



CITY OF BUELLTON

PLANNING COMMISSION AGENDA

**Regular Meeting of March 15, 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 Sarquilla

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 February 15, 2018**

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. 18-03- “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Development Plan Modification (18-DPM-01) to the Previously-Approved Final Development Plan (16-FDP-04) in Order to Allow a 5-Foot Rear Setback on a Portion of the Eastern Property Boundary Adjacent to Highway 101 at the Flying Flags RV Resort Located at 180 Avenue of Flags (Assessor’s Parcel Number 137-200-085), and Making Findings in Support Thereof”**
❖ *(Staff Contact: Assistant Planner Andrea Keefer)*

OTHER BUSINESS

None

WRITTEN COMMUNICATIONS

PLANNING COMMISSIONER COMMENTS

PLANNING DIRECTOR REPORT

ADJOURNMENT

To the next regularly scheduled Planning Commission meeting of Thursday, April 5, 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

February 15, 2018 – 6:00 p.m.

City Council Chambers, 140 West Highway 246
Buellton, California

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Vice Chair Dan Heedy led the Pledge of Allegiance

ROLL CALL

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

Absent: Commissioner Joe Padilla

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

REORDERING OF AGENDA

None

PRESENTATIONS

None

APPROVAL OF MINUTES

1. Minutes of the regular Planning Commission meeting of January 18, 2018

MOTION:

Commissioner Sarquilla moved and Chair Dunstan seconded the motion to approve the Minutes of January 18, 2018.

VOTE:

Motion passed with a 3-0 voice vote with abstention by Vice Chair Heedy due to his absence from the meeting.

PUBLIC COMMENTS

None

CONSENT CALENDAR

None

CONTINUED PUBLIC HEARINGS

None

NEW PUBLIC HEARINGS

None

OTHER BUSINESS

2. Briefing on the Status of Development Projects

A copy of the Cumulative Projects List for February 2018 was distributed to the Commission.

Contract Planner Irma Tucker and Assistant Planner Andrea Keefer updated the Commission on the status of development projects that are currently in process.

WRITTEN COMMUNICATIONS

None

PLANNING COMMISSIONER COMMENTS

None

PLANNING DIRECTOR REPORT

None

ADJOURNMENT

Chair Dunstan adjourned the meeting at 6:28 p.m. to the next regular scheduled meeting of the Planning Commission to be held March 1, 2018 at the City Council Chambers, 140 West Highway 246, Buellton.

Brian Dunstan, Planning Commission Chair

ATTEST:

Clare Barcelona, Planning Commission Secretary

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

CITY OF BUELLTON
Planning Commission Agenda Staff Report

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

To: The Honorable Chair and Commission Members

From: Andrea Keefer, Assistant Planner

Date: March 15, 2018

Subject: Resolution No. 18-03 - "A Resolution of the Planning Commission of the City of Buellton, California, Approving a Development Plan Modification (18-DPM-01) to the Previously-Approved Final Development Plan (16-FDP-04) in Order to Allow a 5-Foot Rear Setback on a Portion of the Eastern Property Boundary Adjacent to Highway 101 at the Flying Flags RV Resort Located at 180 Avenue of Flags (Assessor's Parcel Number 137-200-085), and Making Findings in Support Thereof"

BACKGROUND/DISCUSSION

Owner: FPA Flying Flags Associates, LP
Applicant: Francis Corso, Vice President, FPA, Flying Flags Associates LLC
Agent: Ronald Biddlecome
Zoning: CR (General Commercial)
APN: 137-200-085

A Development Plan Modification (18-DPM-01) has been submitted by Francis Corso, FPA Flying Flags Associates LLP and Ronald Biddlecome, agent for FPA Flying Flags Associates, LP ("Applicant") requesting a modification to a previously-approved Final Development Plan (16-FDP-04). The project site is located at 180 Avenue of Flags, Assessor's Parcel Number 137-200-085 (Attachments 1A and 1B – Aerial Vicinity Maps). Attachment 2 is the project description and explanation provided by the applicant. The request of the applicant is to allow a five-foot rear setback on a portion of the eastern property boundary for 9 RV trailers, adjacent to Highway 101.

BACKGROUND

Phase III Final Development Plan (16-FDP-04)

A Final Development Plan (16-FDP-04) was approved on September 15, 2016 by Resolution No. 16-06 (Attachment 3) for Phase III of development of the Flying Flags RV Resort located at 180 Avenue of Flags, Assessor's Parcel Number 137-200-085. The prior approval consisted of the addition of a third swimming pool and spa with restrooms, 29 RV camp sites (including two group camp sites with restrooms and showers (full hookups)), seven tent sites (electrical hookups)

only), pool pavilion/event building, maintenance building, laundry building, concrete ball court, two bocce ball courts, and 33 parking spaces (Attachment 4 – Approved Grading Plans for 16-FDP-04, with area in question highlighted).

Previous Modification to Phase III Final Development Plan (17-DPM-01)

On April 20, 2017, a Development Modification (17-DPM-01) was approved by the Planning Commission to allow the placement of 28 park trailers in 28 of the 29 spaces originally approved as RV camp sites adjacent to Highway 101 (Attachment 5 – Park Trailer Image).

DISCUSSION

The approved Development Plan (16-FDP-04) and the Development Plan Modification (17-DPM-01) both required that the park trailers be setback a minimum of 10 feet from the rear property line, abutting Highway 101. Additionally, Buellton Municipal Code section 19.02.220 requires that properties zoned CR (General Commercial) have a rear setback of “10% of the lot depth to a maximum of 10 feet”.

Upon inspection of the property during construction, it was discovered that 9 of the 28 park trailers were erroneously installed with only a five-foot setback (Attachment 6A – As-Built Drawing and Attachment 6B - Picture of Existing Trailers in Setback Area). The applicant did not consult with the City prior to installing these RV trailers within the required 10-foot setback. It was only discovered during a site visit that these RV park trailers were not installed per the approved plans.

HCD Jurisdiction

The Department of Housing and Community Development (HCD) has Building Permit authority for properties designated as Mobile Home Parks. Therefore, the HCD is the permit authority for all building permits in Flying Flags RV Resort. However, this does not preempt the City’s jurisdiction over site planning and land use aspects, including setbacks, on the property. The applicant has indicated to Staff and has included in the project description provided that HCD verbally required that the park trailers be setback from the street. However, no documentation has been produced to verify that this is the case.

SB County Fire Department Concerns

Additionally, the Santa Barbara County Fire Department issued a letter to the City expressing the agency’s concerns with the RV park trailers being located only five feet from the property line, adjacent to Highway 101/Caltrans Right-of-Way (Attachment 7- Fire Department Letter). Although the Fire Department indicates it has no jurisdiction over the units because they are under the control of HCD, the City relies on the Fire Department for fire/safety issues and cannot ignore their concerns noted in Attachment 7.

Based on the concerns laid out by the Fire Department, and the fact that no documentation was provided to indicate that the HCD required that the units be located where they are, Staff recommends that the Planning Commission deny the request. Because these units are not permanently affixed to the ground, they can be moved to comply with the originally-approved setback. If the Commission decides to deny the application, the item will need to be continued until the next regular PC meeting to allow Staff to prepare findings for denial. If the Commission

decides to approve the application, we have provided Resolution No. 18-03 for approval at tonight's meeting.

If approved, the Development Plan Modification (18-DPM-01) would include a modification to the approved site plan of the previously-approved Final Development Plan (16-FDP-04) dated August 3, 2016, to show the nine park trailers setback five feet from the property line (Attachment 6A – As-Built Drawing). All other details listed in the project description and project conditions would remain the same.

ENVIRONMENTAL REVIEW

The project is being processed with a General Exemption 15061 (b) (3) for environmental review in accordance with the California Environmental Quality Act.

RECOMMENDATION

That the Planning Commission continue the Public Hearing to the next regular Planning Commission meeting date and direct Staff to prepare a denial Resolution with Findings for denial based on fire/safety concerns.

Alternative Action

Alternatively, if the Planning Commission believes this type of modification is appropriate, the Planning Commission can approve Resolution No. 18-03 - "A Resolution of the Planning Commission of the City of Buellton, California, Approving a Development Plan Modification (18-DPM-01) to the Previously-Approved Final Development Plan (16-FDP-04) in Order to Allow a 5-Foot Rear Setback on a Portion of the Eastern Property Boundary Adjacent to Highway 101 at the Flying Flags RV Resort Located at 180 Avenue of Flags (Assessor's Parcel Number 137-200-085), and Making Findings in Support Thereof"

ATTACHMENTS

- Resolution No. 18-03
- Attachment 1A & 1B – Aerial Vicinity Map
- Attachment 2 – Project Description Provided by Applicant
- Attachment 3 – Resolution No. 16-06 (Flying Flags Phase III)
- Attachment 4 – Approved Grading Plan w/ highlighted area (16-FDP-04)
- Attachment 5 – Park Trailer Image
- Attachment 6A – As-Built Drawing
- Attachment 6B - Picture of Existing Trailer in Setback Area
- Attachment 7 – Santa Barbara County Fire Department Letter

PLANNING COMMISSION RESOLUTION NO. 18-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING A DEVELOPMENT PLAN MODIFICATION (18-DPM-01) TO THE PREVIOUSLY-APPROVED FINAL DEVELOPMENT PLAN (16-FDP-04) IN ORDER TO ALLOW A 5-FOOT REAR SETBACK ON A PORTION OF THE EASTERN PROPERTY BOUNDARY ADJACENT TO HIGHWAY 101 AT THE FLYING FLAGS RV RESORT LOCATED AT 180 AVENUE OF FLAGS (ASSESSOR'S PARCEL NUMBER 137-200-085), AND MAKING FINDINGS IN SUPPORT THEREOF

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

SECTION 1: An application has been filed by Ronald Biddlecome, Agent, and Francis Corso, Vice President, FPA, Flying Flags Associates LLC, for property owner of 180 Avenue of Flags, FPA Flying Flags Associates, LLC (“Applicant”), requesting a modification to Resolution No. 16-06 and approved site plan of a previously approved Final Development Plan (16-FDP-04) in order to allow a reduced rear setback at the eastern property line for 9 of the 28 park trailers. The project site is located at 180 Avenue of Flags, on Assessor’s Parcel Number 137-200-085.

SECTION 2: The proposed Project consists of the following land use application:

Development Plan Modification (18-DPM-01): Approval of a modification to the approved site plan of 16-FDP-04 and Resolution No. 16-06 to allow a rear setback reduction from 10 feet to 5 feet for 9 RV park trailer spaces at the Flying Flags RV Resort.

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

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

1. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the Planning Commission on March 1, 2018 and continued to March 15, 2018 (“Public Hearing”).
2. All oral, written and visual materials presented in conjunction with the Public Hearing.
3. The following informational documents which, by this reference, are incorporated herein.
 - a. The Project file for 18-DPM-01 and the set of Project plans date stamped January 31, 2018.
 - b. Planning Commission staff report of March 15, 2018.

B. Public Review. On the basis of evidence hereinafter listed, all administrative procedures and public participation requirements prescribed in the Buellton Zoning Ordinance and Government Code Section 65091 have been lawfully satisfied:

1. A notice of public hearing was published in a newspaper on February 15, 2018 (the "Public Notice"), a minimum of ten (10) days in advance of the Public Hearing.
2. The 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 February 15, 2018, a minimum of ten (10) days in advance of the Public Hearing.
3. The Public Notice was posted in two public locations on February 15, 2018, a minimum of ten (10) days in advance of the Public Hearing.

C. Environmental Clearance. The project qualifies for a General Exemption 15061 (b) (3) as it consists of reducing the setback of the previously-approved trailers on a site that was previously approved to allow trailers to occupy the RV spaces. The reduced setback of the park trailers would involve negligible or no expansion of the previously-approved use of the site.

D. Consistency Declarations. Based on (i) the evidence presented in the Staff Report (incorporated herein by reference), (ii) consultations with affected City Departments and outside Agencies, (iii) testimony and comments received in connection with the public hearing and (iv) adoption of the attached change to the project approval and condition(s) of approval, the Planning Commission does hereby declare as follows:

1. That the previous findings for project 16-FDP-04 remain valid.
2. That the revised final development plan is in substantial conformity with the approved final development plan 16-FDP-04; the park trailers are generally in a similar location as previously-approved, and no additional trailers are proposed.
3. Project is in conformance with all applicable provisions and policies of the City General Plan and Zoning Ordinance, Municipal Code and approved development plan.
4. That the proposed development is in conformance with the community design guidelines. The design of the park trailers complies with the ranch design style, which is one of the approved design styles per the community design guidelines.
5. That the reduced setback of the park trailers will be aesthetically compatible with the existing surrounding character of the area as the same and similar park trailers are currently located on the site, and the trailers comply with the community design guidelines.

6. That the reduced setback of the park trailers will not conflict with any easements required for public access through, or the public use of, a portion of the property and thus will not be detrimental to the health, safety, comfort, convenience and general welfare of the neighborhood.

SECTION 4: Based on the findings set forth in Section 3, and subject to the conditions attached hereto, the Planning Commission hereby approves the Development Plan Modification (18-DPM-01).

PASSED, APPROVED, AND ADOPTED this 15th day of March 2018.

Brian Dunstan
Chair

ATTEST:

Clare Barcelona
Planning Commission Secretary

Added Conditions of Approval to 16-FDP-04
Applicable to 18-DPM-01

- 1. Rear Setback Reduction.** A rear setback reduction from 10 feet to 5 feet is permitted along a portion the east property boundary to allow the placement of 9 RV park trailers 5 feet from the rear property line. Only the 9 RV park trailers as shown on Attachment 4 and Attachment 6 of the March 15, 2018 Staff Report are permitted to be located with the above stated setback. All other RV park trailers are required to maintain a minimum of 10 foot rear setback along the east property boundary.

Project Applicant/Property Owner Acknowledgement of Required Conditions of Approval

Property Owner Signature

Date

Project Applicant/Agent/Representative Signature

Date

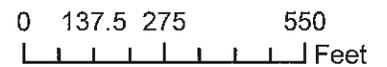


Attachment 1A- Vicinity Map



Legend

-  City Parcels
-  Project Location



Attachment 1B



FLYING FLAGS RV

Modification of Set back

To Whom it may concern:

Request for a setback modification from 10' to 5' along highway 101 for (9) park models on sites 706-714 for the following purpose.

- (1) **Pedestrian Safety;** adjustment of setback allows for pedestrians to utilize a safe walking space in this area from vehicles in motion on street.
- (2) **Parking;** without the adjustment parking could only be 14' with setback adjustment a 19' space allows for a standard size parking not to impede traffic.
- (3) **beautification;** adjustment of setback allows us to beautify area between the street and park model with colorful & drought tolerant plants landscaping.
- (4) **Community Housing & Development;** During construction and placement of the RVIA trailer, Ken Ferguson with HCD visited the site and verbally requested the trailers be set back from the internal park road.
- (5) **Overhang:** 10' Set backs would place park model eaves over the street.

12.08.040 Wooden awnings—Projection over street or sidewalk prohibited—Notice to remove.

No person shall erect or repair any wooden awnings which shall project over any sidewalk or portion of a sidewalk or street. Every person owning, occupying or controlling any building in front of which a wooden awning which is unsafe or in a dangerous condition or an obstruction to the street or portion thereof projects over the sidewalk or portion of the street, shall cause the same to be removed within five days after being notified so to do by the director. (Ord. 94-6 § 3, 1994; prior code § 11.10.040)

(6) Lot Depth

19.02.220 Commercial/industrial zone general development standards.

10% of lot depth, to 10 ft. maximum; 25 ft. minimum adjacent to residential zoning;

We hope you will approve this modification as we believe this will benefit all those who visit Buellton's Flying Flags RV Resort.

Sincerely

Ronald Biddlecome Project Manager (530)360-6990

Attachment 3

PLANNING COMMISSION RESOLUTION NO. 16-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING A FINAL DEVELOPMENT PLAN (16-FDP-04) FOR THE FLYING FLAGS RV RESORT PHASE III PROJECT LOCATED AT 180 AVENUE OF FLAGS, ASSESSOR'S PARCEL NUMBER 137-200-085 AND MAKING RELATED FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT"

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 Michael B. Earl, FPA Flying Flags Associates, property owner, and Sid Goldstien, agent (hereinafter referred to as "Applicant"), requesting approval of a Final Development Plan (16-FDP-04). The proposal is a development of approximately 2.75 acres, including a third swimming pool and spa with restrooms, 29 RV camp sites (including two group camp sites with restrooms and showers (full hookups)), seven tent sites (electrical hookups only), pool pavilion/event building, maintenance building, laundry building, concrete ball court, two bocce ball courts, and 33 parking spaces (the "Project"). The parking spaces include three pool parking spaces, two spaces at one of the group camp sites, and one space for each of the remaining RV spaces. The Project is located at 180 Avenue of Flags, Assessor Parcel No. 137-200-085 (the "Property").

SECTION 2: The application consists of:

- A. Final Development Plan (16-FDP-04):** Approval of Phase III of development of Flying Flags RV Resort which consists of the development of 29 RV camp sites (including two group camp sites with restrooms and showers), seven tent sites, a third swimming pool with restrooms and showers, a pool pavilion/event building, maintenance building, laundry building, concrete ball court, two bocce ball courts, and 33 parking spaces.

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

- A. Record.** Prior to rendering a decision on any aspect of the Project, the Planning Commission considered the following:
1. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the Planning Commission on September 15, 2016 ("Public Hearing").

Attachment 3

2. All oral, written and visual materials presented by City staff in conjunction with the Public Hearing.
3. The following informational documents which, by this reference, are incorporated herein.
 - a. The Project file for 16-FDP-04 and the set of Project plans dated August 3, 2016.
 - b. Planning Commission staff report of September 15, 2016

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 public hearing was published in a newspaper on September 1, 2016 (the "Public Notice"), a minimum of ten (10) days in advance of the Public Hearing.
2. The 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 September 1, 2016, 10 days in advance of the Public Hearing.
3. The Public Notice and Agenda for the Public Hearing were posted in two conspicuous public places a minimum of 10 days before the Public Hearing.

C. Environmental Review. In accordance with the requirements of the California Environmental Quality Act ("CEQA"), the proposed project is exempt from environmental review, as it meets the following criteria for a categorical exemption under CEQA guidelines (Class 32 – Infill Development):

1. It is proposed on a site of no more than five acres (2.75 acres), surrounded by urban uses located within city limits and without any habitat value;
2. It is consistent with the applicable general plan designation and applicable general plan policies and the applicable zoning designation and regulations;
3. It would not result in significant traffic, noise, air quality, or water quality impacts and can be adequately served by public services and utilities.

Additionally, the proposed project meets the criteria set forth in California Code of Regulations Section 15162(a), and no additional environmental review is required. The proposed project is adequately addressed in the Initial Study/Negative Declarations (ND) that were previously prepared for the project site. A Negative Declaration was prepared for the original Conditional Use Permit (84-CP-65) and also for a subsequent Time Extension (13-TE-03). No substantial

changes have occurred as part of this project, and therefore no additional environmental review is required.

- 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 (16-FDP-04).

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.
- II.** That adverse impacts are mitigated to the maximum extent feasible; the project is exempt from environmental review as a Class 32 Categorical Exemption, and no adverse impacts were identified. The proposed project site is located on the Avenue of Flags on a site less than five acres and is surrounded by existing development in the RV park and on adjacent properties. Additionally, that the project meets the requirement of California Code of Regulations section 15162(a), and therefore no additional environmental review is required. Two prior Negative Declarations were prepared and adopted for the project site, and no substantial changes are proposed. The total number of RV sites will not exceed the original number of sites approved as part of 84-CP-65.
- III.** That streets and highways are adequate and properly designed pursuant to the requirements of the City Engineer.
- 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.

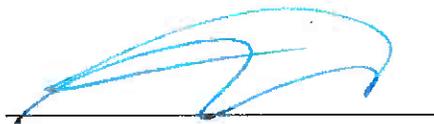
Attachment 3

- 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.
- VIII. That the proposed development is in conformance with the Agrarian architectural style as described in the Community Design Guidelines.

SECTION 4: Based upon the Initial Study/Negative Declarations 13-ND-02 and 85-ND-69 (County) previously prepared for the project site, the Planning Commission exercises its independent judgment and finds that no substantial evidence exists that the approval of the Final Development Plan as conditioned hereby, will have a significant effect on the environment within the meaning of CEQA and hereby declares that the project meets the requirements of California Code of Regulations section 15162(a). The Planning Commission also exercises its independent judgment and finds that the project meets the requirements under CEQA guidelines as a Class 32 Categorical Exemption, Infill Development.

SECTION 5: Based on the findings set forth in Sections 2, 3, and 4 and subject to the conditions attached hereto, the Planning Commission hereby approves Final Development Plan 16-FDP-04.

PASSED, APPROVED, AND ADOPTED this 15th day of September, 2016


Foster Reif, Chair

ATTEST:


Clare Barcelona, Planning Commission Secretary

Attachment 3

Resolution No. 16-06

5

September 15, 2016

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. 16-06 was duly passed and adopted by the Planning Commission of said City at a regular meeting thereof, held on the 15th day of September, 2016, by the following vote, to wit.

AYES: (4) Commissioners Dunstan, Padilla, Vice Chair Mercado and Chair Reif

NOES: (0)

ABSENT: (1) Commissioner Heedy

NOT VOTING: (0)

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of September, 2016.



Clare Barcelona
Planning Commission Secretary

**CONDITIONS OF APPROVAL
FLYING FLAGS RV RESORT PHASE III
FINAL DEVELOPMENT PLAN 16-FDP-04**

A. GENERAL PROVISIONS

1. **Project Description.** The approval granted herein is based upon and limited to compliance with the Project Description received August 3, 2016, and conditions of approval set forth below. The Project Description is as follows: A request by Michael B. Earl, FPA Flying Flags Associates, L.P., property owner, and Sid Goldstien, agent (the "Applicant") for a Final Development Plan (16-FDP-04) to expand the Flying Flags RV Resort which consists of a third swimming pool and spa with a restroom, 29 RV camp sites (including two group camp sites with restrooms), seven tent sites, pool pavilion/event building, maintenance building, laundry building, concrete ball court, two bocce ball courts, and 33 parking spaces (the "Project"). The Project is located at 180 Avenue of Flags (Assessor Parcel Numbers 137-200-085) (the "Property"). The project plans that are included in this approval include the Title Sheet, Comprehensive Site Plan, Preliminary Grading and Drainage Plan, and Architectural Plans dated August 3, 2016. 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. The following are the approvals:

- **Final Development Plan 16-FDP-04 (Case No. 16-FDP-04):** The Final Development Plan (16-FDP-04) includes the development of a third swimming pool/spa with a restroom, 29 RV camp sites (including two group sites), seven tent sites, pool pavilion/event building, maintenance building, laundry building, concrete ball court, two bocce ball courts, and 33 parking spaces.

2. **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 Michael B. Earl, FPA Flying Flags Associates, L.P., property owner, and Sid Goldstien, agent, and includes all agents, subdividers, developers, contractors, workers and personnel employed on the Project.
- b. **"Building Department"** means the State Department of Housing and Community Development (and all successors and assigns thereof), which is responsible for performing building plan check and inspection services at the Flying Flags RV Resort.
- c. **"City"** means the City of Buellton and includes the City Manager, City Engineer, Planning Director and all other duly appointed officials having

Attachment 3

responsibility for land use matters, as well as their respective assignees (e.g., Department staff members). Unless otherwise indicated, the Planning Department shall be the primary point of contact for the City.

- d. **"County"** means the County of Santa Barbara.
 - e. **"Final Building Inspection Clearance"** means acknowledgement by the Department of Housing and Community Development that construction of the Project has been completed in full compliance with plans and specifications approved by the Department of Housing and Community Development. Such acknowledgement is typically evidenced by signature of appropriate staff on the building permit inspection form.
 - f. **"Fire Department"** means the Fire Department of the County (and all successors and assigns thereof), furnishing fire prevention and protection services to the City by operation of a special district.
 - g. **"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.
 - h. **"Project"** means and includes all of the actions described in the Project Description above.
 - i. **"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.
 - j. **"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.
 - k. **"Property"** means the land and improvements identified in the Project Description.
 - l. **"Property Owner"** means Michael B. Earl, FPA Flying Flags Associates, L.P., and includes all persons and entities possessing fee title (in full or in part) to the site of the Project.
 - m. **"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.
3. **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-

Attachment 3

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.

4. **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.
5. **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.
6. **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.
7. **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

Attachment 3

to comply with said conditions of approval may subject the Applicant to remedies and penalties specified in the Buellton Municipal Code.

8. **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.
9. **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.
10. **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
11. **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 fee schedules adopted by the City and then in effect at the time such fees become payable.
12. **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. PLANNING CONDITIONS

13. **Final Development Plan.** Approval of the Final Development Plan (Case No. 16-FDP-04) (the "Permit") for 16-FDP-04 is granted to the Applicant for the Property as identified in the Project Description. Except or unless indicated otherwise herein, all 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.
14. **Development Time Frame.** Building construction must be started not later than five years after approval of the Final Development Plan, or if a Permit is issued within the one year period, construction must be diligently pursued thereafter, or this approval will be

Attachment 3

revoked pursuant to the Buellton Municipal Code. Any request for an extension shall be processed under the procedures set forth in the Municipal Code. Start of construction is defined as:

- a. All zoning and related approvals are effective; and
 - b. All required building and grading permits have been issued; and
 - c. The “foundation inspection” and “concrete slab or under floor inspection” as defined in the California Building Code have been made and received approval from the Department of Housing and Community Development, 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.
15. **Zoning Clearance.** As a condition precedent to obtaining building permits, and prior to improving any portion of the Property or commencing any work pertaining to the Project approved herein, the Applicant shall obtain Zoning Clearance from the Planning Director. Zoning Clearance shall only be granted upon satisfying all conditions precedent to construction as stated in these conditions of approval.
16. **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 any time.
 - (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

Attachment 3

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 or as approved in the Final Development Plan.
- 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.

Attachment 3

- (6) Particulate Matter and Air Contaminants. Emissions, including but not limited to, fly ash, dust, fumes, vapors, gases, and other forms of air contaminants which are produced from any facility or activity which are readily detectable without instrument by the average person at the Property line which can cause any damage to health, animals, vegetation or other forms of property, or which can cause excessive soiling at any point.
 - (7) Vibration. Ground vibration that is produced and is discernible without instruments to the average person at the Property line. Ground vibration caused by motor vehicles, trains, aircraft, and temporary construction or demolition work is exempted from this standard.
 - (8) Prohibition of Dangerous Elements. Land or buildings which are used or occupied in any manner so as to create any dangerous, noxious, injurious or otherwise objectionable fire, explosive or other hazard; noise or vibration; glare; liquid or solid refuse or waste; or other dangerous or objectionable substance, condition, or element in such a manner or such an amount as to adversely affect other uses.
 - (9) Noise. Unless otherwise provided for, no person shall operate or cause to be operated any source of sound at or on the Property, or allow the creation of any noise on the Property owned, leased, occupied or otherwise controlled by such person which causes the noise level when measured on any receiving property to exceed the noise level limits set forth by the Buellton Municipal Code as adopted and amended.
17. **Fire Department.** The Project is located within the jurisdiction of the County Fire Department and shall comply with all applicable standards of that agency.
 18. **Building Codes.** 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, Title 24 handicap accessibility standards and Title 25 regulations. The State Department of Housing and Community Development shall have jurisdiction for building code review and inspection. 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.
 19. **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

Attachment 3

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.

20. **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 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.
21. **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.
22. **Community Design Guidelines/Architecture.** The Project shall be in conformance with the Community Design Guidelines. The design details and color of the Agrarian style architecture shown on the project plans shall be installed and maintained.
23. **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.
24. **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 submitted as part of the building plans. 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.
25. **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.

Attachment 3

26. **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.
27. **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.
28. **Parking.** 33 parking spaces shall be maintained at all times. This includes 30 camp site spaces and 3 pool visitor parking spaces. All visitor parking spaces shall be striped in accordance with City of Buellton standards prior to issuance of the occupancy permit. In addition, parking spaces shall be dedicated specifically for the tent sites and shall be clearly marked to indicate the associated tent site.
29. **River Setback.** The setback from the top of bank of the Santa Ynez River is 200 feet. Any structures for permanent residential occupancy are not permitted within the setback. Parking spaces, camp sites for transient occupants, and restroom buildings as shown on the plans are permitted within the setback.
30. **Laundry Building.** Prior to Zoning Clearance approval, the location of the laundry building shall be changed to provide space between the building and the existing parking space shown on the plans. Alternatively, the existing parking space can be removed and replaced at another location approved by the Planning Department.
31. **Tent Sites.** Parking for the tent sites shall be provided in the area immediately to the east or north of the tent sites in the existing parking area approved as part of Phase II. These parking spaces shall be clearly labelled and dedicated specifically to these tent sites.
32. **Landscape Plan.** A landscape plan shall be submitted prior to Zoning Clearance approval for the project. A final landscape plan shall be approved by the City of Buellton Planning Department prior to issuance of the Zoning Clearance.
33. **Phase III Construction.** Construction of Phase III must occur in concurrence with or after the completion of Phase II construction to ensure that there is parking to support the seven new tent sites.

C. ENGINEERING CONDITIONS

PRIOR TO GRADING PERMIT ISSUANCE:

34. **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

Attachment 3

calculations, signed/stamped certifications and plan check processing fees.

35. **Improvement Plan Requirements.** Plans for the frontage improvements shall be drawn by a California Registered Civil Engineer. Drawings shall be prepared on 24-inch by 36-inch mylar (4 mil) showing all proposed improvements including, but not limited to, curbs, gutters, sidewalks, paving, driveway cuts, storm drains, street lights, utilities, and street trees.
36. **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.
37. **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.
38. **Hydrology Report.** At the time that Improvement and/or Grading and Drainage Plans are submitted for review and approval by the City Engineer, a complete hydrology/hydraulic report shall be submitted by the applicant's engineer determining the adequacy of the proposed drainage system and the adequacy of the existing downstream system. A rain fall frequency of twenty-five (25) years shall be used for sizing piping and inlet structures. If no overland escape is available, 100-year flows shall be used as the basis of design. Santa Barbara County Engineering Design Standards shall be used. In addition, the report shall discuss the required stormwater management plan requirements and the LID proposed for compliance. CASQA Manuals and Guidelines shall be used for references.
39. **RWQCB.** This project phase is subject to the same Stormwater requirements as Phase 2, which has been confirmed and reported to the Regional Water Quality Control Board as prior to the specific Post-Construction Requirements. The Project shall implement 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. BMPs shall include routine and on-going maintenance of stormwater pollution prevention control practices and documentation.
40. **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

Attachment 3

copy of the Fire Department approval shall be submitted prior to issuance of grading permit.

41. **Mylars.** Upon approval of the final plans, the applicant shall furnish original stamped mylars to the City Engineer for signature and reproduction for permitting purposes. A final Engineer's estimate shall be prepared (updated from the original submittal and shall utilize prevailing wage rates) and permit/inspection fees paid.
42. **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.
43. **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.
44. **Flood Hazard/FEMA Documentation.** Plans shall depict all flood hazard limits and design plans accordingly. Appropriate FEMA documentation shall be filed accordingly.

PRIOR TO BUILDING PERMIT ISSUANCE:

45. **Grading Permit.** The 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.** The applicant shall obtain an industrial waste discharge permit, as applicable, from the City Public Works Department prior to obtaining a building permit.

PRIOR TO OCCUPANCY CLEARANCE:

48. **Completion of Improvements.** The applicant shall complete all required improvements to the satisfaction of the City Engineer. The applicant shall furnish the mylar or a reproducible copy of the improvement plans to the City Engineer, modified to reflect field changes made during construction and stamped "As-Built Record Drawings."
49. **Water and Sewer Fees.** The applicant shall pay water and sewer utilities fees from the Public Works Department prior to occupancy. In addition, all pretreatment and FOG compliance requirements must be in place prior to payment of water/sewer fees and occupancy.

Attachment 3

GENERAL CONDITIONS:

50. **City Standards.** Unless superceded by Caltrans all public improvements shall be designed and constructed in conformance with The City of Buellton Standards, and when applicable, the Santa Barbara County Standards.
51. **Utility Easements.** Existing and proposed easements for all utilities shall be located and described on the engineering plans.
52. **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.

D. FIRE DEPARTMENT CONDITIONS

The following Fire Department conditions are imposed with the understanding that the Fire Protection Certificate (FPC) applications may involve modifications, which may determine additional conditions. The plans have been reviewed and some corrections will be required before it can be approved by the Santa Barbara County Fire Department.

53. **Hydrant and Underground Fire Water System Information.** Complete hydrant and underground fire water system information for the entire property.
 - a. Additional fire hydrants shall be required.
 - b. Fire hydrants shall flow 1250 gallons per minute at a 20 psi residual pressure.
 - c. For a private water system, location for fire hydrants shall be approved by the Fire Department.
 - d. Commercial fire hydrant(s) shall consist of one four-inch outlet and two two-and-a-half-inch outlets.
 - e. The system shall be tested by the Fire Department to ensure compliance.
 - f. A set of approved fire hydrant plans, stamped and dated by the Fire Department shall be kept at the job site and available upon request.
 - g. Water systems shall be installed exactly as the approved fire hydrant plans dictate. No changes or modifications to these plans shall take place without prior Fire Department approval.
 - h. No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by a Fire Department representative.
 - i. Reference Santa Barbara County Fire Department Development Standard #2. *

The following conditions for future development are advisory only at this time:

54. **Fire Protection Certificates.** One or more Fire Protection Certificates (FPC) shall be required.
55. **Standard Conditions.** All standard Fire Department conditions shall apply to any future development.

Attachment 3

56. **Fire Lanes.** Designated fire lanes shall include red curbs and signs indicating "Fire Lane – No Stopping" placed as required by the Fire Department. Refer to current adopted California Fire Code.
57. **Fire Extinguishers.** Portable fire extinguishers are required and shall be in accordance with the current adopted Santa Barbara County Code Chapter 15.
58. **Alarm Systems.** An automatic fire or emergency alarm system shall be installed.
- a. Fire alarm system shall meet Santa Barbara County Fire Department requirements.
 - b. Automatic fire or emergency alarm system plans shall be approved by the Fire Department.
 - c. Alarm panel locations and annunciator graphics shall be approved by Fire Department prior to installation.
59. **Address Numbers.** Address numbers shall be a minimum height of twelve (12) inches.
- a. Address number location(s) shall be approved by the Fire Department.
 - b. Address numbers shall be a color contrasting to the background color.
 - c. The address numbers shall be elevated at least three feet from the ground for clear visibility and easy directional identification.
 - d. The numbers shall be visible from the access road when travelling in either direction.
60. **Fees.** The applicant will be required to pay Fire Department Development Impact Mitigation Fees. In accordance with Chapter 15 of the Santa Barbara County Code, the fee shall be computed per square foot of occupied space in each new building.
- a. Payment shall be made according to the schedule of fees in place on the date fees are paid. As of the date of this letter, fees currently are as follows:

Nonresidential-Retail/Commercial	\$0.77 per square foot
----------------------------------	------------------------
 - b. Final occupancy clearance inspection will not be scheduled unless fees have been paid.

E. FINANCE DEPARTMENT CONDITIONS

61. **Outstanding Fees.** The Applicant shall pay all fees including, but not limited to, outstanding balances for processing by the City Engineer, Planning Department, Fire Department mitigation fees, and any additional processing deposits as required prior to zoning clearance.

Attachment 3

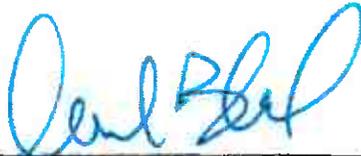
Resolution No. 16-06

19

September 15, 2016

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

Project Applicant/Property Owner Acknowledgment of Required



Property Owner Signature

9.22.16

Date

Project Applicant/Agent/Representative Signature

Date

RECEIVED
MAR 28 2017
CITY OF BUELLTON
Planning Department



Park Trailers at Flying Flags RV Resort

Attachment 5



Highway West Vacations is adding 29 New RV Spaces with hook up's of which 28 spaces to be occupied by "Park Trailers.

Current Park Trailers at Flying Flags RV Resort



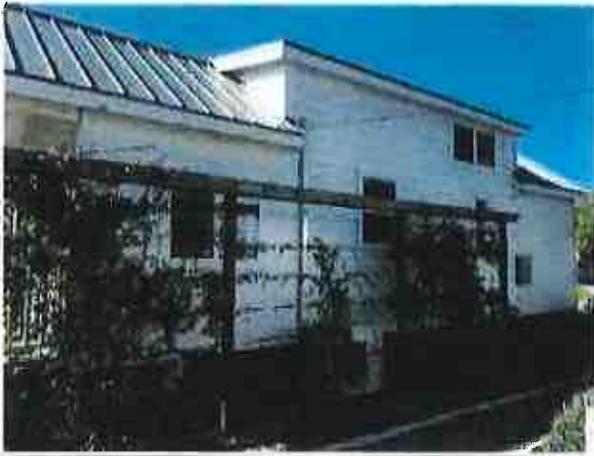
Left Side of existing Park Trailer



Right Side of existing Park Trailer



Current Park Trailers at Flying Flags RV Resort



Close up Right Side of existing Park Trailer



Left Back Side of existing Park Trailer



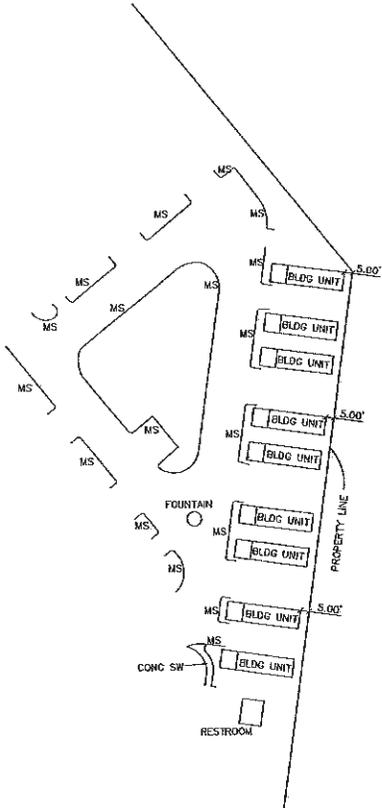
Back View of existing Park Trailer



Wider Back View of existing Park Trailer



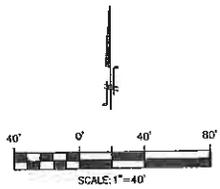
VICINITY MAP
NO SCALE



ABBREVIATIONS

AC	ASPHALT	HW	HEADWALL
BLDG	BUILDING	INV	INVERT ELEVATION
BW	BARBED WIRE FENCE	IRP	IRRIGATION
CATV	CABLE TELEVISION BOX	JP	JOINT POLE
CB	CATCH BASIN	MS	MANHOLE
CF	CURB FACE	MON	MONUMENT
R	CENTERLINE	OH	OVERHANG(EAVES)
OL	CHAIN LINK FENCE	PB	PULL BOX
CUP	CORRUGATED METAL PIPE	PP	POWER POLE
CO	CLEAN OUT(SEWER)	PVC	PLASTIC PIPE
CONC	CONCRETE	RCR	REINFORCED CONCRETE PIPE
DI	DROP INLET	RR	RAILROAD
DIA	DIAMETER	RW	RETAINING WALL
DWY	DRAINWAY	R/W	RIGHT OF WAY
ELEC	ELECTRIC	SD	STORM DRAIN
EP	EDGE OF PAVEMENT	SL	STREET LIGHT
ESMT	EASEMENT	SS	SANITARY SEWER
EDC	EUCALYPTUS	SW	SIDEWALK
EXIST	EXISTING	SUMH	STORM DRAIN MANHOLE
FC	FENCE	SSMH	SANITARY SEWER MANHOLE
FF	FINISH FLOOR	TC	TOP OF CURB
FG	FINISH GRADE	TLC	TELEPHONE
FH	FINISH HYDRANT	TG	TOP OF GRATE
FL	FLOW LINE	TOW	TOP OF WALL
FS	FINISH SURFACE	TS	TRAFFIC SIGNAL
GB	GRADE BREAK	TYP	TYPICAL
GM	GAS METER	WM	WATER METER
GRD	GROUND	WV	WATER VALVE

NOTE: ABBREVIATIONS SHOWN ABOVE MAY OR MAY NOT BE EVIDENT ON MAP.



AS-BUILT MAP

OVER A PORTION OF THE NORTHEAST AREA OF FLYING FLAGS R.V. RESORT AT 180 AVENUE OF THE FLAGS, BUELLTON, CA.

SURVEYORS STATEMENT

I HEREBY STATE THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION UNDER THE PROVISIONS OF SECTION 8726 OF THE PROFESSIONAL LAND SURVEYORS ACT AND THAT SAID SURVEY CORRECTLY SHOWS THE TOPOGRAPHIC FEATURES.

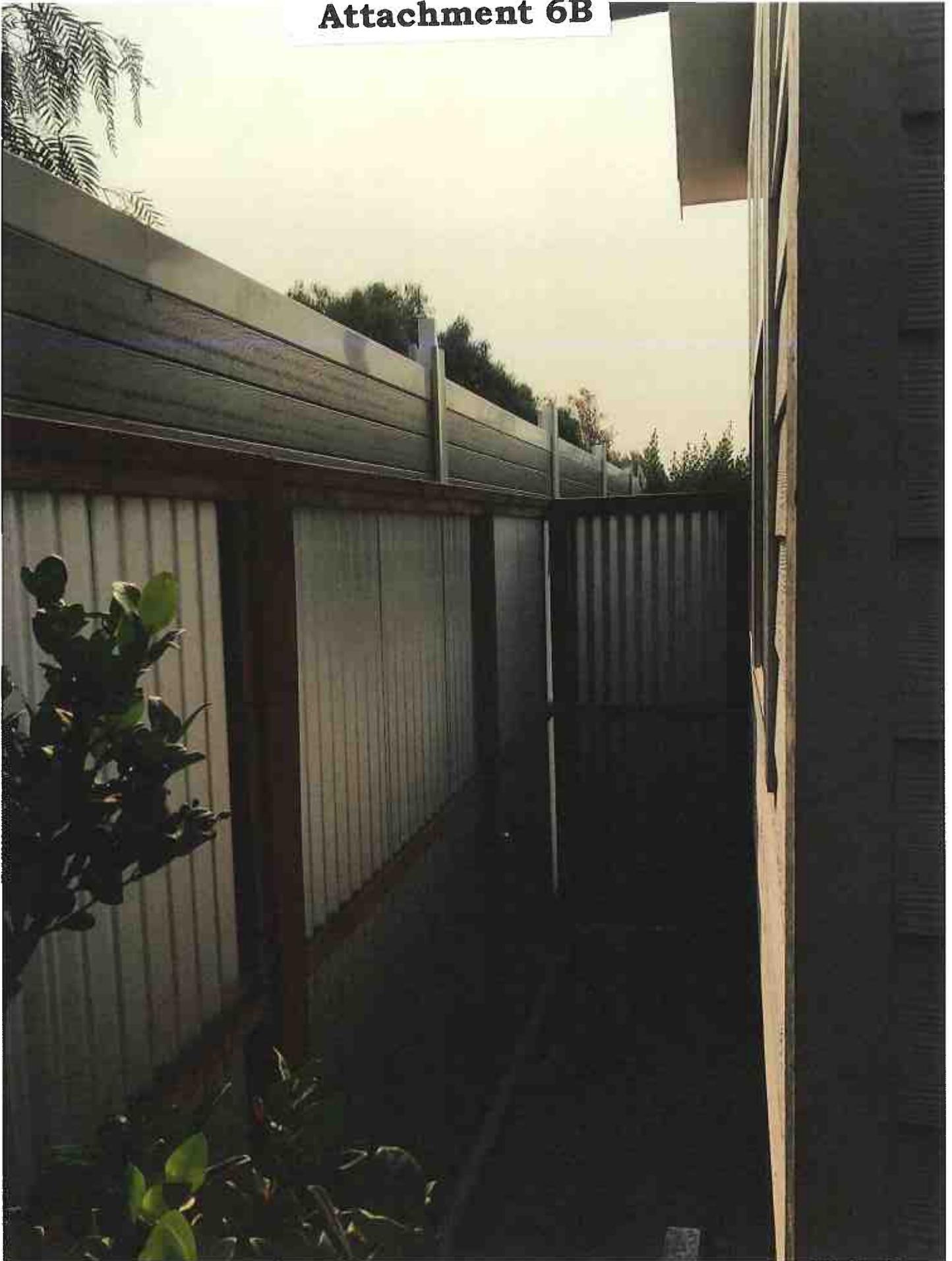
Kenny L. Fargen 1-31-18
KENNY L. FARGEN L.S. 4597 DATE



2824 AIRPARK DRIVE
SANTA MARIA, CA 93455
PHONE: 805-334-5727
FAX: 805-334-3448
DATE:

FLYING FLAGS.DWG
JOB: 14046 SHEET 1 OF 1

Attachment 6B



Attachment 7



Fire Department

"Serving the community since 1926"

HEADQUARTERS

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

Eric L. Peterson
Fire Chief
County Fire Warden

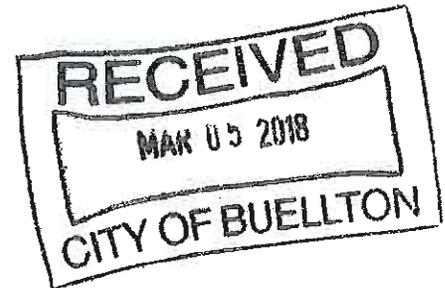
Rob Heckman
Deputy Fire Chief

March 2, 2018

Marc Bierdzinski
City Manager
City of Buellton Planning Department
PO Box 1819
Buellton, CA 93427

Dear Mr. Bierdzinski:

SUBJECT: APN: 137-200-085 Permit: 16-FDP-04
Site: 180 Avenue of Flags, Buellton
Project: Development Plan Modification –
Flying Flags RV Park Setback Requirement Decrease



The Santa Barbara County Fire Department was contacted by the City of Buellton Planning Department regarding the installation of nine trailorable units installed at the Flying Flags RV Park. The planning department requested that the fire department evaluate the proximity of the nine units to the required minimum rear yard setback of ten feet.

Upon inspection, the fire department determined that the nine units were installed five feet from the property line, with two fences in between the property line and the units. The fence closest to the units was made mostly of treated wood and considered combustible. The second fence was constructed of a fire-resistant material. The inspector witnessed trees from the adjoining Cal Trans right of way touching the buildings, as well as dead and down pine trees.

Defensible space is highly important in protecting structures and preventing outside fire from entering. Due to the proximity of the Cal Trans right of way and the minimum

clearing required in this area by the state, the defensible space at this location is compromised and can be considered an increase in fire risk. In addition, Flying Flags RV Park has no authority to clear the vegetation on the Cal Trans right of way, or to maintain the clearing.

It is the opinion of the Santa Barbara County Fire Marshal's office that a variance request to reduce the 10-foot rear yard setback to 5 feet would not have been granted for these nine habitable, non-sprinkled buildings.

Furthermore, it is important to note that, during the site visit, a new structure approved by the department of Housing and Community Development (HCD) was inspected. This building is an assembly occupancy structure with numerous violations noted and turned over to the fire department inspection services for follow up. Most notably, the assembly occupancy structure was determined to be in use without the fire sprinkler system being activated or completed, there were no fire extinguishers, the exit doors open inward, outside barn doors that could prevent egress were present, and no panic hardware was installed on the exit doors.

Lastly, it shall be understood that this is only the opinion of the Santa Barbara County Fire Marshal's office, as the Authority Having Jurisdiction (AHJ) is the HCD.

In the interest of life and fire safety,



Glenn Fidler, Captain
Planning and Engineering Supervisor
Santa Barbara County Fire Marshal's Office

GF:cp