impacts would occur.

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

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**Findings and Mitigation:** Impacts are considered less than significant, therefore, no mitigation is required.

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

a. Demand for Parks and Recreation: The project is mixed use and is not expected to impact parks or park services. No impacts would occur.

b. Construction of Recreational Facilities: The project includes onsite trails, a community building, and other amenities for its residents and the general public. No adverse impacts would occur.

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

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

a, b. Traffic Congestion: A traffic study (July 18, 2017) has been prepared by Associated Transportation Engineers (ATE) for the project. The traffic study is summarized below and is hereby incorporated by reference into this initial study. The complete traffic study is available for review at the Buellton Planning Department, 107 West Highway 246, Buellton and on the City of Buellton website.

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Access to the project site is proposed via an access easement through the adjacent Terravant Wine Company site from Industrial Way. Regional access to the Project site is provided by US 101 via the SR 246 interchange.

Because traffic flow on urban arterials is most constrained at intersections, detailed flow analyses focus on the operating conditions of critical intersections during peak travel periods. In rating intersection operations, "Levels of Service" (LOS) A through F are used. LOS A and LOS B represent primarily free-flow operations, LOS C represents stable conditions, LOS D nears unstable operations with restrictions on maneuverability within traffic streams, LOS E represents unstable operations with maneuverability very limited, and LOS F represents breakdown or forced flow conditions. The City of Buellton considers LOS C as the minimum standard for traffic operations on City roadways and intersections. LOS D is considered acceptable as an interim condition where programmatic implementation of transportation infrastructure improvements is planned to take place over a period that would return the level of service to an acceptable level.

### Existing Conditions

#### *Existing Street Network*

The circulation system serving the Project is comprised of regional highways, arterials and collector streets. The following text discusses the major roadways serving the site.

**US 101**, located east of the Project, is a multi-lane highway serving the California coast between Los Angeles and San Francisco. U.S. 101 is 4-lanes wide in the City of Buellton and provides regional access to the Project.

**SR 246**, located north of the Project site, is an east-west state highway which extends from the Pacific Ocean west of Lompoc through Buellton, Solvang and Santa Ynez to SR 154 on the east. SR 246 is a 4-lane arterial from the western Buellton city limit to Freear Drive near the Eastern city limit.

**Avenue of Flags** is a north-south arterial roadway which parallels the west side of US 101. Avenue of Flags serves the business area of Buellton between the US 101 SB off-ramp and the Flying Flags RV Resort.

**Industrial Way**, located just east of the Project site is a north-south collector street which terminates approximately ¼ mile south of SR 246. Access to the Project is proposed via an access easement through the adjacent Terravant Wine Company site from Industrial Way.

**Sycamore Drive**, located west of the Project site, is a north-south collector street which terminates approximately ¼ mile north and south of SR 246.

#### *Existing Intersection Operations*

Existing peak hour volumes were obtained for the study-area intersections from traffic counts collected in March of 2017. Existing levels of service were calculated for the study-area

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intersections using the Highway Capacity Manual (HCM)<sup>4</sup> methodologies, as required by the City of Buellton. Traffic Table 1 summarizes the existing intersection levels of service (LOS calculations in technical appendix to traffic study).

**Traffic Table 1  
Existing Levels of Service**

Intersection	Control	Delay / LOS (a)	
		AM Peak	PM Peak
#1 - SR 246/Sycamore Drive	Unsignalized	11.0 Sec/LOS B	8.2 Sec/LOS A
#2 - SR 246/Industrial Way	Signal	20.8 Sec/LOS C	17.4 Sec/LOS B
#3 - SR 246/Avenue of Flags	Signal	27.4 Sec/LOS C	30.2 Sec/LOS C

(a) LOS based on average delay per vehicle in seconds pursuant to HCM procedures.

The data presented in Traffic Table 1 indicate that the study-area intersections currently operate at LOS C or better during the A.M. and P.M. peak hour periods, which meets the City's LOS C operating standard.

#### Project Generated Traffic

Trip generation estimates were calculated for the Hub project using rates presented in the Institute of Transportation Engineers (ITE), Trip Generation, 9<sup>th</sup> Edition for General Light Industrial (Land-Use Code #110), Research and Development (Land-Use Code #760), and Apartment (Land-Use Code #220) uses. Traffic Table 2 summarizes the average daily trips (ADT), and P.M. peak hour generation estimates for the project.

**Traffic Table 2  
Project Trip Generation**

Land Use	Size	ADT		AM Peak Hour		PM Peak Hour	
		Rate	Trips	Rate	Trips	Rate	Trips
Light Industrial	46,676 SF	6.97	325	0.92	43	0.97	45
Business/Research	28,066 SF	8.11	228	1.22	34	1.07	30
Residential	54 Units	6.65	359	0.51	28	0.62	33
<b>Total</b>			<b>912</b>		<b>105</b>		<b>108</b>

The data presented in Traffic Table 2 shows that the Hub would generate 912 average daily trips and 108 P.M. peak hour trips.

Traffic Table 3 shows the trip distribution pattern developed for the Project. The trip distribution pattern was developed based on existing traffic flows and surrounding land uses in the area.

**Traffic Table 3  
Project Trip Distribution**

<sup>4</sup> Highway Capacity Manual, Transportation Research Board, 2010.

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Origin/Destination	Direction	Percentage
SR 246	East	35%
	West	35%
Avenue of the Flags	North	20%
	South	10%
<b>Total</b>		<b>100%</b>

### **Project Traffic Impacts**

#### *Intersection Impacts*

Levels of service were calculated for the study-area intersections assuming the Existing + Project volumes. Traffic Table 4 lists the Existing + Project levels of service for the study-area intersections.

**Traffic Table 4  
Existing + Project Levels of Service**

Intersection	Delay / LOS (a)			
	AM Peak Hour		PM Peak Hour	
	Existing	Existing+Project	Existing	Existing+Project
#1 - SR 246/Sycamore Drive	11.0 Sec/LOS B	11.2 Sec./LOS B	8.2 Sec/LOS A	8.4 Sec./LOS A
#2 - SR 246/Industrial Way	20.8 Sec/LOS C	25.4 Sec./LOS C	17.4 Sec/LOS B	17.9 Sec./LOS B
#3 - SR 246/Avenue of Flags	27.4 Sec/LOS C	27.8 Sec./LOS C	30.2 Sec/LOS C	31.4 Sec./LOS C

(a) LOS based on average delay per vehicle in seconds pursuant to HCM procedures.

The data presented in Traffic Table 4 indicate that the study-area intersections will continue to operate at LOS C or better with Existing+Project traffic, which meets the City's LOS C standards. Based on the City's impact threshold criteria, the Project would not generate significant impacts at the study-area intersections.

### **Cumulative Traffic Impacts**

#### *Intersection Operations*

Cumulative traffic volumes were forecast for the study-area intersections assuming development of the approved and pending projects proposed within the City of Buellton (a copy of the March 2017 list summarizing the approved and pending projects is contained in the Technical Appendix to the traffic study). Trip generation estimates were developed for the cumulative projects using the rates presented in the ITE Trip Generation Report. Cumulative traffic volumes are shown on Figure 7 and Cumulative + Project volumes are shown on Figure 8. Traffic Table 5 compares the Cumulative and Cumulative + Project levels of service for the study-area intersections.

**Traffic Table 5  
Cumulative + Project Levels of Service**

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Intersection	Delay / LOS (a)			
	AM Peak Hour		PM Peak Hour	
	Cumulative	Cumulative+Project	Cumulative	Cumulative+Project
#1 - SR 246/Sycamore Drive	11.3 Sec./LOS B	11.5 Sec./LOS B	8.2 Sec./LOS A	8.3 Sec./LOS A
#2 - SR 246/Industrial Way	29.7 Sec./LOS C	30.8 Sec./LOS C	18.0 Sec./LOS B	23.0 Sec./LOS C
#3 - SR 246/Avenue of Flags	27.6 Sec./LOS C	27.9 Sec./LOS C	32.8 Sec./LOS C	33.3 Sec./LOS C

(a) LOS based on average delay per vehicle in seconds pursuant to HCM procedures.

The data presented in Traffic Table 5 indicate that the study-area intersections are forecast to operate at LOS C or better with Cumulative and Cumulative + Project Traffic, which meets the City's LOS C standard. Based on the City's impact threshold criteria, the Project would not contribute to cumulative impacts at the study-area intersections.

### **Site Access and Circulation**

Primary access to the Project site is proposed via a 50-foot-wide access easement that connects the Project site to the south end of the Industrial Way. Emergency access is proposed via a second roadway connection located just east of the Project site that would provide emergency access through the adjacent residential neighborhood to the east.

The proposed access driveway would connect to the south end of the Industrial Way cul-de-sac where two other driveways also connect. Further, there are several approved or pending developments that will add traffic to the driveways at the south end of the cul-de-sac, including The Network development, the Figueroa Mountain Brewery Expansion development, the Terravant Annex development, and The Hub development. The cumulative traffic volumes are relatively low, which equate to LOS A operations. The proposed access driveway and the two other driveways that connect to the south end of the Industrial Way cul-de-sac are currently uncontrolled. It is recommended that lane striping and a 3-way Stop-Sign be installed to control turning movements at the intersection. Implementation of this improvement would reduce site access impacts to a level of insignificance.

### **Pedestrian and Bicycle Facilities**

There are existing pedestrian sidewalks along both sides of Industrial Way from SR 246 and its terminus. Pedestrian sidewalks are also provided on both sides of State Route 246 between Avenue of Flags and Sycamore Drive. The City of Buellton's bicycle and pedestrian master plan proposes Class II bicycle routes for State Route 246 and Class III bicycle routes for Industrial Way. These facilities will be able to accommodate pedestrian and bicycle traffic generated by the Project.

### **Congestion Management Program Analysis**

The Santa Barbara County Association of Governments (SBCAG) has developed a set of traffic impact thresholds to assess the impacts of land use decisions made by local jurisdictions on regional transportation facilities located within the Congestion Management Program (CMP) roadway system. The following guidelines were developed by SBCAG to determine the significance of project-generated traffic impacts on the regional CMP system.

## Attachment 3

1. For any roadway or intersection operating at "Level of Service" (LOS) A or B, a decrease of two levels of service resulting from the addition of project-generated traffic.
2. For any roadway or intersection operating at LOS C, project-added traffic that results in LOS D or worse.

Figure 9

3. For intersections within the CMP system with existing congestion, the following table defines significant impacts.

Level of Service	Project-Added Peak Hour Trips
LOS D	20
LOS E	10
LOS F	10

4. For freeway or highway segments with existing congestion, the following table defines significant impacts.

Level of Service	Project-Added Peak Hour Trips
LOS D	100
LOS E	50
LOS F	50

### *Potential Intersection Impacts*

The traffic analysis found that the intersections along SR 246 are forecast to operate at LOS C or better under Existing + Project and Cumulative + Project traffic conditions. These operations are acceptable based on the CMP standards. Therefore, the Hub Project would not impact the CMP intersections in the study-area.

### *Potential Freeway Impacts*

The Hub Project would add less than 100 peak hour trips to U.S. Highway 101 north and south of SR 246. Based on CMP criteria, the Project would not significantly impact the freeway segments within the study-area.

**Findings and Mitigation:** The proposed project would not create significant project or cumulative related traffic impacts. However, the intersection configuration at the cul-de-sac could create traffic conflicts. The project is also required to pay the City's AB 1600 traffic mitigation fee. The following required mitigation measure would reduce site access traffic impacts to a level of insignificance:

- T-1            Striping and Signage.** The cul-de-sac intersection shall be striped and signs installed in accordance with the diagram included as Appendix D to this initial study prior to the issuance of the certificate of final occupancy.

### *Monitoring:*

### Attachment 3

Planning Department and Public Works will verify installation of striping and signs prior to final occupancy.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b><i>XVII. TRIBAL CULTURAL RESOURCES -</i></b> Would the project:				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				X
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				X

a. Tribal Cultural Resources. The property is an urban infill site. The site is highly disturbed as a result of past flooding events. Therefore, if any tribal cultural resources were present on the site in the past, it is highly unlikely that they would be present today. Additionally, Mitigation Measure CR-1 in the Cultural Resources section includes the requirement to conduct an extended Phase 1 archaeological survey. The procedures laid out in this mitigation measure would be followed in the event any cultural resources are discovered. This City has followed the required AB52 consultation prior to release of this initial study.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b><i>XVIII. UTILITIES AND SERVICE SYSTEMS -</i></b> Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	

### Attachment 3

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

a. Wastewater Treatment Requirements: The anticipated use of the site is not anticipated to generate waste of increased or concentrated strengths. All elements of the project will be directly connected to the public sewer for ultimate treatment at the City's wastewater treatment plant. Impacts would be less than significant.

b., e. Water and Wastewater Facility Construction: The General Plan already accounts for development of the intensity proposed as part of the project. Therefore, its water consumption and wastewater generation characteristics are already accounted for in the General Plan and associated Environmental Impact Report. Water use is estimated at 14.61 acre-feet per year and wastewater generation at 13,565 gallons per day. The City has adequate water supply with its three sources of water. The City's wastewater treatment plant has a total capacity of 650,000 gallons per day, and has a current average daily flow of approximately 450,000 gallons per day. The project generation will increase the current average daily flow by less than 1 percent. The existing wastewater treatment plant and sewer mains have sufficient capacity to accommodate the project's flows. Impacts would be less than significant.

c. Storm Drain Construction: The project would convey drainage to proposed on-site depressed bio-infiltration facilities on the project site. No additional impacts are anticipated. The impacts would be less than significant.

d. Water Supplies: This project would increase the demand for domestic water from the City's supplies; however, the City has adequate supply to service the project without obtaining new or expanded water entitlements. Impacts would be less than significant.

f., g. Solid Waste: No significant solid waste impacts have been identified with respect to the proposed project.

**Findings and Mitigation:** No significant impacts would occur, so no mitigation is required.

### Attachment 3

<b>XIX. MANDATORY FINDINGS OF SIGNIFICANCE</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		X		

a. Impacts related to drainage and water quality were determined to be less than significant. Compliance with stormwater and other water quality regulations ensures that the project's impacts are not cumulatively considerable. Potential impacts related to biological resources and cultural resources were identified, however the appropriate mitigation measures have been included to mitigate these impacts to a less than significant level and ensure that there are no cumulatively considerable impacts. The project is also required to comply with federal, state and local laws that address biological resources. Standard conditions of approval would also apply. There are no important examples of major period of California history or prehistory that will be impacted by this project.

b. Potential cumulative impacts with mitigation required related to greenhouse gases and transportation and traffic were determined. The appropriate mitigation measures have been included to lessen these potential impacts to a less than cumulatively considerable level.

c. The incorporation of required mitigation measures and adherence to General Plan policies would reduce all impacts that have the potential to affect human beings to a less than significant level. Mitigation measures are required for the following issues: hazards and hazardous materials, greenhouse gas emissions, and transportation/traffic.

---

**Appendix A**

*Project Vicinity Map*

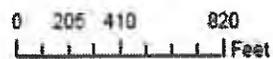


# Appendix A



**Legend**

-  City Parcels
-  Project Location



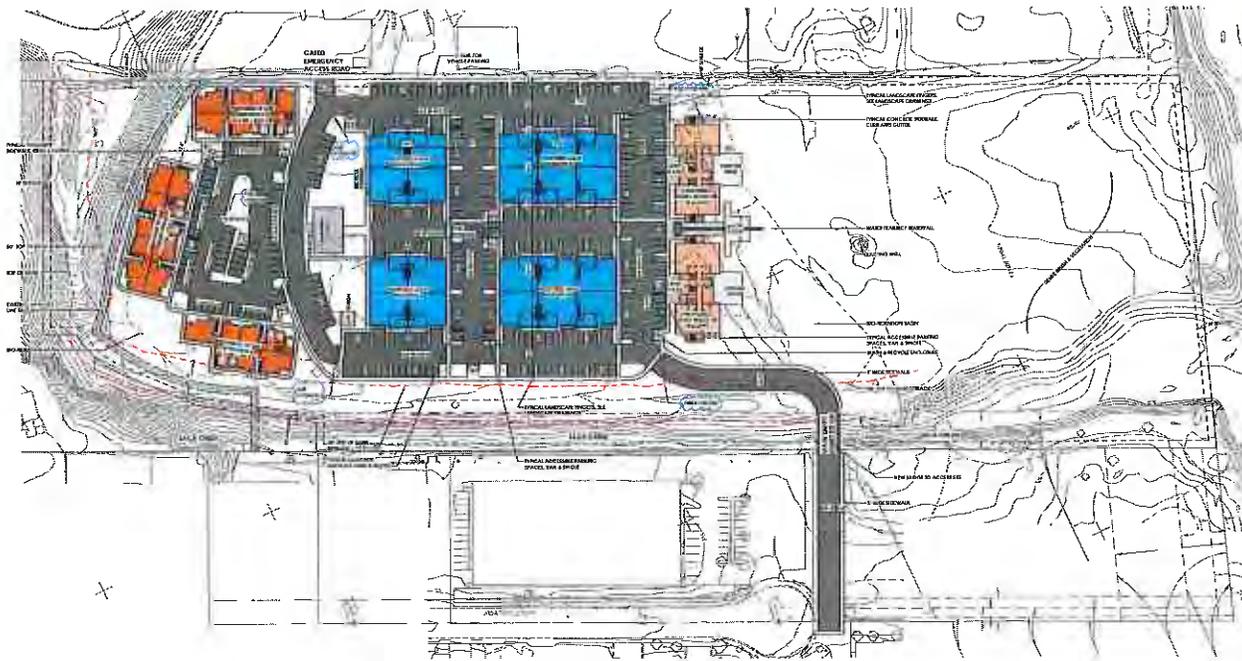
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**Appendix B**

*Project Plans*







NOT FOR CONSTRUCTION

**Buellton Hub**  
 Buellton Hwy  
 Buellton, CA 93122

PROJECT: 160888  
 NO. CALC/PIECE

DATE:  
 CHECKED BY:  
 DRAWN BY:  
 PROJECT ASSIGNED BY:

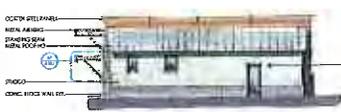
**AS101**  
 DESIGN

**SHEET 01**  
 TOTAL SHEETS: 15

NO.	DESCRIPTION	DATE
1	PRELIMINARY	11/15/11
2	FINAL	11/15/11

NO.	DESCRIPTION	DATE
1	PRELIMINARY	11/15/11
2	FINAL	11/15/11

TOTAL PARKING REQUIRED = 274  
 PROVIDED = 288



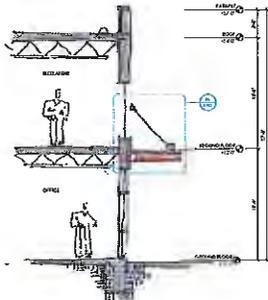
COMMUNITY BUILDING FACADE ELEVATION 10  
10'-11"



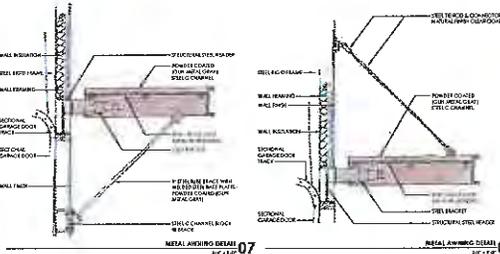
COMMUNITY BUILDING FACADE ELEVATION 03  
10'-11"



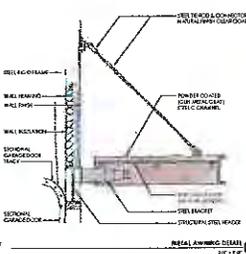
COMMUNITY BUILDING FACADE ELEVATION 08  
10'-11"



TYPICAL LIGHT INDUSTRIAL WALL SECTION 09  
10'-11"



METAL FRAMING DETAIL 07  
10'-11"



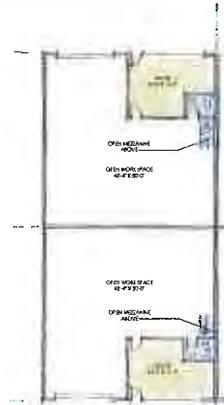
METAL FRAMING DETAIL 06  
10'-11"



COMMUNITY BUILDING FLOOR PLAN 02  
10'-11"



TYPICAL INDUSTRIAL FACADE ELEVATION 05  
10'-11"



INDUSTRIAL TYPICAL SECTION 01  
10'-11"



TYPICAL INDUSTRIAL FACADE ELEVATION 04  
10'-11"

**Buellton Hub**  
Industrial Way  
Buellton, CA 93207  
PROJECT NO. 141618

NO.	DESCRIPTION	DATE
01	Concept	11/20/17
02	Final Design	1/10/18
03	Final Design	1/20/18
04	Final Design	1/20/18
05	Final Design	1/20/18
06	Final Design	1/20/18
07	Final Design	1/20/18
08	Final Design	1/20/18
09	Final Design	1/20/18
10	Final Design	1/20/18
11	Final Design	1/20/18
12	Final Design	1/20/18
13	Final Design	1/20/18
14	Final Design	1/20/18
15	Final Design	1/20/18
16	Final Design	1/20/18
17	Final Design	1/20/18
18	Final Design	1/20/18
19	Final Design	1/20/18
20	Final Design	1/20/18

**A103**  
INDUSTRIAL BUILDINGS  
COMMERCIAL BUILDINGS  
SPECIAL  
INDUSTRIAL BUILDINGS

NOT FOR CONSTRUCTION

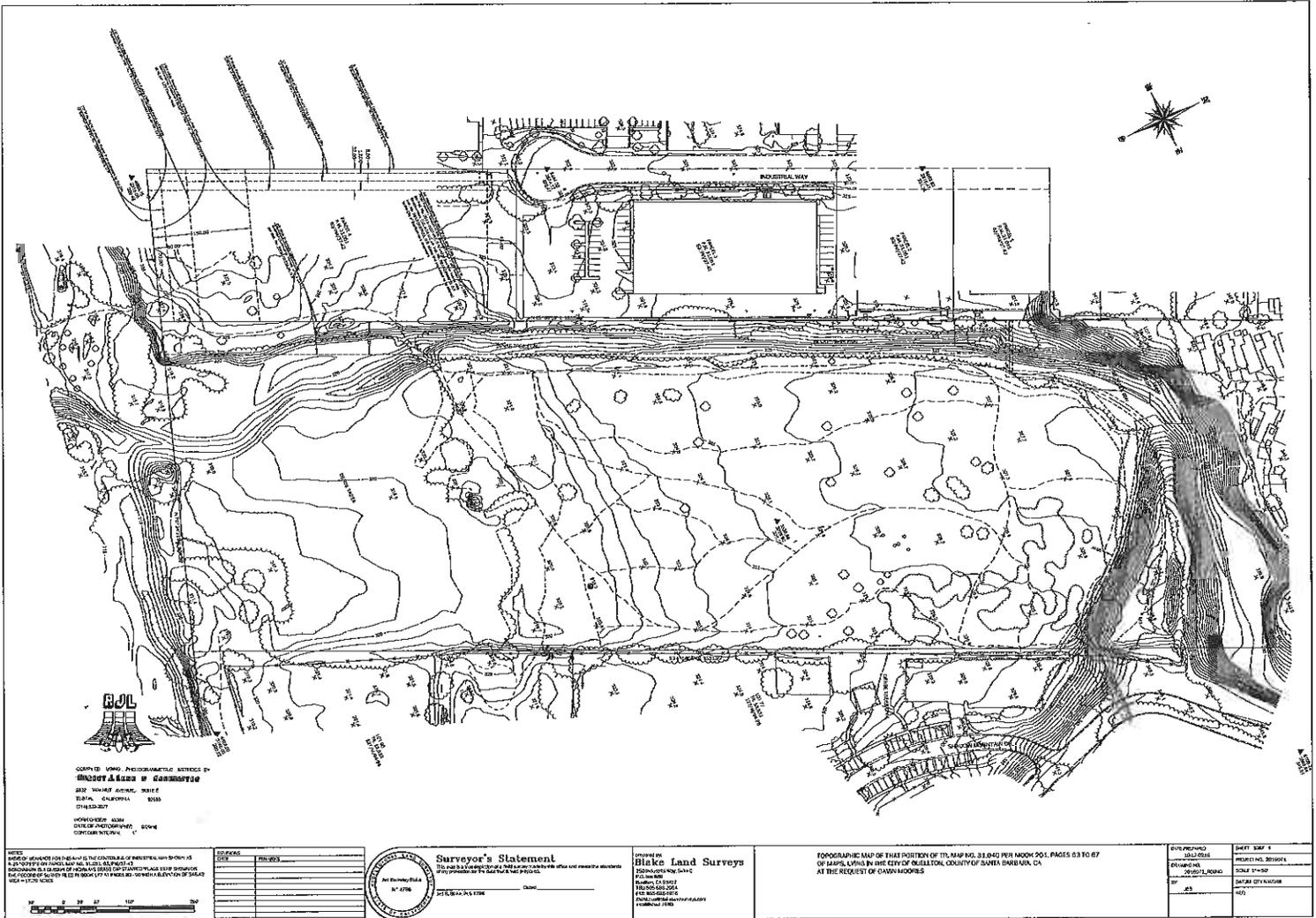













  
 COMPILED FROM PHOTOGRAMMETRIC STRIPDS BY
   
**Blakes Land Surveys**
  
 222 N. HWY 99, SUITE 200
   
 OCELESTON, CALIFORNIA 93045
   
 (714) 333-3077
   
 HONORABLE ALAN
   
 DIRECTOR OF PHOTOGRAMMETRY
   
 COUNTY OF SANTA BARBARA

NOTES:
   
 1. THIS MAP IS A REPRODUCTION OF THE ORIGINAL SURVEY MAP AND IS NOT TO BE USED AS A SUBSTITUTE FOR THE ORIGINAL SURVEY MAP.
   
 2. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
   
 3. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
   
 4. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

NO.	DATE	REVISION



**Surveyor's Statement**
  
 I, the undersigned, being a duly licensed Surveyor in the State of California, do hereby certify that the foregoing is a true and correct copy of the original survey map as the same appears on file in my office.
   
 DATE: 07/15/2016

PREPARED BY:
   
**Blakes Land Surveys**
  
 222 N. HWY 99, SUITE 200
   
 OCELESTON, CALIFORNIA 93045
   
 (714) 333-3077
   
 FAX: (714) 333-3078
   
 www.blakesland.com

TOPOGRAPHIC MAP OF THIS PORTION OF TLM MAP NO. 31,040 PER MOOD 001, PAGES 63 TO 67
   
 OF MAPS, LOTS IN THE CITY OF OCELESTON, COUNTY OF SANTA BARBARA, CA
   
 AT THE REQUEST OF GARY MOORES

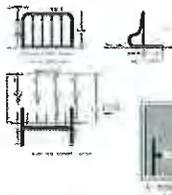
DATE	BY	REVISION







# Attachment 3



**BIKE RACK PARKING AREAS**  
NOT TO SCALE



**VEGETATED SWALE**  
NOT TO SCALE



**SHRUB PLANTING DETAIL**  
NOT TO SCALE



**TREE PLANTING DETAIL**  
NOT TO SCALE



**WATER FEATURE AT THE HUB**  
NOT TO SCALE



**VEHICLE BRIDGE**  
NOT TO SCALE



**WOOD WALL FENCE AT EASTERN EDGE**  
NOT TO SCALE



**EMERGENCY GATE (EAST SIDE)**  
NOT TO SCALE



**RAPTOR ROOST (SOUTH PORTION OF SITE)**  
NOT TO SCALE

**LANDSCAPE RECOMMENDATIONS**

**PROJECT INFORMATION:**  
PROJECT NAME: LANDSCAPE ARCHITECTURE STUDIO  
PROJECT ADDRESS: 12345 MAIN ST, SAN FRANCISCO, CA 94102  
DATE: 01/15/2017  
SCALE: 1/8" = 1'-0"

**PLANTING SCHEDULE:**  
PLANTING DATE: 03/15/2017  
PLANTING TIME: 08:00 AM - 05:00 PM  
PLANTING LOCATION: SEE LANDSCAPE PLAN  
PLANTING METHOD: SEE LANDSCAPE PLAN

**PLANTING NOTES:**

1. ALL PLANTS TO BE INSTALLED BY THE CONTRACTOR UNDER THE SUPERVISION OF THE LANDSCAPE ARCHITECT.
2. ALL PLANTS TO BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE PLANTING SCHEDULE.

DATE: \_\_\_\_\_

**PLANNING NOTES**

1. LANDSCAPE ARCHITECTURE STUDIO HAS CONDUCTED VISUAL ANALYSIS OF THE PROJECT SITE AND HAS IDENTIFIED THE FOLLOWING PLANNING NOTES:

2. THE LANDSCAPE ARCHITECTURE STUDIO HAS IDENTIFIED THE FOLLOWING PLANNING NOTES:

3. THE LANDSCAPE ARCHITECTURE STUDIO HAS IDENTIFIED THE FOLLOWING PLANNING NOTES:

4. THE LANDSCAPE ARCHITECTURE STUDIO HAS IDENTIFIED THE FOLLOWING PLANNING NOTES:

5. THE LANDSCAPE ARCHITECTURE STUDIO HAS IDENTIFIED THE FOLLOWING PLANNING NOTES:

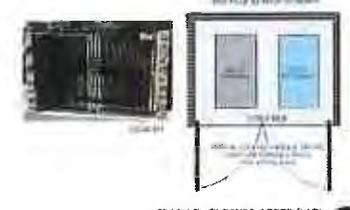
6. THE LANDSCAPE ARCHITECTURE STUDIO HAS IDENTIFIED THE FOLLOWING PLANNING NOTES:

7. THE LANDSCAPE ARCHITECTURE STUDIO HAS IDENTIFIED THE FOLLOWING PLANNING NOTES:

8. THE LANDSCAPE ARCHITECTURE STUDIO HAS IDENTIFIED THE FOLLOWING PLANNING NOTES:

9. THE LANDSCAPE ARCHITECTURE STUDIO HAS IDENTIFIED THE FOLLOWING PLANNING NOTES:

10. THE LANDSCAPE ARCHITECTURE STUDIO HAS IDENTIFIED THE FOLLOWING PLANNING NOTES:



**TRASH ENCLOSURE SCREENING**  
NOT TO SCALE

**LANDSCAPE AND SITE DETAILS**

**BUJILLION HUB (BUE-17)**  
Industrial Way  
Burlington, California 93427  
DATE: 09/08/2016

DATE PREPARED: JULY 25, 2017



---

**Appendix C**

*Plant List*

## MONOCOTS

**ARECACEAE—PALM FAMILY**

\**Phoenix canariensis*—Canary Island date palm

**POACEAE—GRASS FAMILY**

\**Bromus diandrus*—ripgut brome

\**Bromus hordeaceus*—soft brome

\**Bromus madritensis* ssp. *rubens*—red brome

\**Festuca myuros*—rat-tail fescue

\**Hordeum murinum*—mouse barley

\**Phalaris paradoxa*—hood canarygrass

\**Schismus barbatus*—common Mediterranean grass

\**Stipa miliacea*—no common name

## EUDICOTS

**ADOXACEAE—MUSKROOT FAMILY**

*Sambucus nigra* ssp. *caerulea*—blue elderberry

**ANACARDIACEAE—SUMAC OR CASHEW FAMILY**

\**Schinus molle*—Peruvian peppertree

*Toxicodendron diversilobum*—poison oak

**APIACEAE—CARROT FAMILY**

\**Anthriscus caucalis*—bur chervil

\**Conium maculatum*—poison hemlock

**ASTERACEAE—SUNFLOWER FAMILY**

*Artemisia californica*—California sagebrush

*Artemisia douglasiana*—Douglas' sagewort

*Baccharis pilularis*—coyote brush

*Baccharis salicifolia*—mulefat

\**Carduus pycnocephalus*—Italian plumeless thistle

\**Centaurea melitensis*—Maltese star-thistle

*Heterotheca grandiflora*—telegraphweed

\**Lactuca serriola*—prickly lettuce

\**Matricaria discoidea*—disc mayweed

\**Silybum marianum*—blessed milkthistle

\**Sonchus oleraceus*—common sowthistle

**BORAGINACEAE—BORAGE FAMILY**

- Amsinckia menziesii*—Menzies' fiddleneck  
*Pholistoma auritum* var. *auritum*—blue fiestaflower

**BRASSICACEAE—MUSTARD FAMILY**

- \**Brassica nigra*—black mustard  
\**Hirschfeldia incana*—shortpod mustard  
\**Sisymbrium irio*—London rocket

**CHENOPODIACEAE—GOOSEFOOT FAMILY**

- \**Chenopodium album*—lambsquarters

**CRASSULACEAE—STONECROP FAMILY**

- Crassula connata*—sand pygmyweed

**CUCURBITACEAE—GOURD FAMILY**

- Cucurbita foetidissima*—Missouri gourd  
*Marah macrocarpa*—Cucamonga manroot

**FABACEAE—LEGUME FAMILY**

- Acemisson americanus*—Spanish clover  
*Lupinus bicolor*—miniature lupine  
\**Medicago polymorpha*—burclover  
\**Melilotus indicus*—annual yellow sweetclover  
\**Vicia sativa*—garden vetch

**FAGACEAE—OAK FAMILY**

- Quercus agrifolia*—coast live oak

**GERANIACEAE—GERANIUM FAMILY**

- \**Erodium cicutarium*—redstem stork's bill  
\**Erodium moschatum*—musky stork's bill

**JUGLANDACEAE—WALNUT FAMILY**

- Juglans californica*—California walnut

**LAMIACEAE—MINT FAMILY**

- \**Lamium amplexicaule*—henbit deadnettle  
\**Marrubium vulgare*—horehound  
*Salvia leucophylla*—purple sage

**MALVACEAE—MALLOW FAMILY**

- \**Malva parviflora*—cheeseweed mallow

**MYRTACEAE—MYRTLE FAMILY**

\**Eucalyptus globulus*—Tasmanian bluegum

**ONAGRACEAE—EVENING PRIMROSE FAMILY**

*Camissoniopsis micrantha*—miniature suncup

*Epilobium ciliatum*—fringed willowherb

**POLYGONACEAE—BUCKWHEAT FAMILY**

\**Rumex crispus*—curly dock

**RUBIACEAE—MADDER FAMILY**

*Galium aparine*—stickywilly

**SALICACEAE—WILLOW FAMILY**

*Populus fremontii*—Fremont cottonwood

*Salix exigua*—sandbar willow

*Salix gooddingii*—black willow

*Salix lasiolepis*—arroyo willow

**SOLANACEAE—NIGHTSHADE FAMILY**

*Datura wrightii*—sacred thorn-apple

**URTICACEAE—NETTLE FAMILY**

*Urtica dioica*—stinging nettle

\* - non-native naturalized species

---

**Appendix D**

*Traffic Striping*



The Buellton Hub  
Traffic and Circulation Study

Associated Transportation Engineers  
July 16, 2017



DRIVEWAY ACCESS IMPROVEMENTS

FIGURE 10

ES&A-1707-0301

## Attachment 4

Project Incomplete Response: The Hub in Buellton

June 9th 2017

Owner Agent: Gavin Moores

Project team

Architect: DHMA Architects:

Civil Engineer: RRM Design Group: Michael Hamilton

Landscape Architect: EarthKnower Studio: Robert Adams

Planner: Zelefsky and Associates: Howard Zelefsky

Soils Engineer: Geo-Solutions:



Introduction

Please find enclosed plans and reports which address the comments from your "determination of incompleteness letter dated January 20th 2017 for the Buellton Hub commonly referred to as BUE 17.

In order for you to deem the application complete we addressed each item in your letter and provided a written response in this response. On a design perspective the submitted plans have been revised and include updated site plans, floor plans, elevations and landscape plans to address each item raised in your review. Although we are awaiting the traffic study we have attached a photometric, preliminary storm water control plan along with a hydrology study as requested and responded to the Rincon peer Biology review. Lastly, a Master Signage Program depicting the location, design, materials, colors and dimensions of all exterior signs and monuments has been included.

Residential Component

The proposed project will include; 50 residential apartment units as part of the project proposal. The purpose of these units is to provide private local workforce housing focused to the workforce of local businesses. In addition, we are committed to supporting the City's goal of providing affordable housing by paying the appropriate fee to the City's affordable housing trust fund.

To target the local workforce, we will specifically market 50% of the units first to tenants of the "Hub" Industrial and Development buildings for occupancy by their employees. Following the initial 45 day offer to HUB employees, the units will be made available to workers on Industrial Way for another 45 days. Finally, there will be an additional 45 days of availability to qualified residents of Buellton before the apartments are marketed for rent outside of Buellton.

Ultimately the goal is to recognize the needs of the Buellton community and provide an opportunity for the local businesses to find local housing thereby providing traffic relief while benefiting the local environment.

## Attachment 4

### Project Incomplete Response: *The Hub in Buellton*

June 9th 2017

To recap the project proposal, the proposed plan includes:

- a 2,377-square foot community center for tenant use,
- 47,438 square feet of light industrial in four distinct and architecturally superior buildings,
- 28,480 square feet business/ research in 2 separate buildings
- 50 Residential units.
- We have provided an additional 50 parking spaces over the required 277 spaces for a total of 323 parking spaces.

The design and layout of the parking and loading areas is consistent with Chapter 19.04 of the zoning code and provides an excess of the number of parking stalls and landscaping to serve the project.

We have undertaken significant steps to connect the unique design of this project to the natural environment. Our commitment to be sensitive to the natural environment by incorporating landscaping and natural features that enhance and compliment the setting in which the project is situated.

Attached to this letter we have included, a biological assessment of the property prepared by John Davis, Dudek . As part of this resubmittal, Mr. Davis consulted with and conducted an onsite consultation with the Department of Fish and Game. The results of that meeting are included as part of Mr. Davis' assessment.

New and advanced storm drains are being proposed to mitigate storm water runoff from the site. As mentioned, the existing retardation basin west of the project site will be improved with new landscaping features to create a more natural vegetative bio-swale. We are working with State Fish and Wildlife to transition Zaca Creek from a drainage channel to a year-round sanctuary and habitat. We also want to expand this the environmental theme by removed invasive plant species and promote the growth of native plants. To accomplish this and be responsible property owners, we are committed to working very closely with adjacent Neighbors and local groups such as the Botanical Gardens and others who have an interest in the proposed project.

Outlined below are specific responses to the comments within your incomplete letter:

#### General Comments

1. *Site Plan* — revise as follows (including any other plans that are affected):
  - a. In the mixed-use M zone, 15% of the net site area shall be landscaped. An open space area of 250 square feet per each residential unit is required exclusive of the landscaped area. These open space areas shall contain usable amenities, such as outdoor seating, barbeques, children's play areas, water features, pools/spas, and basketball or volleyball

## Attachment 4

### Project Incomplete Response: The Hub in Buellton

June 9th 2017

courts. Private patio and balcony areas can be included in this calculation. The plans need to identify this requirement and how it is satisfied. Show compliance with the landscape and open space percentages.

Response: The 15% net area data is shown on sheet L-1

- b. Show all existing and proposed private and public easements, including access to Industrial Way on the adjoining property.
- c. Show the east-west public trail easement along the south property line.

Response: Public and private easements are documented on C.4 of the Civil plans We are requesting an easement from the City along the West property line to install and maintain a public access trail which will transition across into the setback area at the south section of the property. We felt that given the Industrial Way nature of the project it would be a safer option for the public & residents of Ranch Maria to access Industrial way and the Riverbank trail out of the industrial traffic patterns

- d. 323 spaces may be shown, but correct the parking calculations to reflect 277 required spaces.

Response: Although the calculations reflect the need for 277 parking spaces we have design the project with 316 parking spaces shown on the Architectural and Civil plans

#### 2. Signage and Lighting

- a. Submit Master Sign Program, depicting the location, design, materials, colors, and dimensions of all exterior signs and monuments, including lighting associated with signage.

Response: A complete sign plan is included (see tab) in the master binder and the binders for PC Members.

- b. A complete photometric lighting plan shall be submitted showing both on and off-site lumens. The photometric lighting plan that was submitted does not show lumens for all areas of the project

Response: The photometric light plans have been revised to include on and off site lighting impacts.

#### 3. Elevations

- a. Revise the elevations based on comments from the City's Architect design consultant (comments are forthcoming).

Response: We included in this submittal are revised all elevations (4 sides) of Light industrial buildings, Hub Offices & research buildings, and the residential units. We Also addressed the City's Architectural comments as follows:

1.The design theme of the Hub design is intended to meet the agrarian style with a contemporary flare.

2.We have provided digital color board for this application and will delivery material boards with samples in the next 10 days. See attached material board.

3.We listened to the Planning Commissioners and City's input and modified the Industrial building façade material updated. Industrial building façade is now a mix of corten siding, stucco and block.

4. The updated Elevations show the blend of materials proposed on the Industrial and Community buildings. Corten, concrete block and stucco proposed.

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5. The guidelines given to the design team was to not just, throw gingerbread on elevations to comply with a theme. In response, they achieved articulation through façade variation, material changes and plane changes to create shadow lines and texture.
6. This them is reflected in the smaller elements of design on sheet A105 showing a roof plan with drainage and down spouts for each building. All rainwater is diverted to green area to promote ground water infiltration, See site plan and landscape plan.
7. Sheets A102, A103, A104, A106 show the detailing of eaves, awnings and sections showing how the design is carried out.
8. Sheets A101, A103, and A104 show elevations with exterior light fixture locations. See light fixture spec sheets on A106 showing compatible with architectural style.
9. Floor plans, elevations and roof plans are included on Sheets A101, A103, A104 and A105
10. Sign package provided noting all locations, specs and elevations provided to be compatible with the architectural style of buildings.

#### 4- Landscape Plans

- a. The net landscape percentage (15% minimum) and the 250 square foot open space requirement per unit (13,500 square feet) shall be identified on the plans.  
Response: We are providing 15% open space and have included 13,500sqft open space for the residential units.
- b. The landscape plan needs to specify tree species in accordance with the City's Approved Tree Planting List. If a tree is proposed, but not on the approved tree list, provide an explanation on the tree's appropriateness for the area.  
Response: All trees selected are on the City's approved tree list and any exceptions are noted (Olive Tree) in the Plant Legend which not only thrives in Buellton's Climate Zone, but is water conserving as well.
- c. Show calculation of percentages for landscape and hardscape areas, and show locations for each.  
Response: Buildings cover 17% of the Site, Hardscape (parking, paving, walkways) cover 23% of the site, the specific square footages are shown on Sheet L-1 Landscape Plan.
- d. Landscape Plans must include the Model Water Efficiency Landscape Ordinance statement to ensure compliance.  
Response: The Landscape ordinance is on sheet L-1 of the landscape plans.
- e. Clear labels identifying the location of all existing trees with trunk diameters over 3", showing type, trunk and canopy diameter; tabulate and indicate the status of each tree identified (e.g. to be removed, saved, relocated) and applicable replacement requirements to be incorporated into landscape plans.  
Response: We are not removing any trees of this size, see sheet L-1 Landscape Plan

#### B. Public Work Director / City Engineer Comments

1. A preliminary storm water control plan shall be submitted.

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2. A preliminary hydrology and hydraulic study shall be submitted.
3. A preliminary flood study shall be submitted.  
Response: Items 1-3 were undertaken by RRM & are all included our submittal packages for your review.
4. The flood zones and cross section elevations shall be shown on the plans. Finished elevations should to meet the 2' requirement above the BFE. Residential Units are not allowed within the floodplain. A CLOMR will be required to be processed through FEMA to remove the site from the flood zone. Property owner will need to sign acknowledgement of development within the floodplain.  
Response: The requested flood zones and cross section elevations are included as part of our submittal on Civil Sheet C-2 and on the site sections on C-4. We will process a CLOMAR through FEMA to complete the requirements to address this matter.
5. The grading plans identify Top of Bank (TOB). Based on the topo contours, the TOB appears lower than it should be. Please clarify, correct, or qualify.  
Response: The TOB was verified for accuracy in March by Dudek both Rincon and DFW agreed to the current TOB location.
6. Access is shown through the Rancho de Maria neighborhood. Please submit a letter of acceptance of connection and use from their HOA. They have not allowed any connections in the past.  
Response: I have reached out to Kit Nirenberg as a representative for Rancho de Maria HOA and will update you as to our meeting this week (6.12.17)
7. Please submit access easements or letter of intent to grant access for the two bridge/access points through the property to the west that connects the site to Industrial Way.  
Response: We are only proposing one access point and have enclosed a copy of the access easements on the Civil plan C.0.4.
8. Site storm drain, detention basins and other treatment facilities shall be private. Confirmed only the water mains are proposed as public.
9. Confirm that the sewer lines, lift station and force main will be private.  
Response: Confirmed the sewer lines, lift station and force main will be private and we have contracted Rob Miller of the Wallace group to undertake the design.
10. Confirm if the water lines will be private.  
Response: The water lines are proposed as public
11. Will there be a map processed with the project?  
Response: There will be a Map divide the property into 3 lots. The proposal is to separate out the Residential apartments as a condo map on a separate lot. The light industrial and the Hub buildings are also proposed as condominiums on their own respective lots.
12. Permits from the appropriate state and federal wildlife agencies will be required. Consultation should start as soon as possible.  
Response: The process is underway and being handled by John Davis & Howard Zelefsky.
13. Please show the eastern walk/bike trail in the cross sections. Are they within the project's property line? If not, is there an easement or agreement to construct/maintain the trail? Show the east-wst river trail and easement on the plans.

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Response: The Eastern Wal bike trail essentially starts from the East Emergency exit and is shown on City Property i.e. the west property line of the Golf Course until the trail transitions in from of the Hub buildings and links to industrial way and the Terravant trail to the Santa Ynez River. This is shown on Sheets C-4 of the Civil plans and L-1 of the landscape plan.

14. Will public open space/trails easement be dedicated for the area south of the Business Hubs?

Response: At this time, we are not certain as to the extent of the Environmental mitigate / habitat restoration we are planning or will be permitted to undertake so we are keeping the open space south of the Hub private along with the other community features. The East access trail will be public and maintained by the applicant / project.

#### C. County Building & Safety Division Comments (Beth Brooke 805-934-6250)

1. The comments of the County of Santa Barbara Building and Safety Department are attached (email dated January 5, 2017).

Response: We have noted the comment as conditions which will be applied during the approval process.

#### D. Housing Units

1. Per the Municipal Code, 15% of the housing units, or 8.1 units, are required to have affordable rents. However, an in-lieu fee may also be considered for these units. Staff will work with you on the best option for this project.

Response: We refer you to the "Residential Component" which addresses this matter on page one.

2. Per the discussions at the Planning Commission meeting, your intent is to have the employee housing be for workers in the entire Industrial Way area. Staff will work with you to place appropriate conditions on the project to accommodate this request.

Response: We refer you to the "Residential Component" which addresses this matter on page one.

#### E. Fire Department Comments

1. The comments of the County of Santa Barbara Fire Department are forthcoming.

Response: We have meet with Cpt Glenn Fidler who has approved of our site plan changes for access etc. We have noted the comment as conditions which will be applied during the approval process.

#### F. Environmental

1. The level of environmental review will be determined after all of the special studies are completed and the Initial Study has been prepared for the project. The applicant is responsible for covering the cost of the Initial Study (and whichever type of environmental document is required).

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2. The following two proposals have been submitted for Special Studies that will be incorporated into required sections of the Initial Study as applicable.
  - a. Rincon Consultants has submitted a proposal for preparation of Air Quality, Greenhouse Gas Emissions, and Biological Resources Peer Review analyses sections of the Initial Study (attached letter dated January 5, 2017).
  - b. Associated Transportation Engineers (ATE) has submitted a proposal for the Tram and Circulation Study section of the Initial Study (attached letter dated January 9, 2017).
3. The applicant may pay the fees for the Initial Study and Special Studies prior to resubmittal of the project in order to begin the preparation of the Initial Study. The preparation of the Initial Study and special studies will not begin until the applicable fees have been paid.

Response: We have paid for the Rincon and Environmental studies in addition to our own studies undertaken by John Davis of Dudek and recognize the environmental process and responsibilities. We note the comment and will address any conditions which will be applied during the approval process.

#### G. Planning Commission Comments

1. The method of ensuring that the housing units are for employees in the area.
2. The 3.18 unit per acre density is acceptable
3. How will the affordable housing requirements be met?  
Response: See "Residential Component on Page one.
4. Provide architectural elevations of the carports. Placing solar on top is acceptable.  
Response: Included in the Architectural Details page
5. Address the privacy issues with the apartments and parking lot and walking areas.  
Response: We have addressed this comment through additional landscaping.
6. Add texture to the concrete tilt up buildings. The Commission felt it was too plain looking. The City's design consultant will make comments on this request.  
Response: This have been addressed with a change in materials.
7. The Commission appreciates taking the environment into account with the project design and that you should work with local groups to help educate the public about the habitat areas.  
Response: We are already in contact with local neighbors and the have noted the comment as conditions which will be applied during the approval process.

We believe the approval of the proposed project will be consistent with the City's vision for the industrial zones, and add a much-needed diversity of uses that will enhance the existing setting. This project design is also the first of its type in Santa Barbara County where a true live work design provides the opportunity for a workforce to essentially walk to work and have a rich quality of life.

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The benefits to the local environment are also substantial. Restoration of Zaca Creek the removal of concrete debris replaced with bio-swales and the careful process of restoring native plant species to provide and environmental balance and educational opportunity.

Thank you,

*Gavin Moores*

Gavin Moores

805-692-4701

[gavinm@cpdqinc.com](mailto:gavinm@cpdqinc.com)

#### Attachments:

1. 10 copies of a complete revised full-sized set of plans
  - a. Architectural Plans
    - i. Cover sheet
    - ii. Site Photos
    - iii. Site Plan
    - iv. Plan & Elevations
    - v. Building Sections
    - vi. Typical Roof Plans
    - vii. Typical Details
    - viii. Visual Renderings
    - ix. Photometric Study
    - x. Sign Plan
  - b. Civil Plans
    - i. Survey
    - ii. Preliminary Utility Plan
    - iii. Preliminary Grading & Drainage plan
    - iv. Sections
    - v. Proposed Easements
  - c. Landscape Plan
    - i. Site details
    - ii. Irrigation plan
    - iii. Irrigation details
    - iv. Outdoor lighting plan
2. Associated Reports
  - a. Civil
    - i. Hydrology Report
    - ii. Infiltration Report

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- iii. Storm water control plan
- b. Biology
  - i. Dudek initial report and updates addressing Rincon Review
  - ii. Rincon Peer review
- c. Traffic Studies
  - i. Not received
- d. Green House Gas Reports
  - i. Rincon
  - ii. Dudek Response forthcoming next week 6.22.2017
- e. Air Quality Reports
  - i. Rincon
  - ii. Dudek Response forthcoming next week 6.22.2017
- f. Soils reports
  - i. Geology
  - ii. Soils report
- g. Letters
  - i. Marborg Trash Location Plan & Approval letter
  - ii. Support letters, forthcoming
- h. Additional City Document Copies
  - i. Digital Copy off Submittal
  - ii. One Binder with a hard copy of all items in digital copy
    - 1. Separation Tabs
    - 2. Plans 11x17
- i. Planning Commissioners 11x17 Packages (six Number)
  - 1. Incomplete Letter
  - 2. Response letter
  - 3. Architectural Plans
  - 4. Civil Plans
  - 5. Landscape Plans