



CITY OF BUELLTON

PLANNING COMMISSION AGENDA

**Regular Meeting of May 21, 2020 – 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.

CORONAVIRUS (COVID-19) ADVISORY NOTICE

Consistent with Executive Orders N-25-20 and N-29-20 from the Executive Department of the State of California and a Declaration of Local Health Emergency from the County of Santa Barbara, Planning Commission meetings will not be physically open to the public and one or more (or even all) Planning Commissioners may be teleconferencing into the meeting. To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting through the City's website, via City TV Live Stream at: <http://www.cityofbuellton.com/government/cityTV.php> and may provide public comment by sending comments via email to clareb@cityofbuellton.com (reference subject matter or agenda item in the subject line of email). Please include name and address in contents of message. Comments will then be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to the Chairman's discretion. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting but will not be read into the record.

Any member of the public who needs accommodations can contact the Planning Department at 805-688-7474 and best efforts will be made to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City of Buellton's procedure for resolving reasonable accommodation requests.

CALL TO ORDER

Chair Patty Hammel

PLEDGE OF ALLEGIANCE

Commissioner Bob Blokdyk

ROLL CALL

Commissioners Bob Blokdyk, Dan Heedy, Aaron Liggett, Vice Chair Marcilo Sarquilla and Chair Patty Hammel

REORDERING OF AGENDA

PRESENTATIONS

None

APPROVAL OF MINUTES

1. **Minutes of the regular Planning Commission meeting of February 6, 2020**

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. 20-02 – “A Resolution of the Planning Commission of the City of Buellton, California, Considering Recommendations to the City Council on Revisions to Title 19 (Zoning) of the Buellton Municipal Code (20-ZOA-02) Relating to Electric Vehicle Charging Station Permit Expediting, Amending Sections 19.02.030 and 19.12.020, Adding Section 19.06.280, and Making Findings in Support Thereof”**

❖ *(Staff Contact: Assistant Planner Cara Meche)*

3. **Resolution No. 20-03 - “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Development Plan Modification (20-DPM-01) to the Previously-Approved Final Development Plan (14-FDP-02) for the Village Senior Apartments Project Located at the Northeast Corner of Highway 246 and McMurray Road, Assessor’s Parcel Number 137-790-008, and Making Findings in Support Thereof”**

❖ *(Staff Contact: Assistant Planner Cara Meche)*

OTHER BUSINESS

None

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

PLANNING COMMISSIONER COMMENTS

PLANNING DIRECTOR REPORT

ADJOURNMENT

To the next regularly scheduled Planning Commission meeting of Thursday, June 4, 2020 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 6, 2020 – 6:00 p.m.

City Council Chambers, 140 West Highway 246
Buellton, California

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Commissioner Blokdyk led the Pledge of Allegiance

ROLL CALL

Present: Commissioners Bob Blokdyk, Dan Heedy, Vice Chair Marcilo Sarquilla and Chair Patty Hammel

Staff: Contract City Planner Irma Tucker
Assistant Planner Cara Meche
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 16, 2020

MOTION:

Commissioner Blokdyk moved and Vice Chair Sarquilla seconded the motion to approve the Minutes of January 16, 2020

VOTE:

Motion passed with a 4-0 voice vote.

PUBLIC COMMENTS

None

CONSENT CALENDAR

None

CONTINUED PUBLIC HEARINGS

None

NEW PUBLIC HEARINGS

2. **Resolution No. 20-01 - “A Resolution of the Planning Commission of the City of Buellton, California, Approving a One-Year Time Extension (19-TE-03) Request for Final Development Plan (14-FDP-05) for the Summerland Wine Annex Storage Facility Project, Located at 30 Industrial Way on Assessor’s Parcel Number 099-690-053, and Making Findings in Support Thereof”**

RECOMMENDATION:

That the Planning Commission consider the adoption of Resolution No. 20-01 - “A Resolution of the Planning Commission of the City of Buellton, California, Approving a One-Year Time Extension (19-TE-03) Request for Final Development Plan (14-FDP-05) for the Summerland Wine Annex Storage Facility Project, Located at 30 Industrial Way on Assessor’s Parcel Number 099-690-053, and Making Findings in Support Thereof”

STAFF REPORT:

Contract City Planner Irma Tucker presented the staff report.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

SPEAKERS/DISCUSSION:

Caroline Boiler, Chief Administrative Officer & General Counsel for the Applicant, Summerland Wine Brands, informed the Commission that Summerland Wines recently acquired the business and has undergone management changes.

Chair Hammel opened the Public Hearing at 6:10, there being no speakers she closed the Public Hearing at 6:11 p.m.

MOTION:

Commissioner Blokdyk moved and Vice Chair Sarquilla seconded the motion to approve Resolution No. 20-01 - “A Resolution of the Planning Commission of the City of Buellton, California, Approving a One-Year Time Extension (19-TE-03) Request for Final Development Plan (14-FDP-05) for the Summerland Wine Annex Storage Facility Project, Located at 30 Industrial Way on Assessor’s Parcel Number 099-690-053, and Making Findings in Support Thereof”

VOTE:

Motion passed with a 4-0 roll call vote.

OTHER BUSINESS

None

WRITTEN COMMUNICATIONS

None

PLANNING COMMISSIONER COMMENTS

None

PLANNING DIRECTOR REPORT

Contract City Planner Tucker updated the Commission on current projects and several long range planning projects.

ADJOURNMENT

Chair Hammel adjourned the meeting at 6:17 p.m. The next regular meeting of the Planning Commission will be held on Thursday, February 20, 2020 at 6:00 p.m.

Chair Patty Hammel

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: _____
Planning Commission Agenda Item No.: 2

To: The Honorable Chair and Commission Members

From: Cara Meche, Assistant Planner

Date: May 21, 2020

Subject: Resolution No. 20-02 – “A Resolution of the Planning Commission of the City of Buellton, California, Considering Recommendations to the City Council on Revisions to Title 19 (Zoning) of the Buellton Municipal Code (20-ZOA-02) Relating to Electric Vehicle Charging Station Permit Expediting, Amending Sections 19.02.030 and 19.12.020, Adding Section 19.06.280, and Making Findings in Support Thereof”

BACKGROUND/DISCUSSION

In 2015, the State of California adopted Assembly Bill 1236 (Chiu, Codified as Government Code Section 65850.7), which requires local jurisdictions with a population less than 200,000 residents to adopt an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations by 2017.

An electric vehicle charging station is any level of electric vehicle supply equipment station which delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle. As Electric Vehicle (EV) sales continue to rise, comprising approximately 8% of total car sales in 2018¹, so will the need for charging infrastructure. Starting January 1, 2020, CALGreen requires that new construction of nonresidential buildings include EV infrastructure in at least 6% of parking spaces and 10% for multifamily dwellings. In new single-family construction, infrastructure must be provided to support future installation of charging stations.

The law requires an administrative review process for charging stations, limiting the standards that may be applied to those related to health and safety. Charging stations will be exempt from land use permit requirements unless there is a specific, adverse impact identified. In this case, a Zoning Clearance will be required and permit conditions may be placed on the approval to mitigate for those impacts. The permit approval may not be subject to approval by an association, such as a homeowner’s association.

¹ California Governor’s Office of Business and Economic Development. Electric Vehicle Charging Station Permitting Guidebook. July 2019.

The law requires that the ordinance include a statement that the City shall accept electronic applications and signatures. While this will only apply to electric vehicle charging station applications at this time, staff will use this ordinance as a pilot project to consider accepting all permit applications electronically in the future.

The law further requires a checklist listing all permitting requirements to be posted on the City's website. The County of Santa Barbara Building and Safety Division has published such a checklist, which will be incorporated into the City's checklist for this purpose.

The proposed Zoning Ordinance amendments are attached as Exhibit A to Resolution No. 20-02.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act ("CEQA") because the amendments implement the provisions of California Government Code Section 65850.7 and is therefore exempt pursuant to Public Resources Code Section 21080(b)(1) and CEQA Guidelines Section 15268 pertaining to Ministerial Projects.

RECOMMENDATION

Staff recommends that the Planning Commission consider adoption of Resolution No. 20-02 – "A Resolution of the Planning Commission of the City of Buellton, California, Considering Recommendations to the City Council on Revisions to Title 19 (Zoning) of the Buellton Municipal Code (20-ZOA-02) Relating to Electric Vehicle Charging Station Permit Expediting, Amending Sections 19.02.030 and 19.12.020, Adding Section 19.06.280, and Making Findings in Support Thereof"

ATTACHMENTS

Resolution No. 20-02 with Exhibit A

Planning Commission Resolution No. 20-02

Resolution No. 20-02 – “A Resolution of the Planning Commission of the City of Buellton, California, Considering Recommendations to the City Council on Revisions to Title 19 (Zoning) of the Buellton Municipal Code (20-ZOA-01) Relating to Electric Vehicle Charging Station Permit Expediting, Amending Sections 19.02.030 and 19.12.020, Adding Section 19.06.280, and Making Findings in Support Thereof”

WHEREAS, the City of Buellton (“City”) is committed to promoting and encouraged the use of fuel-efficient electric vehicles; and

WHEREAS, the State of California recently adopted Assembly Bill 1236, which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging systems; and

WHEREAS, the creation of an expedited, streamlined permitting process for electric vehicle charging stations would facilitate convenient charging of electric vehicles and help reduce the City’s reliance on fossil fuels.

NOW, THEREFORE, THE PLANNING COMMISSION DOES RESOLVE, DECLARE, DETERMINE, AND REQUEST AS FOLLOWS:

SECTION 1: 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 proposed zoning ordinance amendments, 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 May 21, 2020 (“Public Hearing”).
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. That staff report submitted by the Planning Department dated May 21, 2020 (the “Staff Report”).

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 was published in a newspaper on May 7, 2020 (the "Public Notice"), a minimum of ten (10) days in advance of the May 21, 2020 Public Hearing.
2. The Public Notice and Agenda for the Public Hearing was posted in three conspicuous public places on May 7, 2020, a minimum of 10 days before the May 21, 2020 Public Hearing.

C. Environmental Clearance. Adoption of the zoning ordinance amendments is exempt from the California Environmental Quality Act ("CEQA") because the amendments implement the provisions of California Government Code Section 65850.7 and is therefore exempt pursuant to Public Resources Code Section 21080(b)(1) and CEQA Guidelines Section 15268 pertaining to Ministerial Projects.

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

1. **Zoning Ordinance Amendments.**

a. **Findings:**

- i. The Amendments are in the interests of the general community welfare as it provides for a streamlined process for electric vehicle infrastructure, encouraging the use of electric vehicles and potentially lessening the impacts of fossil fuels.
- ii. The Amendments are consistent with the General Plan, the requirements of state planning and zoning laws, and Title 19 of the Zoning Ordinance, as they as they implement the provisions of Assembly Bill 1236.
- iii. The Amendments are consistent with good zoning and planning practices.

SECTION 2. The Planning Commission hereby recommends that the City Council adopt an ordinance to amend Title 19 (Zoning) of the Buellton Municipal Code in accordance with the changes set forth in Exhibit A to this Resolution.

SECTION 3. The Planning Commission Secretary shall certify as to the adoption of this Resolution and shall cause the same to be transmitted to the City Clerk for consideration by the City Council.

PASSED, APPROVED, AND ADOPTED this 21st day of May 2020.

Patty Hammel, Chair

ATTEST:

Clare Barcelona, Planning Commission Secretary

Exhibit A – Draft Amendments to Title 19 (Zoning Ordinance) Related to Electric Vehicle Charging Stations

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. 20-02 was duly passed and adopted by the Planning Commission of said City at a regular meeting thereof, held on the 21st day of May 2020, by the following vote, to wit:

AYES: ()

NOES: ()

ABSENT: ()

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of May 2020.

Clare Barcelona
Planning Commission Secretary

EXHIBIT A

DRAFT AMENDMENTS TO TITLE 19 (ZONING ORDINANCE) RELATED TO ELECTRIC VEHICLE CHARGING STATIONS

Chapter 19.02 ZONING DISTRICTS AND ALLOWABLE LAND USES

19.02.030 Allowable land uses and permit requirements.

[Changes consist of adding electric vehicle charging stations as an Exemption from Land Use Permit Requirements as follows:]

B. Exemptions from Land Use Permit Requirements. The land use permit requirements of this title do not apply to the following activities, uses of land and structures, provided that activities which are exempt from land use permit requirements shall comply with all other applicable regulations of this title including, but not limited to, use, setback, and height, except as otherwise specified.

14. Electric Vehicle Charging Stations. As specified in Section 19.06.280. Includes readiness measures taken for the future installation of charging stations such as the installation of a raceway and panel capacity. Regulations applied shall be limited to health and safety standards.

Chapter 19.06 SPECIFIC USE REQUIREMENTS

[Changes consist of adding the following new Section 19.06.280 to this Chapter.]

19.06.280 Electric vehicle charging stations

- A. Purpose. The purpose of this section is to provide an expedited, streamlined electric vehicle charging station permitting process that complies with California Government Code Section 65850.7.
- B. Definitions. The terms, phrases, and words used in this section shall be construed in compliance with the definitions set forth by California Government Code Section 65850.7, including the following:
 - 1. "Specific, adverse impact" means a significant, quantifiable, direct, or unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- C. Applicability.
 - 1. This section applies to the permitting of all electric vehicle charging stations in the City.
 - 2. All electric vehicle charging stations legally established or permitted prior to the effective date of this ordinance shall not require a permit issued under this section unless physical modifications or alterations are undertaken that materially change the size, type, or components of an electric vehicle charging station.
 - 3. Routine operations and maintenance or like-kind replacements of the components of an electric vehicle charging state shall not be subject to permitting.
- D. Application Process.

1. All documents required for submission of an electric vehicle charging station application shall be made available on the City's website.
 2. The City shall provide a checklist of all requirements with which electric vehicle charging stations shall comply in order to be eligible for expedited review.
 3. Electronic submittals by utilization of email, the internet or facsimile and electronic signatures shall be accepted on all forms, applications, and other documents submitted.
 4. An application that satisfies the information requirements in the checklist, as determined by the City, shall be deemed complete and administratively approved.
 5. Upon receipt of an incomplete application, a written correction notice shall be issued detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
 6. An application for a charging station shall not be denied unless written findings are made based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives for preventing the adverse impact.
- E. Exemption. Charging stations shall be exempt from Land Use Permit requirements, as set forth in Section 19.02.030 of this title, unless a Zoning Clearance is required per this section.
- F. Zoning Clearance.
1. A Zoning Clearance shall be required if, based on substantial evidence, a finding is made that the charging station would have a specific, adverse impact upon the public health and safety.
 2. Any conditions on a Zoning Clearance approval shall be solely imposed in order to mitigate the specific, adverse impact upon the public health or safety and shall do so at the lowest cost possible.
- G. The approval for any electric vehicle charging station application or permit shall not be conditioned on the approval of such a system by an association, as defined by Civil Code Section 4080.
- H. Requirements.
1. Regulations applied shall be limited to applicable local, State and Federal health and safety requirements necessary to ensure the proposed installation will not have a specific, adverse impact on public health or safety, including, but not limited to the following:
 - a. Applicant shall verify the electric vehicle charging station meets all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability, and the Americans with Disabilities Act.
 - b. Setbacks. No installation shall conflict with required setbacks as set forth in Section 19.04.160 of this title.
 - c. Signs. All signs proposed as part of the project shall require separate sign approval through the provisions set forth in this title.
 - d. Noise. If there is substantial evidence that the installation would have an adverse impact to noise levels, the applicant must verify compliance with adopted noise regulations of the City of Buellton, in Section 8.04.030(G) of this title.
 - e. Easements. No installation shall conflict with existing or proposed easements.

Chapter 19.12 DEFINITIONS

19.12.020 Definitions of specialized terms and phrases.

[Changes consist of adding a definition for electric vehicle charging stations as follows:]

“Electric vehicle charging station” means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

CITY OF BUELLTON
Planning Commission Agenda Staff Report

Planning Director Review: _____
Planning Commission Agenda Item No: _____ 3

To: The Honorable Chair and Commission Members

From: Cara Meche, Assistant Planner

Meeting Date: May 21, 2020

Subject: Resolution No. 20-03 - "A Resolution of the Planning Commission of the City of Buellton, California, Approving a Development Plan Modification (20-DPM-01) to the Previously-Approved Final Development Plan (14-FDP-02) for the Village Senior Apartments Project Located at the Northeast Corner of Highway 246 and McMurray Road, Assessor's Parcel Number 137-790-008, and Making Findings in Support Thereof"

BACKGROUND/DISCUSSION

Owner: Eduardo Espinoza, Cabrillo Economic Development Corporation (CEDC)
Agent: Jim Bizzelle, CEDC
General Plan Designation: Specific Plan
Zoning: General Commercial-Specific Plan (CR-SP)
APN: 137-090-045 (portion)

Eduardo Espinoza, Property Owner, and Jim Bizzelle, agent (Applicant), have submitted an application for a Development Plan Modification (20-DPM-01) for a modification to the previously-approved Village Senior Apartments Project (the Project), located within the Village Specific Plan along Valley Vineyard Circle, Assessor's Parcel Number 137-790-008 (Attachment 1 - Vicinity Map). A revised project description is included as Attachment 2. The complete set of proposed Project plans (dated May 12, 2020), is provided as Attachment 3.

On October 2, 2014, Planning Commission approved Resolution No. 14-08 (Attachment 4, regarding 14-FDP-02) to develop an affordable senior apartment complex with 50 dwelling units; the approved project plans are included as Attachment 5. The apartments would be available to individuals who are 62 years of age and older and are able to live independently. This is one of the two residential projects on the Village Specific Plan site; the 11.3 acre residential portion is divided between 9.3 acres, developed with the Vineyard Village Townhomes, and the 2.0 acre Project site.

On June 6, 2019, Planning Commission approved a one-year time extension (19-TE-01), which extended the approval of 14-FDP-02 through October 2, 2020. The time extension allowed the Applicant additional time to apply for and be granted various funding

sources to assist in covering the costs of construction, such as additional HOME funding. The Project may apply for one additional one-year time extension through October 2, 2021 before the final development plan expires.

In order to make the Project financially feasible, it has been revised to include 25 additional dwelling units. The applicant has submitted a request for the additional units under the California Density Bonus Law and under this Law, the request must be granted. The Formal Density Bonus Request is attached hereto as Attachment 6. The Project, being 100% affordable to lower income, is entitled up to an additional 39 units and four concessions or incentives. One concession has been granted with the approval of project 14-FDP-02 to waive the requirement for covered parking. An additional incentive for a reduction of the required open space has also been requested.

The additional density is the primary basis for the revisions shown. The overall intent of the Project and amenities proposed remain consistent with the original approval. Another revision includes the removal of a senior center component, which was originally included due to the need for the Buellton Senior Center to find another facility. This need no longer exists, as the Senior Center was able to procure a long-term lease for their current building. Lastly, there has been a change in the project architect.

The Development Plan Modification includes revisions to the following:

- Project Description
 - 66 one-bedroom units, 9 two-bedroom units
 - No senior center
 - Seeking to be GreenPoint Rated, solar panels proposed
- Site Plan
 - Density – 75 units total
 - Building configuration and footprint – 2 buildings to the south
 - Setbacks
 - Parking – 99 spaces, to the north
- Elevations
 - Architectural details
 - Reduced height
- Floor Plan
- Landscape and Lighting Plans
 - Density Bonus incentive – reduction in open space
 - Community garden moved to in between buildings
- Preliminary Grading Plan
- Preliminary Utility Plan

The following table summarizes and compares the original approval with the proposed revisions as related to consistency with applicable zoning standards.

Development Standard	Planned Residential Development (PRD) Zone Requirements and Village Specific Plan	Approved Project 14-FDP-02	Proposed Revisions 20-DPM-01	Proposed Revisions Consistency w/ Standards
Minimum Lot Size	None required	2.0 acres	(no change)	Consistent
Front Setback	10 feet to front porches and 15 feet to building on west property line (Village Specific Plan)	64 feet to building	15 feet to front porches	Consistent
Side Setbacks	Determined by Development Plan	68 feet to building from south property line 9 feet to building from north property line	5.2 feet to building from south property line 73.9 feet to building from north property line	Consistent w/ approved Development Plan Modification (Project)
Rear Setback	30 feet from east property line	30 feet to structures	30 feet to parking area, 88.5 feet to building	Consistent
Floor Area	No maximum	N/A	N/A	Consistent
Site Coverage	30% of net site area for dwellings, 50% of net site area for all buildings	24%	28%	Consistent
Height Limit	35 feet	37.08 feet	35 feet	Consistent
Landscaping	Landscape buffer along side and rear setbacks	Consistent	5 foot landscape buffer along side setbacks, 30 foot buffer along rear	Consistent
Open Space	40% of gross site area for the Townhomes, Park and Senior Apartments	40.2% of gross site area for the Townhomes, Park and Senior Apartments 47.72% (Senior Apartments only)	37.94 % of gross site area for the Townhomes, Park and Senior Apartments 33% (Senior Apartments only)	Consistent w/ Density Bonus request
Parking	One Bedroom Units: 1 space per unit Two Bedroom Units: 2 spaces per unit Visitor Parking: 1 space per 5 units Senior Center: 1 space per 300 square feet (no longer applicable) Total Required: 99 spaces	76 spaces (including 3 ADA spaces)	99 spaces (including 4 ADA spaces)	Consistent
Density	6-25 units per acre	25 units per acre	37.5 units per acre Within 25 units per acre density allowed for the entire Specific Plan residential portion	Consistent w/ Density Bonus request

Project Components and Proposed Modifications

Each major project component and proposed revision is described in more detail below.

Density

The increase in the number of units, from 50 to 75 is justified. The Project is 100% affordable to lower income (excluding manager's unit) and thereby entitled to an additional density up to 80% of the total number of lower income units (an additional 39 units) under the Density Bonus Law. The applicant has requested an additional density of 50% (25 units).

The additional density is still within the maximum number of units allowed per the Village Specific Plan, which allows up to 244 units on the entire 11.3 acre residential area. With the existing 155 Vineyard Village townhomes on 9.3 acres and 75 senior apartments on the remaining 2 acres of the Project site, this equals 230 total units.

Building Configuration and Footprint

To accommodate the increase in units, the building footprint has been reconfigured from three buildings to two and has been moved to the south half of the property. This in turn moved the parking area to the north half of the site. At the Planning Commission hearing on October 2, 2014 for the 14-FDP-02, some commission members recommended placing parking on north side of building, but this was not implemented in the approved plans.

Due to the building footprint changes, there are also necessary modifications to the landscaping, lighting, grading and utility plans.

Setbacks

The proposed front and rear setbacks meet the requirements set by the Village Specific Plan. The side setbacks from the north and south property lines are determined by the Planning Commission, per Planned Residential Development standards, and must protect and preserve sensitive site characteristics, and ensure compatibility between different uses. The siting of structures shall also be based on privacy, access to light and air, solar exposure, building configuration, and aesthetics. From how the building is configured, its frontage is facing the north property line, with a building setback of 73.9 feet.

The rear of the building has a 5 foot side setback from the shared Village Park property line. This proximity to the park could be an attractive characteristic for some residents choosing to rent the units with porches facing the park. However, in order to mitigate for potential noise impacts on inside noise levels, a condition has been added for noise attenuation measures to be added to those units, such as vegetated berms, solid core door and double-paned windows.

Height

The proposed building height has been decreased to 35 feet, which is consistent with the maximum 35 foot height allowed by the Planned Residential Development (PRD) and Village Specific Plan standards. This eliminates the need for a height exception granted by the original approval that allowed a 37 foot height.

Parking

The proposed modifications for parking meet the requirements for number of parking spaces and design. A density bonus concession was granted in the original approval that waived the requirement for covered parking. This concession remains valid.

The original project approval required 71 parking spaces. The required amount of parking was calculated based on the Buellton Municipal Code standard of 1 space per one-bedroom unit (49 spaces), 2 spaces per two-bedroom unit (2), 1 visitor space per 5 units (10) and 1 space per 300 square feet for the senior center (10). A total of 76 parking spaces were provided as part of the original approval, including 3 ADA spaces.

The revised plans include 66 one-bedroom units (66 spaces), 9 two-bedroom units (18), and 15 visitor parking spaces per 75 units total, meeting the minimum required 99 parking spaces, including 4 ADA spaces.

Architecture and Visual Quality

The architectural character remains Ranch style. However, minor changes to the architectural details have been made in the revised plans.

The City's architectural review consultant, Ravatt Albecht & Associates, has provided comments on the architecture (Attachment 7). Recommended changes have been incorporated into the Conditions of Approval, summarized as follows:

- Consider revising roof design – should include gable elements and deep overhangs. Provide details.
- Consider different material for porch railings to comply with Ranch style – appear to be wrought iron. Provide details.
- Provide detailing for:
 - Material transitions (i.e. hardie board to stucco)
 - Awnings
 - Windows and window doors
 - Site fencing
 - Pergola
 - Top/bottom of columns and parapets
 - Gutters and downspouts

Open Space & Amenities

The open space requirement for Planned Residential Development (PRD) is 40%. The original approval on October 2, 2014 had 47.72% of open space. On November 13, 2014, the City Council approved the Final Development Plan for Vineyard Village Townhomes (14-FDP-03) with a modification to clarify that the total open space requirement for the

Village Townhomes, Village Park and Senior Apartments taken together must be at least 40%. Together, the three parcels had 40.2% open space.

The Applicant is requesting an incentive under the Density Bonus Law for a reduction in open space for 33% of the 87,118.9 square foot project site as open space. This includes 21% in landscaping and 12% in hardscaping. With this reduction, taken together with the Vineyard Village Townhomes which provides open space equal to 27.1% of 9.3 acres, and the 1.8 acre Village Park, the total open space for the three parcels is 37.94%.

A minimum of 75% of trees and shrubs were chosen from the County of Santa Barbara Drought Tolerant List and the State WUCOLS (Water Use Classification of Landscape Species) List that are designated as very low, low or medium water use. All of the tree varieties are on the City's Approved Tree Planting List, excepting the various fruit trees which will be in the community garden.

Regarding amenities, the community garden has been moved from the frontage on Valley Vineyard Circle to in between the two buildings, where it joins the courtyard. Three bicycle racks have also been added, with 75 bicycle spaces. The original approval included one bicycle rack. The required public trail shown within the 30' east setback is consistent with the connecting trails on the Vineyard Village Townhomes property and Village Park. The trail will also require a dedication of a public access easement.

Lastly, the Project is seeking to be GreenPoint Rated. This means the Project will exceed state energy code requirements and is rated higher in resource conservation, indoor air quality, water conservation and community features.

Exterior Lighting

Proposed lighting on the exterior of the buildings and throughout the Project site include 15 foot high parking lot pole lights, 10 foot high pole lights for the courtyard area and wall mounted lighting on the exterior of the buildings and patios. Further details regarding lighting specs will be provided prior to building permit issuance to ensure compliance with dark sky friendly lighting requirements.

ENVIRONMENTAL REVIEW

In accordance with the requirements of the California Environmental Quality Act, California Public Resources Code section 21000 *et seq.*, the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections 15000 *et seq.*, and the Environmental Impact Report Guidelines of the City of Buellton (collectively, "CEQA"), the City prepared an Final Environmental Impact Report (FEIR) for the Oak Springs Village Specific Plan. The FEIR was certified on July 24, 2003. On May 25, 2006 the City Council approved a revision to the Specific Plan along with an Addendum EIR to the FEIR for the Oak Springs Village Specific Plan.

No further environmental review is required per CEQA in that the Village Senior Apartments Project is adequately addressed in the prior environmental documents for the Oak Springs Village Specific Plan.

CONDITIONS OF APPROVAL

The Project is subject to modified conditions of approval and new added conditions of approval. These have been included in Planning Commission Resolution No. 20-03. All other conditions of approval included in the original project approval, including, but not limited to the Mitigation Measures and the Mitigation Monitoring and Reporting Program (MMRP) remain unchanged, and applicable to the Project, as modified.

RECOMMENDATION

That the Planning Commission consider the adoption of Resolution No. 20-03, as follows:

Resolution No. 20-03 - "A Resolution of the Planning Commission of the City of Buellton, California, Approving a Development Plan Modification (20-DPM-01) to the Previously-Approved Final Development Plan (14-FDP-02) for the Village Senior Apartments Project Located at the Northeast Corner of Highway 246 and McMurray Road, Assessor's Parcel Number 137-790-008, and Making Findings in Support Thereof"

ATTACHMENTS

- Planning Commission Resolution No. 20-03
- Attachment 1: Vicinity Map
- Attachment 2: Revised Project Description (April 15, 2020)
- Attachment 3: Revised Project Plans (May 12, 2020)
- Attachment 4: PC Resolution No. 14-08
- Attachment 5: PC Approved Plans (August 13, 2014)
- Attachment 6: Formal Density Bonus Request (May 12, 2020)
- Attachment 7: Design Review Report (April 23, 2020)

PLANNING COMMISSION RESOLUTION NO. 20-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING A DEVELOPMENT PLAN MODIFICATION (20-DPM-01) TO THE PREVIOUSLY-APPROVED FINAL DEVELOPMENT PLAN (14-FDP-02), FOR THE VILLAGE SENIOR APARTMENTS PROJECT LOCATED AT THE NORTHEAST CORNER OF HIGHWAY 246 AND MCMURRAY ROAD, ASSESSOR'S PARCEL NUMBER 137-790-008, 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 Eduardo Espinoza, Property Owner, and Jim Bizzelle, Agent (“Applicant”), requesting a modification to Planning Commission Resolution No. 14-08 and associated project plans (approved October 2, 2014) for a previously approved Final Development Plan (14-FDP-02). The project site is located at the Northeast Corner of Highway 246 and McMurray Road, on Assessor’s Parcel Number 137-790-008.

SECTION 2: The proposed Project consists of the following:

A. Development Plan Modification (20-DPM-01): Approval of revisions to the approved project description, site plan, architectural elevations, floor plans, landscaping and lighting plans, preliminary grading plan, and preliminary utility plan sheets of 14-FDP-02 and Planning Commission Resolution No. 14-08 (dated October 2, 2014) to allow for an additional 25 density bonus units and supporting reconfigurations to the building footprint, setbacks, parking, pedestrian circulation, landscaping, lighting, and amenities. The revisions include 66 one-bedroom units, 8 two-bedroom units, and 1 two-bedroom managers units and 99 parking spaces. A reduction in open space from 47.72 percent to 33 percent of the project site area is granted through the Density Bonus Law. The revisions also include solar panels and a reduced building height of 35 feet. The project description and plans are revised to no longer include a senior center component.

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 May 21, 2020 (“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 20-DPM-01 and the set of Project plans dated May 12, 2020.
 - b. Planning Commission staff report of May 21, 2020.
 - c. The Oak Springs Village Specific Plan, amended 2013
 - d. FEIR dated July 24, 2003 and Addendum dated May 25, 2006 for the Oak Springs Village Specific Plan

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

1. A notice of public hearing was published in a newspaper on May 7, 2020 (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 May 7, 2020, a minimum of ten (10) days in advance of the Public Hearing.
3. The Public Notice was posted in two public locations on May 7, 2020, a minimum of ten (10) days in advance of the Public Hearing.

C. Environmental Clearance.

1. On July 24, 2003, the City Council conducted a public hearing with respect to the Final EIR for the Oak Springs Village Specific Plan and at the conclusion thereof, adopted their Resolution No. 03-15 thereby adopting: (1) a Statement of Facts and Findings, (2) a Statement of Overriding Considerations, and (3) a Mitigation Monitoring Program for the Oak Springs Village Specific Plan and certified that the Final EIR was complete and adequate, and had been completed in compliance with the requirements of the California Environmental Quality Act (“CEQA”), the State CEQA Guidelines and the City of Buellton Environmental Guidelines. The Oak Springs Village Specific Plan was revised by Ordinance No. 06-05 on May 25, 2006. An Addendum Environmental Impact Report to the Final EIR for Oak Springs Village was approved for the revised Specific Plan (the Final EIR and Addendum are collectively referred to as the FEIR).
2. Planning Commission Resolution 14-08 found that no further environmental review was required per CEQA in that the original project was adequately addressed in the prior environmental documents for the Oak Springs Village Specific Plan.

3. Based upon the substantial evidence contained in the whole record, including any written and/ oral staff reports presented to the Planning Commission with respect to the Project, as well as a review of the FEIR for the Oak Springs Village Specific Plan in relation to the Project, the Planning Commission of the City of Buellton does hereby find, determine, and declare that:
 - a. There are no substantial changes proposed in the Project which will require major revisions of the previous FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - b. No substantial changes will occur with respect to the circumstances under which the Project is undertaken which will require major revisions of the previous FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
 - c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous FEIR was certified as complete, shows any of the following:
 - i. That the Project will have one or more significant effects not discussed in the previous FEIR or negative declaration;
 - ii. That significant effects previously examined will be substantially more severe than shown in the previous FEIR;
 - iii. That mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the project proponents decline to adopt the mitigation measure or alternative; and,
 - iv. That mitigation measures or alternatives which are considerably different from those analyzed in the previous FEIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
4. Based upon the forgoing, the Planning Commission exercises its judgment and finds that no further environmental review is required per CEQA in that the Project, as revised, is adequately addressed in the prior environmental documents for the Oak Springs Village Specific Plan.

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. Revised Final Development Plan.

a. Findings:

- i. That the previous findings for a final development plan made with the approval of project 14-FDP-02 remain valid.
- ii. That the revised final development plan is in substantial conformity with the approved final development plan 14-FDP-02; the intent and affordability of the project remains, with a reduced height.
- iii. That the revised final development plan is in conformance with all applicable provisions and policies of the City General Plan and Title 19 of the Municipal Code.
- iv. That the proposed development is in conformance with the community design guidelines. The proposed architectural design style is Ranch, which is one of the approved design styles per the community design guidelines.

2. Density Bonus.

a. Findings:

- i. That one hundred (100) percent of the total dwelling units of the Project, exclusive of a manager's units, are Affordable Units for Qualifying Residents at lower income levels. Therefore, the requested density bonus of 25 additional units to the originally approved 50 units is consistent with Density Bonus law.
- ii. That the Project may be granted up to four concessions or incentives, and the applicant has been granted two. One concession has been granted with the approval of project 14-FDP-02 to waive the requirement for covered parking. The additional request for a reduction of the required open space is consistent with Density Bonus Law.

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 (20-DPM-01) with the additional and modified conditions included with the motion to adopt Resolution No. 20-03.

PASSED, APPROVED, AND ADOPTED this 21st day of May 2020.

Patty Hammel, Chair

ATTEST:

Clare Barcelona
Planning Commission Secretary

Modified Conditions of Approval
for 14-FDP-02 (PC Resolution No. 14-08)
Applicable to 20-DPM-01

- 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: A request by Eduardo Espinoza, property owner, and Jim Bizelle, agent (“Applicant”) of Cabrillo Economic Development Corporation for a Revised Final Development Plan 20-DPM-01 for the Village Senior Apartments, a 75-unit apartment complex located on a 2.0 acre site (the “Project”). The Project is located at the northeast corner of Highway 246 and McMurray Road, Assessor’s Parcel Number 137-090-045 (the “Property”). The Project plans that are included in this approval are dated May 12, 2020. The approved color palette is shown on the color and materials boards. 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.

- 40. Bus Turn Out.** Frontage improvements shall include adequate bus turn out and shelter. Design of these facilities shall include adequate public sidewalk with appropriate ADA width behind the shelter. Should additional public easement be required to accommodate these facilities, the property owner shall grant the appropriate easement to the City.

- 74. Approval.** Approval of 20-DPM-01 (the “Permit”) is granted to the Applicant for the Property as identified in the Project Description. Except or unless indicated otherwise herein, all buildings, driveways, parking areas, and other facilities or features shall be located and maintained substantially as shown on the exhibits accompanying the application for the Project.

- 76. Parking.** A total of 99 parking spaces are required for the Project. This includes two spaces each for the 2-bedroom units (18 spaces), one space each for the 1-bedroom units (66 spaces), and one visitor space for each five units (15 guest spaces). 99 parking spaces are proposed. Covered parking is waived pursuant to the requirements of the Density Bonus section of the Municipal Code (Section 19.16.018 (B)(1)(a)).

- 88. Roof Features.** Architectural features shall be added to break up the flat roofs, such as gable elements and deep overhangs. These features shall be approved by the Planning Director through the zoning clearance process.

- 93. Affordable Housing.** The Village Specific Plan requires that 20% of the residential units be made affordable in the very low, low, and moderate income categories. The Village Townhomes project (155 units) and the Village Senior Apartments project (75 units) provide a total of 230 units. Therefore, 46 affordable units are required per the Village Specific Plan. The Applicant meets this requirement by providing 74 low income units and would satisfy the affordable requirement for the entire Village Specific Plan area.

As a condition precedent to obtaining a building permit, the Applicant shall prepare and submit an Affordable Housing Agreement in City standard format for review and approval by the City Council prior to execution. The purpose of the Affordable Housing Agreement is to create easements, conditions, covenants, restrictions, liens, servitudes, and charges upon and subject to which Senior Affordable Units and each and every part and portion thereof shall be occupied, owned, maintained, held, leased, rented, sold, and conveyed. As a condition prerequisite to obtaining a Final Building Inspection Clearance, the Affordable Housing Agreement shall be recorded against the units having such affordable requirements, in this case, 74 units. The form and content of the Affordable Housing Agreement shall be determined by the City and, among things, address: (i) the size, type and location of Affordable Units to be constructed on-site; (ii) affirmative marketing procedures and the City's right of first refusal to occupy Affordable Units with Target Households of its choosing; (iii) income verification, tenant screening, eligibility re-certification and inspection procedures, with the Applicant's obligation to pay an annual monitoring fee for the term of required affordability; and (iv) tenant relocation requirements, rights of continued occupancy and tenant occupancy standards.

- 99. Access.** Access shall be as shown on plans dated May 12, 2020.
- Surface shall be paved.
 - A minimum of 13 feet, 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.
- 116. Egress Plan.** A separate, detailed egress plans will be required for clarity of plan review and field inspection. Clearly show egress requirements for the building. Show occupant load, number of exits required, and number of exits provided at each space and/or floor level. Provide a calculation for required exit width. Label all components of the exit access, exit, and exit discharge, and show compliance with applicable provisions addressing those components. Provide egress from outdoor use areas as required for building occupants as per CBC; or include the occupant load from this space in the design occupant load of the building.
- On the building to the west, it appears that the second floor bridge between the buildings appears do not comply as the required secondary exit. It appears the corridor is required to be rated. Fire resistance rated corridors shall be continuous from the point of entry to an exit.
- 118. Site Accessibility Plan.** Provide a separate "Site Accessibility Plan", showing accessible routes of travel between buildings and accessible site facilities. The accessible route of travel shall be the most practical direct route between accessible building entrances, accessible site facilities, and the accessible entrance to the site. Provide accessible parking in all parking lots.

Added Conditions of Approval
for 14-FDP-02 (PC Resolution No. 14-08)
Applicable to 20-DPM-01

1. **Fencing Detail.** Design of fence shall be consistent with adjacent developments to the north and south. Details of proposed perimeter fence to be located west edge of project shall be clearly shown on project plans prior to building permit issuance
2. **Pergola Detail.** Design of pergola shall be consistent with the architectural character of the project. Details, including design and color shall be clearly shown on project plans prior to building permit issuance.
3. **Porch Railing Material.** Design and material of porch railing shall be consistent with the architectural character of the project. Details shall be clearly shown on project plans prior to building permit issuance.
4. **Awning Material.** Design and material of awnings shall be consistent with the architectural character of the project. Details shall be clearly shown on project plans prior to building permit issuance.
5. **Material Transitions.** Detailing of material transitions (i.e. hardie board to stucco) shall be clearly shown on project plans prior to building permit issuance.
6. **Design Elements.** Design of design elements and utilitarian aspects such as columns, roof eaves, gutters and downspouts, window and door trims, and parapets shall be consistent with the architectural character of the project. Detailing of these elements shall be clearly shown on project plans prior to building permit issuance.
7. **MWELO Compliance.** Landscape Plans must include the Model Water Efficiency Landscape Ordinance statement to ensure compliance on project plans prior to building permit issuance.
8. **Letter From MarBorg.** A letter from MarBorg shall be provided indicating that the location and design of the trash enclosure is consistent with the requirements.
9. **Noise Attenuation.** Noise mitigation measures for units facing Village Park shall be included such as vegetated berms, solid core doors and double-paned windows.

Project Applicant/Property Owner Acknowledgement of Required Conditions of Approval

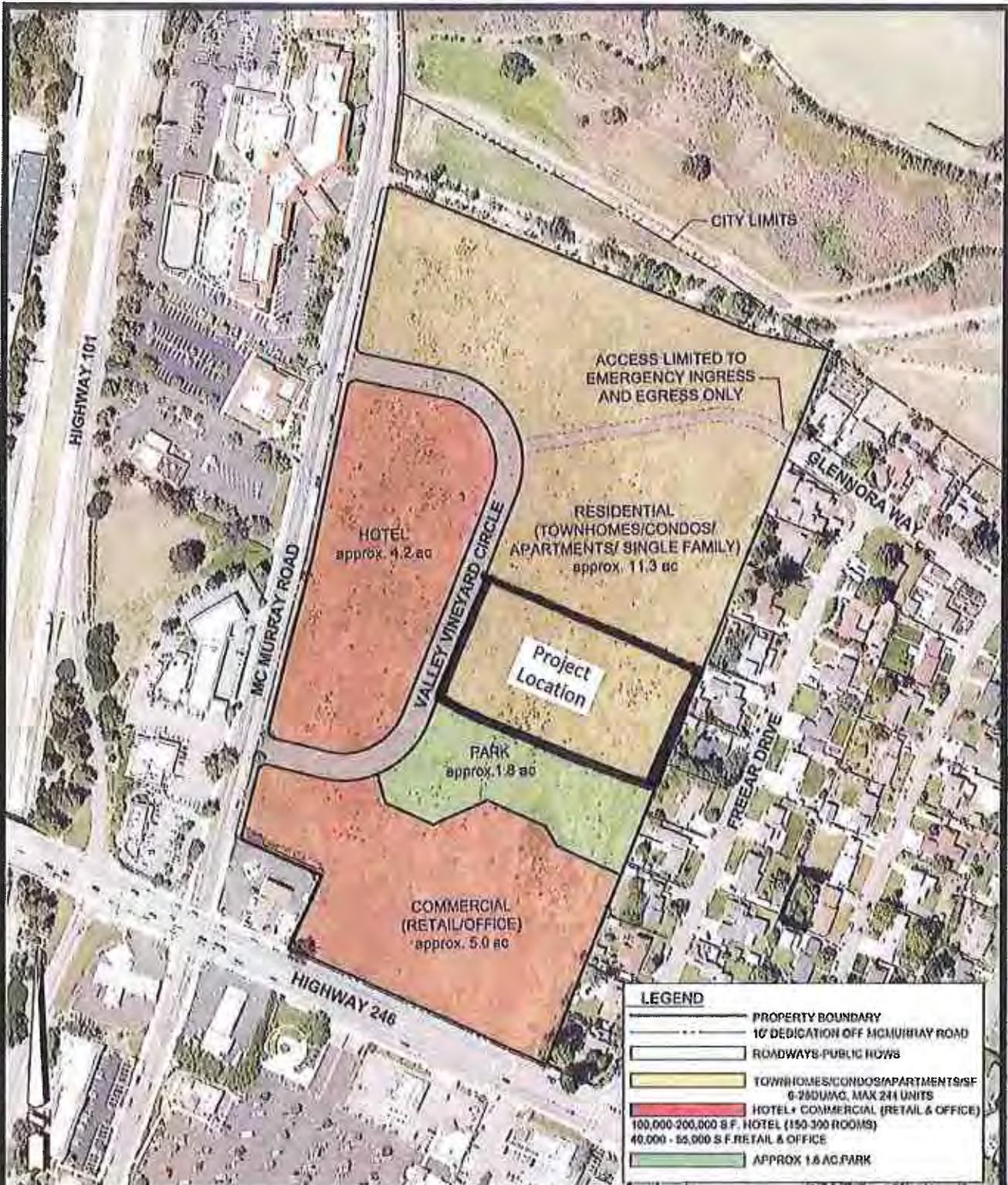
 Property Owner Signature

 Date

 Project Applicant/Agent/Representative Signature

 Date

Attachment 1



SCALE: 1" = 250'



eda
design
professionals
environmental land planning & land services
6310 Santa Barbara St. • Santa Barbara, CA 93101
ph. 805-969-2158 • email: eda@edacorp.com

**FIGURE 5: LAND USE
THE VILLAGE SPECIFIC PLAN
BUELLTON, CA
JANUARY 2013**

Attachment 2

Project Description

The proposed development is part of larger specific plan known as the Village Specific Plan that encompasses approximately 23 acres, of which 11 acres are set-aside for residential use. The CEDC site for the Village Senior Apartments represents 2 acres of the 11.3 acres. The site is rectangular in shape and will be bordered to the south by a proposed 2 acre public park, to the north by 9.3 acres of market rate residential homes, to the west by an internal loop road and a future hotel, and to the east by an existing single family residential project.

The proposed project will be a low income Senior Apartment project. There is a total of two buildings that are linear in position that will have 66 one bedroom units and 9 two bedroom units for a total of 75 units. In one of the buildings there is a Community Recreation Room that totals 2,450 square feet in size. This facility will provide a large community room, offices, bathrooms, kitchen and storage. This will be the social interaction area and a place to go to for services. In between the building there is one large courtyards for outdoor seating that will be a focal point for socializing as well.

The project will be Green Point rated and use green finishes, products, and materials inside the apartment homes; have conduit for future solar panels for common areas; and all units will be smoke-free.

INVASIVE PLANT NOTE:

NO INVASIVE SPECIES SHALL BE PLANTED ON SITE. INVASIVE SPECIES ARE THOSE DEFINED BY THE CALIFORNIA INVASIVE PLANT CONTROL ACT (CALIPC) AND FOUND AT [HTTP://WWW.CALIPC.ORG/INVASIVES/INVASIVESLIST.ASP](http://www.calipc.org/invasives/invasiveslist.asp).

DROUGHT TOLERANT PLANTS:

A MINIMUM OF TEN (10) TREES AND SHRUBS ARE CHOSEN FROM THE COUNTY OF SANTA BARBARA DROUGHT TOLERANT LIST AND THE STATE OF CALIFORNIA WOODS & WATER USE CLASSIFICATION OF LANDSCAPE SPECIES LIST AND ARE DESIGNATED AS EITHER VERY LOW, LOW, OR MEDIUM WATER USE IN THE FOLLOWING PERCENTAGES. NO PLANTS ARE SELECTED FROM HIGH WATER USE CLASSIFICATION. SEE CHART BELOW:

VERY LOW WATER USE	5%
LOW WATER USE	75%
MEDIUM WATER USE	22%

LANDSCAPE DESIGN NOTES

- NO PLANTS SHALL BE PLANTED DEEPER THAN THE WOODS WATER USE CLASSIFICATION OF LANDSCAPE SPECIES AND 75% OF THE TOTAL QUANTITY OF PLANTS SHALL BE DROUGHT TOLERANT.
- ALL LANDSCAPE MATERIAL SHALL BE A MINIMUM 1/2" DEPTH OF DECOMPOSED GRANITE OR DECORATIVE COBBLE. IRONIC SHALL BE A MINIMUM 1/2" DEPTH OF A SANDWOOD WOOD MULCH AT THE END OF EVERY TRAIL.
- SCREENING NOTES: VISUAL SCREENING SHALL BE PROVIDED FOR ALL ABOVE GROUND UTILITIES INCLUDING TRANSFORMERS, BACKFLOW PREVENTERS, PUMPS, WHILE MAINTAINING ACCESS FOR MAINTENANCE.
- LIMIT SURROUNDING LANDSCAPE TO LOW GROWTH PLANTS NO HIGHER THAN TWO FEET. TREES ARE COLLECTED AND PLACED TO NOT BLOCK AREA SURVEILLANCE OR LIGHT DISTRIBUTION. TREE QUANTITY SHALL BE FIVE PER TRAIL FEET.

LANDSCAPE DESIGN REQUIREMENTS:

SIZE OF PLANT MATERIAL

TREES		
24" DIA. TREE	13	(24%)
24" DIA. TREE	75	(56%)
15 GALLON TREES	22	(16%)
TOTAL NUMBER OF TREES:	50	(100%)
SHRUBS		
2 GALLON		(100%)
MINIMUM TREE	10"	
TOTAL LANDSCAPE AREA (SQUARE FEET):	18,878	
CALC. FOR MINIMUM TREE COUNT (18,878 / 375)	50	
TOTAL TREES PROVIDED:	54	

MINIMUM SHRUB REQUIREMENTS:

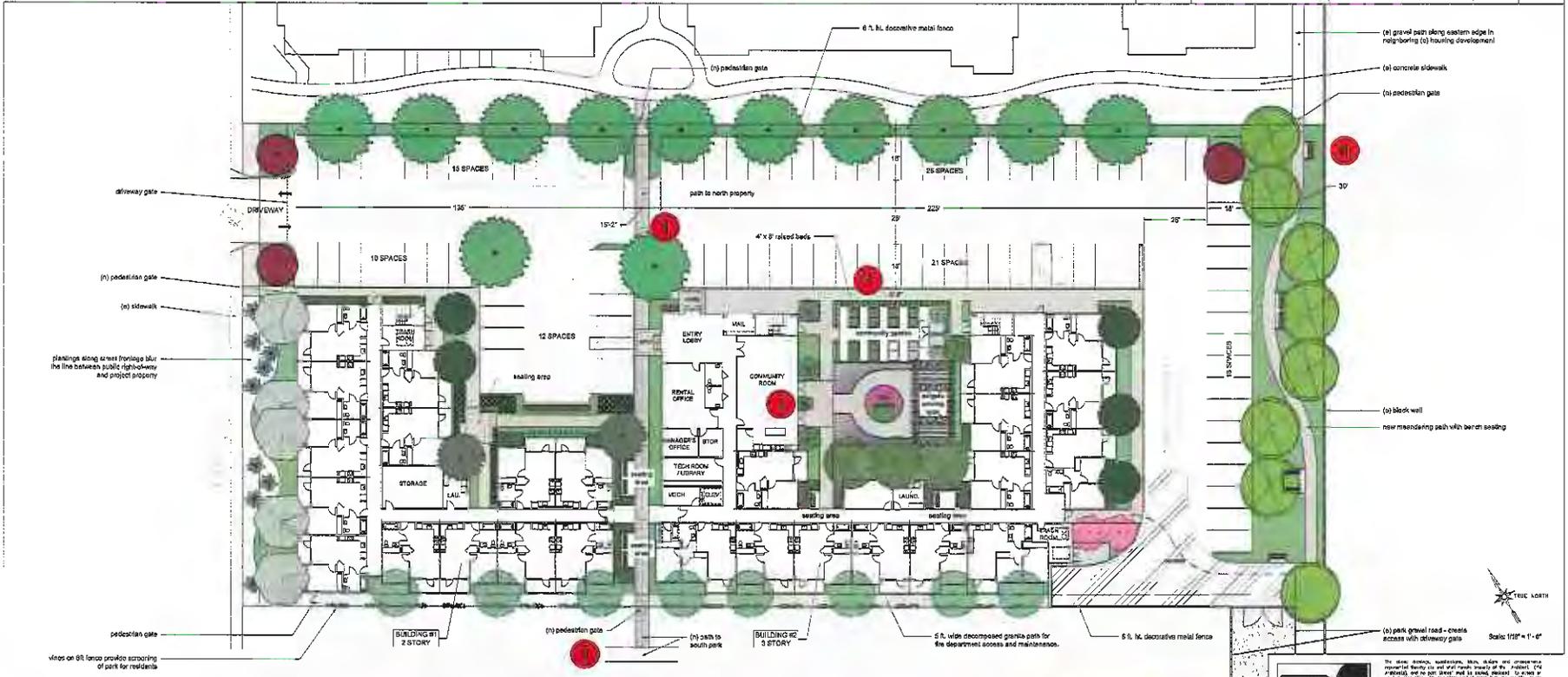
PROVIDE ONE SHRUB OR VINE FOR EVERY 50 SQ FT OF LANDSCAPE.
CALC. FOR MINIMUM SHRUB COUNT (18,878 / 50) = 378

LANDSCAPE AMENITIES KEY:

- GARDEN COURTYARD
 - TABLES & CHAIRS WITH PETGOLA
 - LARGER GATHERING SPACE FOR SOCIAL INTERACTION
 - ROSE SHRUBS FOR FRAGRANCE
- SENIOR COMMUNITY GARDEN
 - RAISED BEDS FOR EASE OF USE
 - FRUIT TREES
 - WORK SHED FOR TOOL AND MATERIAL STORAGE
- WALKING PATHS
 - SEPARATE SEATING AREAS FOR QUIET REFLECTION
 - BARBERSHOP SURROUNDINGS
 - TREES WITH HANGING AGENTS

TREE LEGEND

SYMBOL	BOTANICAL NAME	COUNCIL NAME	SIZE	WUCLS	DROUGHT TOLERANT
●	MADHOLA LITTLE CRYST	LITTLE GEM MAGNOLIA	30" DIA	MEDIUM	
●	LOH-O-STATION CONIFERTA	SPRING BOX	24" DIA	MEDIUM	++
●	CAROLIS OCCIDENTALIS	WESTERN HEMLOCK	24" DIA	LOW	++
●	PRUNUS CERASIFERA 'KRAUTER VESUVIAT'	PURPLE LEAF PLUM	24" DIA	MEDIUM	
●	PLATANUS ACERIFOLIA 'COLUZA'	COLUZA LONDON PLANE TREE	15 GALLON	MEDIUM	
●	DELSERA PARVIFOLIA	AUSTRIAN MALLOW	15 GALLON	LOW	+
●	OLEA EUROPEA 'SIHAN HILL'	FRUITLESS OLIVE	30" DIA	LOW	+
●	OSYRIS MANDAMUM GAUFRIDA	CAMPIONA	24" DIA	MEDIUM	
●	PISTACIA CHINENSIS	CHINESE PISTACHE	30" DIA	MEDIUM	+
●	QUERCUS OCCIDENTA	SCARLET OAK	30" DIA	MEDIUM	
●	FRUIT TREES (LEMON, ORANGE, PEACH, PLUM)	VARIOUS VARIETIES	15 GALLON & 24" DIA	MEDIUM	



RECEIVED
By Cara Meche at 3:37 pm, May 12, 2020

PRELIMINARY LANDSCAPE PLAN
04.13.20 PL-1

Prepared under the direction of licensed landscape architect - MARK BALL, RLA 20940

Y&M Architects
124 S. Spring Street #304
Los Angeles, CA 90014
Tel. 213 523 2192 Fax. 213 625 2169
www.yandmarch.com

VILLA OF SENIOR APARTMENTS
Project Name

CABRILLO E.D.C.
Developer Name

Date
Page

MEDIUM SHRUBS



OLEA EUROPAEA 'DWARF' (DWARF OLIVE)
 WESTRINGIA FRUTICOSA 'BLUE GEM' (BLUE GEM AUSTRALIAN ROSEMARY)
 CALLISTEMON 'LITTLE JOHN' (LITTLE JOHN BOTTLEBRUSH)
 RHAPHIOLEPS UMBELLATA 'MINOR' (DWARF YEDDO HAWTHORN)
 CISTUS PURPUREUS (PINK ROCKROSE)
 LEUCOPHYLLUM FRUTESCENS 'COMPACT' (COMPACT TEXAS RANGER)

RECEIVED
 By Cara Muehle at 3:37 pm, May 17, 2010

GRASSES AND ACCENTS



SERENA CAERULEA (BLUE MOOR GRASS)
 DIANELLA REVOLUTA 'LITTLE REV' (LITTLE REV FLAX LILY)
 CAREX PRAEGRACILIS (CALIFORNIA FIELD SEDGE)
 FESTUCA MAUREI (ATLAS FESCUE)

SMALL AND SPREADING SHRUBS



BACCHARIS X 'STAR' THOMPSON' (HYBRID COYOTE BUSH)
 COTONEASTER 'DAMNOR' 'CORAL BEAUTY' (CORAL BEAUTY COTONEASTER)
 WESTRINGIA FRUTICOSA 'MUNDI' (LOW COASTAL ROSEMARY)
 ROSA 'RED MIDLAND' (RED MIDLAND CARPET ROSE)
 CEANOTHUS 'YANKEE POINT' (YANKEE POINT CEANOTHUS)
 CISTUS X 'PULVERULENTUS' 'SUNSET' (SUNSET ROCKROSE)
 ROSMARINUS OFFICINALIS 'PRODRATRAT' (PRODRATRAT ROSEMARY)



SETOCEASIA PALLIDA 'PURPLE HEART'
 YUCCA ROSTRATA (BIG BEND YUCCA)
 LOMANDRA LONGIFOLIA 'BREEZE' (DWARF MAT RUBUS)

SUCCULENTS



SENECIO SERPENS (BLUE CHALKSTICKS)
 ALOE BARBADENSIS (ALOE VERA)
 SEDUM 'SPECTABILIS' (SPECTABILIS)
 Aeonium pseudotabulariforme (GIANT PLATTERS Aeonium)
 SUFFRUTICOSA 'JERRY'S CHOICE' (JERRY'S CHOICE CROWN OF THORNS)

TREE LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS	DROUGHT TOLERANT
●	MAGNOLIA 'LITTLE GEM'	LITTLE GEM MAGNOLIA	28" BOX	MEDIUM	
●	LOPHOSTICHON COMPACTA	BRIDGING BOK	24" BOX	MEDIUM	+
●	BERGIA OCCIDENTALIS	WESTERN REDWOOD	24" BOX	LOW	+
●	PRUNUS CERASIFERA 'RAUTER VERAVALS'	PURPLE LEAF PLUM	24" BOX	MEDIUM	
●	PLATANUS ACERIFOLIA 'COLUMBA'	COLUMBA LONDON PLANE TREE	15 GALLON	MEDIUM	
●	OSIERA PARVIFOLIA	AUSTRALIAN WILLOW	15 GALLON	LOW	+
●	OLEA EUROPAEA 'DWARF MINI'	DWARF OLIVE	24" BOX	LOW	+
●	CORONARUM CAUPTORA	CAMPDORA	24" BOX	MEDIUM	
●	PISTACIA CHINENSIS	CHINESE PISTACHE	30" BOX	MEDIUM	+
●	QUERCUS COCCINIA	SCARLET OAK	30" BOX	MEDIUM	
●	FRUIT TREES (LEMON, ORANGE, PEACH, PLUM)	MIXED VARIETIES	15 GALLON & 24" BOX	MEDIUM	

SHRUBS

LARGE SHRUBS					
ARBUUS UNICO COMPACTA	COMPACT STRAWBERRY TREE	3.5	LOW	+	
ELAEAGNUS PARVIFLORA	SILVERBERRY	3.5	LOW	-	
LEUCOPHYLLUM F. 'GREEN CLOUD'	TEXAS RANGER	3.5	LOW	+	
LAURUS NOBILIS	RAY LAUREL	3.5	LOW	-	
HYDRANGIA 'SILVER SHEEN'	SILVER SHEEN KORYMB	3.5	MEDIUM		
MEDIUM SHRUBS					
CALLISTEMON 'LITTLE JOHN'	LITTLE JOHN BOTTLEBRUSH	3.5	LOW	+	
CISTUS PURPUREUS	PINK ROCKROSE	3.5	LOW	-	
LEUCOPHYLLUM F. 'COMPACT'	COMPACT TEXAS RANGER	3.5	LOW	+	
OLEA EUROPAEA 'LITTLE OLIVE'	DWARF OLIVE	3.5	LOW	+	
RHAPHIOLEPS UMBELLATA 'MINOR'	DWARF YEDDO HAWTHORN	3.5	LOW	+	
WESTRINGIA 'BLUE GEM'	B. GEM AUSTRALIAN ROSEMARY	3.5	LOW	+	
SPREADING SHRUBS					
BACCHARIS X 'STAR' THOMPSON'	HYBRID COYOTE BUSH	1.5	LOW	+	
CEANOTHUS 'YANKEE POINT'	YANKEE POINT CEANOTHUS	1.5	LOW	+	
CISTUS X 'PULVERULENTUS' 'SUNSET'	SUNSET ROCKROSE	1.5	LOW	+	
COTONEASTER 'DAMNOR' 'CORAL BEAUTY'	CORAL BEAUTY COTONEASTER	1.5	LOW	+	
SENECIO SERPENS	BLUE CHALKSTICKS	1.5	LOW	+	
ROSA 'RED MIDLAND'	RED MIDLAND CARPET ROSE	1.5	MEDIUM		
ROSMARINUS OFFICINALIS 'PRODRATRAT'	PRODRATRAT ROSEMARY	1.5	LOW	+	
GRASSES AND ACCENTS					
CAREX PRAEGRACILIS	CALIFORNIA FIELD SEDGE	1.5	MEDIUM		
DIANELLA REVOLUTA 'LITTLE REV'	LITTLE REV FLAX LILY	2.0	LOW	+	
LOMANDRA LONGIFOLIA 'BREEZE'	DWARF MAT RUBUS	3.0	LOW	+	
FESTUCA MAUREI	ATLAS FESCUE	3.0	LOW	+	
SERENA CAERULEA	BLUE MOOR GRASS	1.5	MEDIUM		
SETOCEASIA PALLIDA 'PURPLE HEART'	PURPLE HEART	1.5	MEDIUM		
YUCCA ROSTRATA	BEADED YUCCA	3.0	VERY LOW		
SMALL SHRUBS					
ALOE BARBADENSIS	ALOE VERA	3.0	LOW	+	
SENECIO SERPENS	BLUE CHALKSTICKS	3.0	LOW	+	
SEDUM 'SPECTABILIS'	SPECTABILIS	3.0	LOW	+	
SENECIO SERPENS	BLUE CHALKSTICKS	1.5	LOW	+	
SENECIO SERPENS	BLUE CHALKSTICKS	1.0	LOW	+	
VINES					
PANDOREA JASMINOIDES 'PINK'	PINK BOWER VINE	5.0	MEDIUM		
TRACHELOSPERMUM JASMINOIDES	STAR JASMIN VINE	5.0	MEDIUM		
TRACHELOSPERMUM JASMINOIDES	STAR JASMIN VINE	5.0	MEDIUM		



ROSA GSP. (7RD VARIETY OF CLIMBING ROSE)
 PANDOREA JASMINOIDES 'PINK' (PINK BOWER VINE)
 TRACHELOSPERMUM JASMINOIDES (STAR JASMIN VINE)

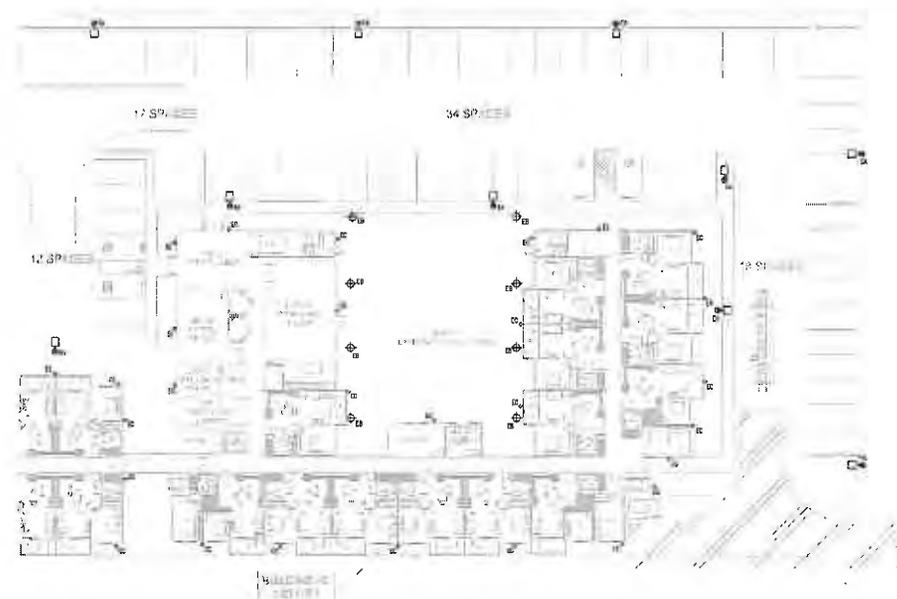
Y&M Architects
 724 S. Spring Street #204
 Los Angeles, CA 90014
 Tel: 213 623 2197 Fax: 213 623 2198
 www.yandmarch.com

VILLAGE SENIOR APARTMENTS
 Project Name

CABRILLO E.D.C.
 Developer Name

PREPARED UNDER THE DIRECTION OF LICENSED LANDSCAPE ARCHITECT - MARK EGALL (RLA 6546)

Preliminary Plant Palette
04.13.20 PL-3



RECEIVED
 By Cara Macfie at 2:37 pm, May 12, 2010



1861 45TH AVE. SUITE 100
 BOSTON, MA 02124
 TEL: (617) 452-6644
 FAX: (617) 452-6644
 WWW.Y&MARCHITECTS.COM

Y&M Architects
 724 S. Spring Street #300, Los Angeles, CA 90014
 Tel: 213.624.2107, www.yandm.com

ELECTRICAL SITE LIGHTING PLAN
 EUELTON PROJECT

REVISIONS	DATE	BY	CHKD
1			
2			
3			
4			

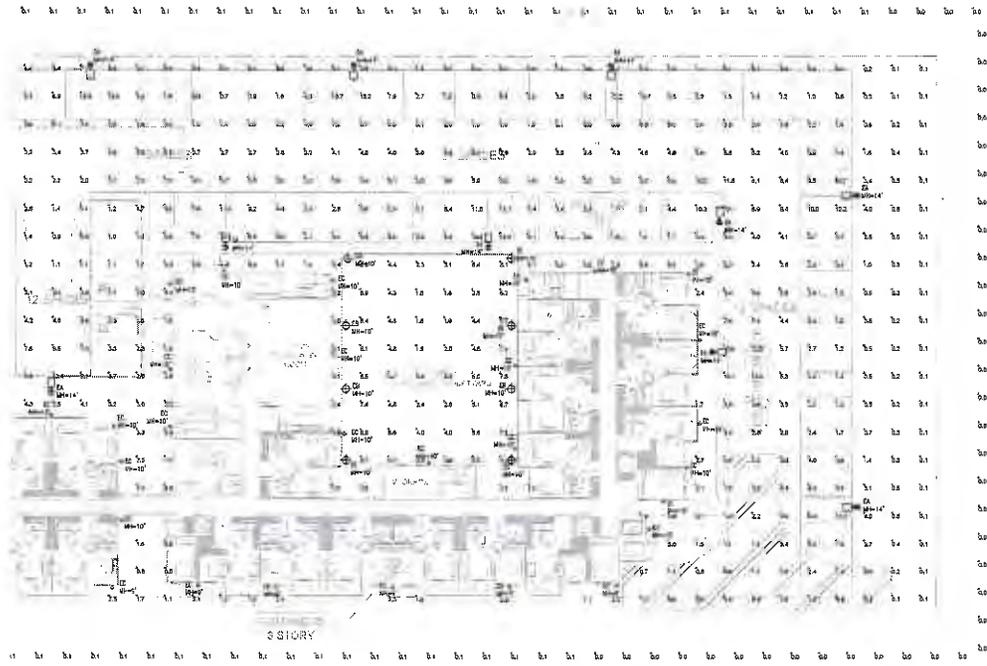
PLOTTED 12.04.2010
 SCALE 1/16" = 1'-0"

DRWT NO
E-1.0
 SHEETS

PROJECT INFORMATION		DATE		REVISIONS		DRAWING TITLE	
02	24W	1	05/14/2019	01	05/14/2019	NORMAL LIGHTING PHOTOMETRIC CALCULATION SUMMARY	
PROJECT INFORMATION				DRAWING TITLE			
PROJECT INFORMATION				DRAWING TITLE			
PROJECT INFORMATION				DRAWING TITLE			

NORMAL LIGHTING PHOTOMETRIC CALCULATION SUMMARY							
LABOR.	CALC TYPE	LIST#	AVG	MAX	MIN	AVG/INCH	MAX/INCH
12" JOIST SPILL	ILLUMINANCE	FC	0.33	0.1	0.0	N/A	N/A
DRIVEWAY PAVEMENT	ILLUMINANCE	FC	4.07	13.4	0.6	3.01	16.75
LANDSCAPE COURTYARD	ILLUMINANCE	FC	3.33	8.1	1.8	3.78	5.95
EXPOSED ROOF	ILLUMINANCE	FC	3.2	13.2	0.6	3.33	22.00

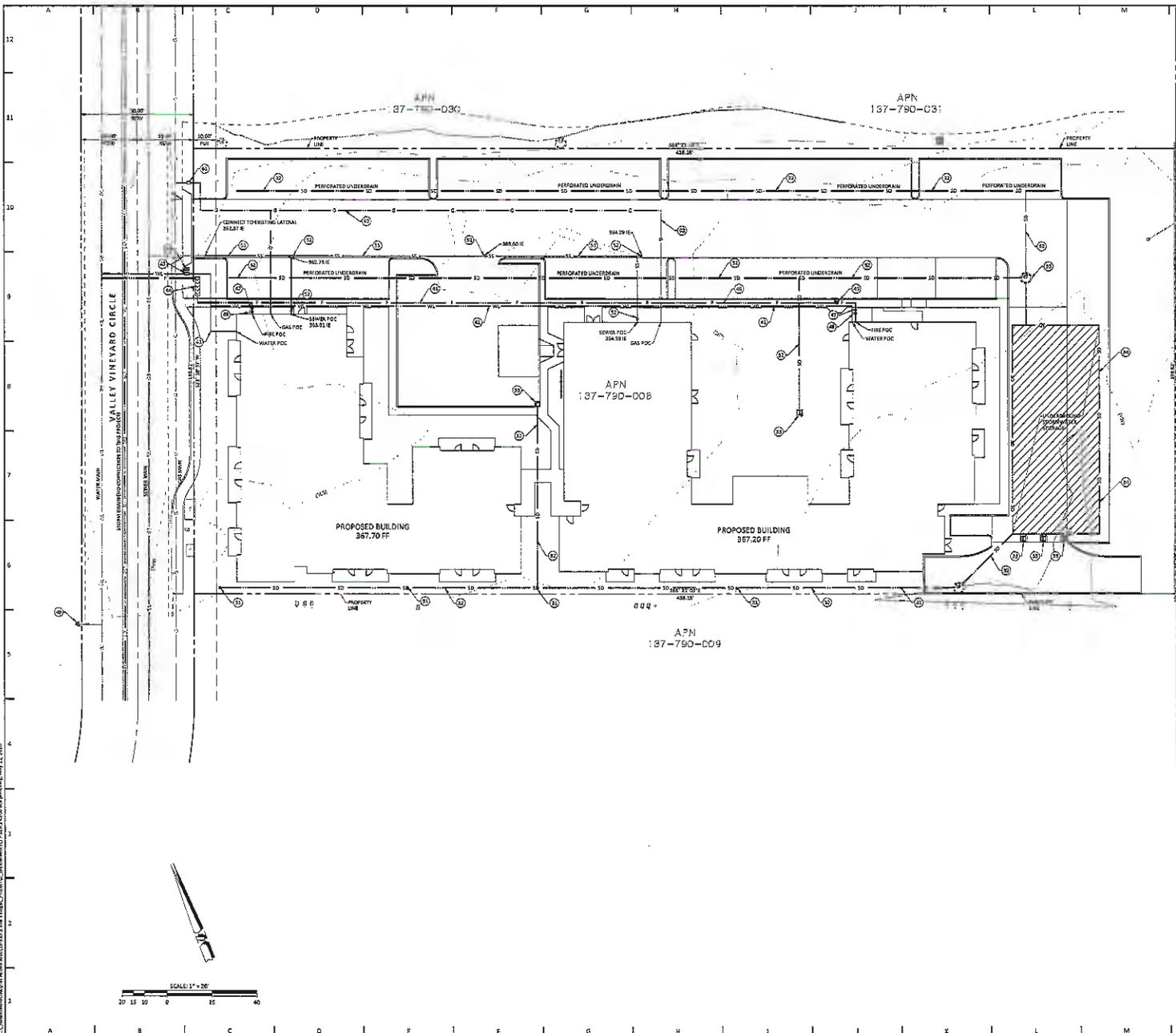
BUELTON PROJECT



RECEIVED
By Cara Mecher at 2:37 pm, May 12, 2019



<p>1265 WEST 120th STREET, SUITE 400 GARDEN CITY, CA 94014 TEL: (415) 444-8444 FAX: (415) 444-8443 WWW.HAREN.COM</p>	<p>Y&M Architects 724-S Spring Street #204, Los Angeles, CA 90014 TEL: 213.552.5332 WWW.YANDM.COM</p>	<p>ELECTRICAL PHOTOMETRIC SITE PLAN BUELTON PROJECT</p>	<p>REVISED</p> <p>DATE</p> <p>BY</p> <p>CHK</p> <p>APP</p>	<p>DATE: 12.04.2019</p> <p>SCALE: 1/8" = 1'-0"</p> <p>DRAWN</p> <p>JOB NO.</p> <p>SHEET#</p>	<p>SHEET NO.</p> <p>E-1.0P</p>
			<p>DATE</p> <p>BY</p> <p>CHK</p> <p>APP</p>	<p>DATE</p> <p>SCALE</p> <p>DRAWN</p> <p>JOB NO.</p> <p>SHEET#</p>	<p>SHEET NO.</p> <p>E-1.0P</p>



- PRELIMINARY UTILITY CONSTRUCTION NOTES:**
- 1. PROPOSED GATEH BASH IN LANDSCAPE AREA WITH ALUMINUM GRADE
 - 2. PROPOSED PVC STORM DRAIN
 - 3. PROPOSED STORM DOWN CATCH BASIN
 - 4. PROPOSED UNDERGROUND STORM WATER DETENTION SYSTEM
 - 5. PROPOSED STORM DOWN MAINLINE
 - 6. VOLUMES 28 TO 40 NOT USED
 - 7. PROPOSED COMMERCIAL WATER SERVICE
 - 8. PROPOSED WATER METER
 - 9. PROPOSED WIRELESS ON METER
 - 10. PROPOSED DOUBLE CHECK DETECTOR
 - 11. PROPOSED DIGITAL FIBER HYDRANT
 - 12. PROPOSED FIRE SERVICE LINE
 - 13. PROPOSED PORT PRESSURIZER VALVE
 - 14. PROPOSED FIRE DEPARTMENT CONNECTION
 - 15. EXISTING FIRE HYDRANT
 - 16. NOTES 50 NOT USED
 - 17. PROPOSED 8" SEWER LINE
 - 18. PROPOSED 12" SEWER CLEANOUT
 - 19. NOTES 52 TO 60 NOT USED
 - 20. PROPOSED GAS METER
 - 21. PROPOSED GAS SERVICE

CIVIL DESIGN STUDIO
 CIVIL ENGINEERING, PLANNING & ARCHITECTURE
 P.O. Box 999 | Chula Vista, CA 92009
 619.441.8800 | www.civilstudio.com



ENGINEER OF RECORD:
 VALLEY VINEYARD SET
 VALLEY CIRCLE ROAD
 BUELLTON, CA

RECEIVED
 By Carla Sanchez at 3:37 pm, May 12, 2020

PROJECT NAME:
 THE VILLAGE
 PROJECT LOCATION:
 CABRILLO ECONOMIC
 DEVELOPMENT CORPORATION
 702 COUNTY SQUARE DRIVE
 VENTURA, CA 93003

REVIEWED BY:	MRS
PREPARED BY:	MRS
DATE:	May 11, 2020
SCALE:	1" = 20'
DATE FOR:	13-119.1

PRELIMINARY
 UTILITY PLAN
C200

Attachment 3

PLANNING COMMISSION RESOLUTION NO. 14-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING A FINAL DEVELOPMENT PLAN (14-FDP-02) FOR THE VILLAGE SENIOR APARTMENTS PROJECT WHICH INCLUDES 50 UNITS ON 2.0 ACRES LOCATED AT THE NORTHEAST CORNER OF HIGHWAY 246 AND MCMURRAY ROAD, ASSESSOR'S PARCEL NUMBER 137-090-045 (PORTION), 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 Oak Springs Village Properties LLC, property owner, and Nicole Norori, Cabrillo Economic Development Corporation, agent, hereinafter referred to as "Applicant", requesting approval to develop the Village Senior Apartments, a 50 unit apartment complex located at the northeast corner of Highway 246 and McMurray Road (APN 137-090-045). The subject property is currently zoned CR-SP (General Commercial-Specific Plan).

SECTION 2: The proposed Project consists of:

- A. Final Development Plan (14-FDP-02):** Approval of 49 one-bedroom affordable, senior apartment units, one two-bedroom manager's unit, a senior center, community garden, offices for senior service providers, landscaping and 76 parking spaces on a 2.0 acre project site. The subject property is planned and zoned for General Commercial-Specific Plan (CR-SP).
- A modification to the height limit is required because the highest point on one of the buildings is approximately 37 feet, which is over the maximum height limit of 35 feet.
 - This project qualifies as a density bonus application because it is 100 percent affordable. The Applicant requests that the Village Specific Plan requirement for covered parking be waived.

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 October 2, 2014 ("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 14-FDP-02 and the set of project plans dated August 11, 2014.
 - b. The staff report dated October 2, 2014.
 - c. The Village Specific Plan.
 - d. The Final EIR and Addendum for the project site.

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 September 18, 2014 (the "PC Public Notice"), a minimum of 10 days in advance of the PC Public Hearing conducted on October 2, 2014.
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 September 18, 2014, a minimum of 10 days in advance of the PC Public Hearing.
3. The PC Public Notice was posted in three public locations on September 18, 2014, a minimum of 10 days in advance of the PC Public Hearing.

C. Environmental Review.

1. On July 24, 2003, the City Council conducted a public hearing with respect to the Final EIR for the Oak Springs Village Specific Plan and at the conclusion thereof, adopted their Resolution No. 03-15 thereby adopting: (1) a Statement of Facts and Findings, (2) a Statement of Overriding Considerations, and (3) a Mitigation Monitoring Program for the Oak Springs Village Specific Plan and certified that the Final EIR was complete and adequate, and had been completed in compliance with the requirements of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines and the City of Buellton Environmental Guidelines. The Oak Springs Village Specific Plan was revised by Ordinance No. 06-05 on May 25, 2006. An Addendum Environmental Impact Report to the Final EIR for Oak Springs Village was approved for the revised Specific Plan (the Final EIR and Addendum are collectively referred to as the FEIR). Prior to the adoption of this Resolution, the Planning Commission has been provided for its review, full, true and correct copies of the FEIR for the Oak Springs Village Specific Plan, including all of the above-reference documents.

2. Based upon the substantial evidence contained in the whole record, including any written and/ oral staff reports presented to the Planning Commission with respect to the Project, as well as a review of the FEIR for the Oak Springs Village Specific Plan in relation to the Project, the Planning Commission of the City of Buellton does hereby find, determine, and declare that:
 - a. There are no substantial changes proposed in the Project which will require major revisions of the previous FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - b. No substantial changes will occur with respect to the circumstances under which the Project is undertaken which will require major revisions of the previous FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
 - c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous FEIR was certified as complete, shows any of the following:
 1. That the Project will have one or more significant effects not discussed in the previous FEIR or negative declaration;
 2. That significant effects previously examined will be substantially more severe than shown in the previous FEIR;
 3. That mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the project proponents decline to adopt the mitigation measure or alternative; and,
 4. That mitigation measures or alternatives which are considerably different from those analyzed in the previous FEIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
3. Based upon the forgoing, the Planning Commission exercises its judgment and finds that no further environmental review is required per CEQA in that this Project is adequately addressed in the prior environmental documents for the Oak Springs Village Specific Plan. All applicable mitigation measures from the prior environmental documents have been made conditions of approval.

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 Village Specific Plan requirements allow multi-family development with a maximum density of 25 units per acre and the proposed site improvements and conditions of approval allow for adequate circulation around and through the site.
- ii. That significant environmental impacts are mitigated to the maximum extent feasible. No adverse impacts have been identified with this Project and mitigation measures from the prior environmental documents have been made conditions of approval and would mitigate any impacts.
- ii. That streets and highways are adequate and properly designed pursuant to the requirements of the City's Public Works Director. The Fire Department has approved the circulation system .
- iii. That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the Project. The Public Works Department is able to provide water and sewerage service to the Project. The Fire Department has provided conditions of approval to address their concerns. The Sheriff's Department has no concerns with the Project.
- v. That the Project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will be compatible with the surrounding area. The Project site is zoned for general commercial-specific plan land uses and the Village Specific Plan is approved for the site. The project conforms to the requirements of the Village Specific Plan as to site design and layout and would not conflict with the surrounding area

and land uses pursuant to these conditions, including setbacks and height requirements.

- vi. That the project is in conformance with the applicable provisions of Title 19 of the Municipal Code, the General Plan, and the Village Specific Plan. With imposition of the conditions of approval, the project complies with the General Plan, Title 19 (Zoning), and the Village Specific Plan.
- 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 Ranch architectural style as described in the Community Design Guidelines as reviewed by the City's contract architect.

2. **Height Limit Modification.**

a. **Findings:**

- i. The increased height will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding areas. The increased height would not be incompatible with the neighborhood because two of the buildings are below the height limit and the portion of the third building that is above the height limit only exceeds the height limit by approximately 2 feet. The tallest building is located in the middle between the other two buildings.
- ii. The increased height conforms with other applicable provisions of Title 19, with the general plan, and with the Village Specific Plan.

3. **Density Bonus.**

a. **Findings:**

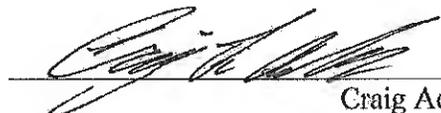
- i. One hundred (100) percent of the total dwelling units of the Project are Affordable Units for Qualifying Residents. Forty nine (49) of the units are for very low income

residents and one unit is manager's unit. Therefore, the requested incentive of waiving the covered parking requirement of the Village Specific Plan is consistent with Density Bonus law.

SECTION 4: Based on the findings set forth in Sections 2 and 3, and subject to the conditions attached hereto, the Planning Commission hereby approves the Final Development Plan 14-FDP-02, with the following modifications:

1. The Public Works Director and Santa Ynez Valley Transit shall determine if a bus turn out is necessary (modify condition 40).
2. The installation of the block wall shall be allowed at a later time during construction (modify condition 80).
3. The parking lot lights shall be recessed (modify condition 81).
4. The disclosure of the adjacent horse ranch is allowed in tenant leases instead of in CC&R's (modify condition 86).
5. Architectural features shall be added to the roof (new condition 88).
6. Pedestrian access through the property lines shall not be completely blocked (new condition 89).
7. The landscaping at the north property line shall be complimentary with the adjacent landscaping (new condition 90).
8. The landscaping along the east property line shall be designed to allow privacy for the single family homes to the east (new condition 91).
9. Visual simulations of the senior apartment roofs from the top story of the hotel and of the east property line from the top story of the senior apartment building are required (new condition 92).
10. The numbers in the affordable housing condition shall be modified to reflect the correct number of townhomes proposed (new condition 93).

PASSED, APPROVED and ADOPTED this 2nd day of October 2014.


Craig Adams
Chair

ATTEST:


Clare Barcelona
Planning Commission Secretary

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

I, Clare Barcelona, Planning Commission Secretary of the City of Buellton, do hereby certify that the foregoing Resolution No. 14-08 was duly approved by the Planning Commission of the City of Buellton at a meeting held on the 2nd day of October 2014, by the following vote, to wit.

AYES: (3) Commissioners Jason Fussel, Foster Reif and Chairman Craig Adams

NOES: (0)

ABSENT: (2) Commissioner Art Mercado and Vice Chair Lisa Figueroa

NOT VOTING: (0)

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of October, 2014.



Clare Barcelona
Planning Commission Secretary

CONDITIONS OF APPROVAL

VILLAGE SENIOR APARTMENTS
FINAL DEVELOPMENT PLAN 14-FDP-02

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: A request by Oak Springs Village Properties, LLC, property owner, and Nicole Norori, Cabrillo Economic Development Corporation, agent (the "Applicant") for Final Development Plan 14-FDP-02 for the Village Senior Apartments, a 50-unit apartment complex located on a 2.0 acre site (the "Project"). The Project is located at the northeast corner of Highway 246 and McMurray Road, Assessor's Parcel Number 137-090-045 (the "Property"). The Project plans that are included in this approval are dated August 11, 2014. The approved color palette is shown on the color and materials boards. 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 Oak Springs Village Properties, LLC, property owner, and Nicole Norori, Cabrillo Economic Development Corporation, agent, and includes all agents, subdividers, developers, contractors, workers and personnel employed on the Project, as well as all successors and assigns of interest.
- b. **“Building Department”** means the Building and Safety Division of the County (and all successors and assigns thereof), on behalf and under contract to the City to perform building plan check and inspection services.
- c. **“City”** means the City of Buellton and includes the City Manager, City Engineer, Planning Director and all other duly appointed officials having responsibility for land use matters, as well as their respective assignees (e.g., Department staff members). Unless otherwise indicated, the Planning Department shall be the primary point of contact for the City.
- d. **“County”** means the County of Santa Barbara.
- e. **“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.
- 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 special district.
- g. **“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.
- h. **“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.
- i. **“Project”** means and includes all of the actions described in the Project description above.
- j. **“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.

- k. **“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.
 - l. **“Property”** means the land and improvements identified in the Project Description.
 - m. **“Property Owner”** means Oak Springs Village Properties, LLC, and includes all persons and entities possessing fee title (in full or in part) to the site of the Project, and all successors and assigns of such persons and entities.
 - n. **“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.** Applicant agrees, at its sole cost and expense, to defend, indemnify, and hold harmless the City, its officers, employees, agents, and consultants, from any claim, action, or proceeding brought by a third-party against the City, its officers, agents, and employees, which seeks to attack, set aside, challenge, void, or annul all, or any part, of the approval, decision or action of the City Council, Planning Commission, or other decision-making body, or staff action concerning the Project.
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

Aesthetics

15. **AES-1(a) Lighting/Compatibility.** Prior to development of each development phase, proposed lighting shall be indicated on site plans that demonstrate that spillover of lighting would not affect residential areas located east of the site. The lighting plan shall incorporate lighting that direct light pools downward to prevent glare on adjacent and surrounding areas. Lights shall have solid sides and reflectors to further reduce lighting impacts by controlling light spillage. Light fixtures that shield nearby residences from excessive brightness at night shall be included in the lighting plan. Non-glare lighting shall be used. The design, scale, and character of the Specific Plan residential building architecture shall be generally compatible with the scale of existing residential uses east of the site.
16. **AES-1(b) Entrance Monuments.** Site entrance monuments shall not be visually prominent and shall be consistent with the natural rural character of the area.
17. **AES-1(e) Wall and Fence Articulation.** Long expanses of walls (including sound walls) or fences should be interrupted with offsets and provided with accents to prevent monotony. Landscape pockets should be provided. Walls and fences should be designed in a style, materials and color to complement adjacent buildings.
18. **AES-1(f) Clear Excess Debris.** The future developers of the Specific Plan components shall clear the site of all excess construction debris when completed with individual development phases.

Agricultural Resources

19. **AG-2(b) Previously Unidentified Hazardous Materials.** In the event that hazardous waste and/or materials are encountered during construction, the following actions shall be taken by the future developers of the Specific Plan components or authorized agents thereof: (1) all work in the vicinity of the suspected contaminant will be halted; (2) all persons shall be removed from the area; (3) the site shall be secured under the direction of the Fire Department; and (4) the Hazardous Waste/Materials Coordinator shall be notified. Work shall not recommence until such time as the find is evaluated and appropriate measures are implemented as necessary to the satisfaction of the California Department of Toxic Substances Control.

Air Quality

20. **AQ-1(a) Energy Saving Services Information.** The following energy-conserving techniques shall be incorporated unless the applicant and/or future developers of the Specific Plan components demonstrate their infeasibility to the satisfaction of Planning Department staff:
- Installation of heat transfer modules in furnaces;
 - Use of light colored water-based paint and roofing materials;
 - Use of natural lighting;
 - Use of concrete or other non-pollutant materials for parking lots instead of asphalt;
 - Installation of energy efficient lighting;
 - Use of landscaping to shade buildings and parking lots;
 - Installation of sidewalks and bikepaths;
 - Installation of covered bus stops to encourage use of mass transportation
21. **AQ-1(b) Alternative Transportation Information.** The future developers of the Specific Plan components shall provide, as part of the sale of each housing and commercial unit, an information packet on carpooling and vanpooling and bus schedules with routes most accessible to the development. The packet shall also include information on purchasing less polluting or alternatively fueled vehicles, which is available from SBCAPCD.
22. **AQ-3(a) Dust Generation.** If the construction site is graded and left undeveloped for over four weeks, the applicant and/or future developers of the Specific Plan components shall employ the following methods immediately to inhibit dust generation:
- Seeding and watering to revegetate graded areas; and/or
 - Spreading of soil binders; and/or
 - Other soil stabilization methods deemed appropriate by the Planning Department
23. **AQ-3(b) Watering.** Water trucks shall be used during construction to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would require two daily water applications (once in late morning and once at the end of the workday). Increased watering shall be performed whenever wind speeds exceed 15 mph.
24. **AQ-3(c) Disturbed Area.** The amount of disturbed area shall be minimized and on-site vehicle speeds shall be reduced to 15 mph or less.
25. **AQ-3(d) Gravel Pads.** Gravel pads shall be installed at all access points to minimize tracking of mud onto public roads.

26. **AQ-3(e) Volatile Organic Compounds (VOC).** Low VOC asphalt and low VOC architectural coating will be used whenever feasible.
27. **AQ-3(f) Soil Stockpiling.** If importation, exportation, or stockpiling of fill material is undertaken, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Vehicles transporting soil material to or from the site shall cover the soil with tarps from the point of origin to the point of disposition.
28. **AQ-3(g) Land Clearing.** After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading soil binders until the area is paved or otherwise developed.
29. **AQ-3(h) Monitoring of Dust Control Program.** The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress.
30. **AQ-3(i) Construction Equipment Requirements.** In order to reduce NO_x and ROC emissions, any construction equipment used on the site must meet the following conditions:
 - Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) should be used wherever feasible;
 - The engine size must be the minimum practical size;
 - The number of pieces of equipment operating simultaneously must be minimized through efficient management practices;
 - Construction equipment must be maintained in tune per manufacturer's specifications;
 - Equipment shall be equipped with 2 to 4-degree engine timing retard or precombustion chamber engines;
 - Catalytic converters shall be installed, if feasible;
 - Diesel catalytic converters shall be installed, if available;
 - Diesel-powered equipment such as booster pumps or generators should be replaced by electric equipment, if feasible; and
 - Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.
 - Diesel particulate emissions shall be reduced using EPA or California-certified and/or verified control technologies like particulate traps.
31. **AQ-4(a) Bicycle and Pedestrian Paths.** The project shall incorporate pedestrian and bicycle paths on-site that link to existing bicycle routes and walkways offsite. The purpose would be to provide alternative access to existing bus stops.

32. **AQ-4(b) Distribution of Alternative Transportation Information.** The applicant shall provide an on-site bulletin board specifically for the posting of bus schedules and notices of availability for car-pooling and/or shall distribute such information to property owners upon occupancy.

Noise

33. **N-1(a) Construction Equipment.** All stationary construction equipment shall be located at least 300 feet from occupied on- and off-site residences and the adjacent hotel structure west of the site unless noise reducing engine housing enclosures or noise screens are provided by the contractor. All construction equipment powered by internal combustion engines shall be properly muffled and maintained. Unnecessary idling of internal combustion engines shall be prohibited.
34. **N-1(b) Sound Wall Construction.** The proposed 8-foot-high sound wall along the eastern site boundary shall be installed during the first phase of development (Split Face).
35. **N-5(c) Disclosure of Nuisance.** Upon the transfer of residential property on the site, the transferor shall deliver to the prospective transferee a written disclosure statement which shall make prospective home buyers aware that although potential impacts or conflicts between commercial and residential uses (e.g., noise) may be lessened by proper maintenance, some level of incompatibility between the two uses would remain.

Transportation and Circulation

36. **T-2(a) Internal Access Improvements.** The internal loop of the site road shall be posted "no parking" on one side of the road to reduce the potential for conflict between through vehicles and parked vehicles. As a means to improve site access and enhance on-site circulation, the internal circulation roads should be striped and signed in a manner consistent with the Manual on Uniform Traffic Control Devices.
37. **T-2(b) Driveway Alignment.** The McMurray Road driveways should be aligned opposite the existing driveways to reduce potential conflicts. Aligning the Specific Plan site driveways with the existing opposing driveways would create an attractive draw away from Highway 246, which would reduce impacts at the Highway 246 access.

C. ENGINEERING CONDITIONS

PRIOR TO GRADING PERMIT ISSUANCE:

38. **Grading and Utility 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.

39. **Frontage Improvement Plans.** Plans for the full street width 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.
40. **Bus Turn Out.** Frontage improvements shall include adequate bus turn out and shelter. Design of these facilities shall include adequate public sidewalk with appropriate ADA width behind the shelter. Should additional public easement be required to accommodate these facilities, the property owner shall grant the appropriate easement to the City. The Public Works Director and Santa Ynez Valley Transit staff will review the plans and determine if a bus turn out is necessary.
41. **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.
42. **Erosion Control.** 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; draft copy shall be submitted for review prior to issuance of the grading permit. SWPPP shall be on-site at all times.
43. **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.

44. **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). Pre and post development hydrology shall be consistent, considering flow volume and discharge. Design measures that minimize storm water run-off shall be incorporated. When possible, grading and drainage shall be designed so that the Effective Impervious Area is minimized. Examples include curb openings integration to enable run-off direction towards landscaped areas and impervious surfaces for infiltration.

A Storm Water 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.

45. **Detention Basin.** Subsurface detention basin shall include appropriate access for regular maintenance and inspection.
46. **Fire Department Review of Improvement Plans.** 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.
47. **Right-of-Way Improvements.** Driveway, sidewalk and any other improvements made within the public right-of-way shall be shown on a separate sheet. These improvements shall utilize City of Buellton standard details and provide for ADA access.
48. **Final Plans.** 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.
49. **Grading and Utility Bond.** 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 and until receipt of As-built Record Drawings.

PRIOR TO BUILDING PERMIT ISSUANCE:

50. **Grading Permit.** The applicant shall obtain a grading permit from the City Engineer prior to obtaining a building permit.
51. **Rough Grading.** Rough grading certification by the geotechnical engineer shall be approved by the City Engineer prior to obtaining a building permit.
52. **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.
53. **Water and Sewer Fees.** The applicant shall pay water and sewer utilities fees to the City Public Works Department prior to obtaining building permit. In addition, all pretreatment and FOG compliance requirements must be in place prior to payment of water/sewer fees and occupancy.

PRIOR TO OCCUPANCY CLEARANCE:

54. **As-Built Record Drawings.** 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."
55. **Tract 31052/Public Improvements.** Prior to issuance of occupancy clearance for the first building, all public improvements associated with Tract 31052 needed to support the project pursuant to the Village Specific Plan shall be constructed and accepted by the City Engineer.

GENERAL CONDITIONS:

56. **Public Improvement 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.
57. **Easements.** Existing and proposed easements for all utilities shall be located and described on the engineering plans.
58. **Utilities.** All other utilities shall be shown on the plans.
59. **Public Trails Easement.** An easement shall be dedicated and recorded for public access and trails for the trail along the east property line as shown on the plans.

Developer shall construct and provide ongoing maintenance of these facilities as part of their regular site maintenance requirements.

D. PLANNING CONDITIONS

60. **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.
61. **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 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.
62. **Fire Department.** The Project is located within the jurisdiction of the County Fire Department and shall comply with all applicable standards of that agency.
63. **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.
64. **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.
65. **Construction Noise Reduction.** Prior to issuance of building permit, the Developer shall provide proof that all construction equipment utilizing internal combustion engines have mufflers that are in good condition. Stationery noise sources shall be located at least 300 feet from occupied dwelling units unless noise reducing engine housing enclosures or noise screens are provided by the contractor. Equipment mobilization areas, water tanks, and equipment storage areas shall be placed in a central location as far from existing residences as feasible.
66. **Final Occupancy Clearance.** No Final Building Inspection Clearance or release of occupancy will be granted for any building on the Property until all construction is completed and all improvements and landscaping associated with the Project are installed in accordance with the plans approved and the conditions specified herein. Exceptions to this requirement may be granted subject to: (i) approval of the City Engineer and Planning Director; (ii) assurance that

unfinished items will be completed within a reasonable period of time (including, but not limited to, the posting of appropriate performance security to assure such completion); (iii) essential infrastructure necessary to serve the entire Project is fully installed; and (iv) public safety and convenience is appropriately protected.

67. **Property Maintenance.** The Project and Property, including the landscaping, shall be maintained in a continuous state of good condition and repair, in full compliance with all approved plans, specifications and conditions of approval. Corrective improvements shall be undertaken as necessary to continuously conform with and implement conditions of Project approval including, as applicable, repair, repainting and/or replacement of Project components as needed. Where a Project is found to be non-compliant, the Applicant shall adhere to City recommendations to bring the Project into compliance.
68. **Community Design Guidelines.** The Project shall be in conformance with the Community Design Guidelines.
69. **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.
70. **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 required as part of the building permit plans, and open areas visible from public rights-of-way shall be landscaped and irrigated.
71. **Landscape Maintenance.** Following installation, all landscaping shall be continuously maintained thereafter for a period of not less than three (3) months 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 prerequisite to granting Final Building Inspection Clearance. A formal written request for such inspection shall be accompanied by a certification from the Project landscape architect as to the Project's conformity with the approved plans and specifications, together with a twelve (12) month warranty on all landscaping materials.
72. **Landscape Maintenance Agreement.** The Applicant shall acknowledge and sign the City's Landscape and Maintenance Agreement prior to issuance of the first 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.

73. **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.
74. **Approval.** Approval of 14-FDP-02 (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.
75. **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 five year period, construction must be diligently pursued thereafter, or this approval will be revoked pursuant to the Buellton Municipal Code. However, if the approved plans and adjacent areas are unchanged, the Planning Director may grant one additional 12-month extension of time for construction of the Project. 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 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.
76. **Parking.** A total of 71 parking spaces are required for the Project. This includes two spaces each for the 2-bedroom unit (2 spaces), one space each for the 1-bedroom units (49 spaces), one visitor space for each five units (10 guest spaces), and one space per 300 square feet for the Senior Center (10 spaces). 76 parking spaces are proposed. Covered parking is waived pursuant to the requirements of the Density Bonus section of the Municipal Code (Section 19.16.018 (B)(1)(a)).
77. **Signage.** The monument sign as shown in the plans date stamped August 13, 2014, is approved. Any additional signage will require approval by the Planning Director.

78. **Architectural Design.** The architectural design of the buildings shall conform to that shown on the architectural elevations and color boards for the project with a design style of Ranch.
79. **Architectural Details.** Details shall be provided on the construction plans to show compliance with the Community Design Guidelines. This includes roof overhangs, window and door trim, pop-out trim, and gutters. Show size of wood elements such as columns and trellis beams.
80. **Masonry Wall.** An eight foot high split face masonry wall is required along the east property line. It shall be installed prior to the issuance of a certificate of occupancy for the building along the east property line.
81. **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. Decorative lighting is required. The parking lot lights shall be recessed so there is no light trespass into the windows of the senior apartments.
82. **Village Specific Plan.** The project is subject to the standards and requirements of the Village Specific Plan.
83. **Trees.** All trees shall be 24-inch box trees.
84. **Damaged Landscaping.** Any landscaping damaged on adjoining properties shall be replaced on a one to one ratio, except that oak trees shall be replaced on a 3 to 1 ratio.
85. **Pedestrian Paths.** The public pedestrian paths along the east property line and a portion of the north property line are required to be installed. Textured pavement shall be used for the paths.
86. **Disclosure in Lease.** Tenant leases shall include the following:
 - The developer is required to disclose to all future tenants the presence of the active horse ranch just to the north of the Village Specific Plan site,
87. **Senior Residents.** The apartments shall be occupied by individuals or households at least 62 years of age or older. Qualified Senior Residents shall also include residents younger than 62 years of age provided that such individual falls within one of the exceptions set forth in California *Civil Code* Section 51.3 and sections amendatory or supplementary thereto.
88. **Roof Features.** Architectural features shall be added to break up the flat roofs. These features shall be approved by the Planning Director through the zoning clearance process.

89. **Access on Property Line.** Any fencing along the property line shall not block pedestrian access. Openings or gates in the fence are required to allow access to adjacent pedestrian pathways.
90. **Complimentary Landscaping.** The Applicant shall coordinate the design of the landscape along the north property line so that it complements the landscaping on the adjoining property.
91. **Privacy on East Property Line.** The landscaping along the east property line shall be designed to be dense and fast growing. It shall ensure privacy to the single family homes to the east.
92. **Visual Simulations.** Prior to building permit issuance, the Applicant shall provide visual simulations showing the roofs of the senior apartment buildings from the top story of the hotel and showing the east property line from the second story of the senior apartment building on the east.

E. AFFORDABLE HOUSING

93. **Affordable Housing.** The Village Specific Plan requires that 20% of the residential units be made affordable in the very low, low, and moderate income categories. The Village Townhomes project (155 units) and the Village Senior Apartments project (50 units) provide a total of 205 units. Therefore, 41 affordable units are required per the Village Specific Plan. The Applicant meets this requirement by providing 49 very low income units and would satisfy the affordable requirement for the entire Village Specific Plan area.

As a condition precedent to obtaining a building permit, the Applicant shall prepare and submit an Affordable Housing Agreement in City standard format for review and approval by the City Council prior to execution. The purpose of the Affordable Housing Agreement is to create easements, conditions, covenants, restrictions, liens, servitudes, and charges upon and subject to which Senior Affordable Units and each and every part and portion thereof shall be occupied, owned, maintained, held, leased, rented, sold, and conveyed. As a condition prerequisite to obtaining a Final Building Inspection Clearance, the Affordable Housing Agreement shall be recorded against the units having such affordable requirements, in this case all 49 units. The form and content of the Affordable Housing Agreement shall be determined by the City and, among things, address: (i) the size, type and location of Affordable Units to be constructed on-site; (ii) affirmative marketing procedures and the City's right of first refusal to occupy Affordable Units with Target Households of its choosing; (iii) income verification, tenant screening, eligibility re-certification and inspection procedures, with the Applicant's obligation to pay an annual monitoring fee for the term of required affordability; and (iv) tenant relocation requirements, rights of continued occupancy and tenant occupancy standards.

94. **Duration of Affordability.** Except to the extent a longer period of time may be required by other provisions of law, all Affordable Units required shall remain affordable, and occupied by, the Target Households for the longest feasible time, but for not less than the following: (i) 55 years for renter-occupied dwelling units.
95. **Operative Terms.** The determination of income, computation of affordable housing costs, definition of Target Households and all other operative terms bearing on the provision of the Affordable Units shall be governed by the provisions of the Affordable Housing Ordinance ("AHO") codified in Chapter 19.16 of the Buellton Municipal Code. Any in-lieu fees are based on the most current fee schedule for the Santa Ynez Housing Market Area as periodically updated by the County of Santa Barbara Housing and Community Development Department.
96. **Property Management.** The Property Owner shall adhere to the following Property management practices:
- a. **Management Agent.** The Property Owner shall insure that the Property will be operated by an experienced management agent (the "Management Agent"), reasonably acceptable to the City. The Property Owner and Management Agent shall operate the Project, including the Affordable Units, in a manner that will provide decent, safe, and sanitary residential facilities to the occupants thereof. The Property Owner and Management Agent shall insure that all nuisance issues and parking violations are taken care of and resolved in a timely manner. The Property Owner and Management Agent shall comply with the reporting requirements and inspection requirements stipulated in the Affordable Housing Agreement.
 - b. **Performance Review.** Upon the City's request, but not more often than annually, the Property Owner and Management Agent shall cooperate with the City in the periodic review of management practices and conditions of the Property, and for compliance with the notification requirements of the Affordable Housing Agreement.
 - c. **Replacement of Management Agent.** Any contract for the operation or management of the Property entered into by the Property Owner shall provide that the contract may be terminated upon thirty (30) days written notice. The Property Owner's failure to remove the Management Agent after written notice from the City requesting replacement of the Management Agent and setting forth the reasons for the request shall constitute a default under the Affordable Housing Agreement.

F. FIRE DEPARTMENT CONDITIONS

97. **Fire Protection Certificate.** Fire Protection Certificates will be required.

98. **Elevator.** Elevators installed for this project require the elevator car to be able to accommodate a 24-inch by 84-inch ambulance stretcher in the horizontal, open position.
- Emergency medical services symbols shall be placed on both sides of the elevator car door frame.
 - The symbol shall be a minimum of 3 inches high.
99. **Access.** Access shall be as shown on plans dated August 11, 2014, received August 15, 2014.
- Surface shall be paved.
 - A minimum of 13 feet, 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.
100. **Structure Height.** Any structure that exceeds 30 feet in height shall meet the CFC Section D105 requirements.
- **D105.1** Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet, approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of the pitched roof, the intersection of the roof to the exterior wall, or the top of the parapet walls, whichever is greater.
 - **D105.2** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
 - **D105.3** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. This side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
 - **D105.4** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.
101. **Temporary Addresses.** Temporary address posting is required during construction.
102. **Fire Hydrants.** Two new fire hydrants shall be installed.
- The Fire Department shall have on file a set of approved fire hydrant plans prior to any work being started.
 - Commercial fire hydrants shall consist of one 4-inch outlet and two 2-1/2-inch outlets.
 - A set of approved fire hydrant plans, stamped and dated by the Fire Department shall be kept at the job site and available on request.

- 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.
 - No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by a Fire Department representative.
103. **Fire Lanes.** Signs indicating “Fire Lane – No Stopping” shall be placed every 150 feet as required by the Fire Department. Refer to current adopted California Fire Code.
104. **Portable Fire Extinguishers.** Portable fire extinguishers are required and shall be in accordance with the current adopted Santa Barbara County Code Chapter 15.
105. **Fire Sprinklers.** An automatic fire sprinkler system shall be installed.
- Fire sprinkler plans shall be approved by the Fire Department prior to installation.
 - A set of approved plans, stamped and dated by the Fire Department shall be kept at the job site and available upon request.
 - The Fire Department shall determine the location of any Fire Department connection (FDC) that may be required.
 - FDC shall be labeled per NFPA 13.
 - Water systems shall be installed exactly as the approved plans dictate. No changes or modifications to these plans shall take place without prior fire department approval.
 - No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by the Fire Department.
106. **Alarm Systems.** An automatic fire or emergency alarm system shall be installed.
- Fire alarm system shall meet Santa Barbara County Fire Department requirements.
 - Automatic fire or emergency alarm system plans shall be approved by the fire department.
 - Alarm panel locations and annunciator graphics shall be approved by the Fire Department prior to installation.
107. **Address Numbers.** Address numbers shall be a minimum height of four inches for residential suites.
- Address numbers shall be a minimum height of 12 inches.
 - Address number locations shall be approved by the Fire Department.
 - Address numbers shall be a color contrasting to the background color.
 - The address number shall be elevated at least three feet from the ground for clear visibility and easy directional identification.

- The numbers shall be visible from the access road when traveling in either direction.
108. **Gates.** Access way entrance gates shall conform to Fire Department requirements.
109. **Gate Locking System.** When access ways are gated, a Fire Department approved locking system shall be installed. Reference Santa Barbara County Development Standard #7.
110. **Fees.** The applicant will be required to pay development impact fees. In accordance with Chapter 15 of the Santa Barbara County Code, the fee shall be computed per square foot on each new building, including non-habitable spaces, paid for the purpose of mitigating the incremental increase in needs for emergency services generated by the development. Estimated fees:
- Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems. Development impact fees are collected at the current rate at time of payment.
111. **Occupancy Clearance.** Final occupancy clearance inspection will not be scheduled unless fees have been paid.
112. **Condition Changes.** These conditions apply to the Project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change. The application for a new building permit or time extension for the project may require further review and the imposition of current development standards and fees.
113. **Non-Compliance.** Non-compliance with conditions placed on this project could result in the issuance of a stop work order by the fire department, which may require additional fees and a delay in final occupancy clearance.

G. COUNTY OF SANTA BARBARA BUILDING DIVISION CONDITIONS

114. **Geology Report.** A Geology Report prepared and signed by a California licensed geologist will be required.
115. **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 fifty feet will be required.
116. **Egress Plan.** A separate, detailed egress plans will be required for clarity of plan review and field inspection. Clearly show egress requirements for the building. Show occupant load, number of exits required, and number of exits provided at

each space and/or floor level. Provide a calculation for required exit width. Label all components of the exit access, exit, and exit discharge, and show compliance with applicable provisions addressing those components. Provide egress from outdoor use areas as required for building occupants as per CBC; or include the occupant load from this space in the design occupant load of the building.

On the building to the east it appears a second exit from the second floor is required.

117. **Fire Areas.** 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. If fire-rated assemblies have been provided where not required by code or which exceed code minimum requirements, please indicate this on the plans. Delineate egress paths and indicate occupant/egress path loading to required egress routes. Cross-reference tag all fire resistive assemblies to their respective construction details on the plans. Verify consistency between fire-resistive characteristics shown on this plan and the relative required fire-resistive characteristics shown on mechanical, electrical, and structural plans.
118. **Site Accessibility Plan.** Provide a separate "Site Accessibility Plan", showing accessible routes of travel between buildings and accessible site facilities. The accessible route of travel shall be the most practical direct route between accessible building entrances, accessible site facilities, and the accessible entrance to the site. Provide accessible parking in all parking lots.

There are several doors on the ground floor which exit onto landscaped areas; provide an accessible path of travel to and from all ground floor entrances or exits, coordinate with the landscaping and grading plans. In elevator buildings, provide an accessible means of egress per CBC chapter 10 from all floors.
119. **Accessibility Requirements.** Projects that are publicly funded may be subject to the accessibility requirements of Chapter 11B of the current code in effect. For publicly funded projects, review by this agency does not guarantee compliance with Americans with Disability Act (ADA) or other Federal access standards. Compliance with Federal laws is solely the responsibility of the owner.
120. **California Green Code.** Incorporate compliance with the applicable California Green Code in the plans, to include commissioning. Incorporate compliance with the requirements of the Energy Code in effect at the time of submittal to include commissioning and day lit areas.
121. **Plumbing.** Provide a plumbing fixture analysis to include occupants of the outdoor areas.

- 122. **Flood Conditions.** Incorporate the conditions of approval by the Flood Plain Administrator into the plans.
- 123. **Food Service.** Approval by Environmental Health Services for food preparation, food service areas and restrooms will be required.
- ~~124. **Plans.** Plans will need to be signed and sealed by a California licensed architect or engineer and designed in compliance with the codes in effect at the time of building permit application submittal.~~

H. FINANCE DEPARTMENT CONDITIONS

- 125. **Outstanding Fees.** The 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.
- 126. **Impact Fees.** The project applicant shall pay the water, sewer, park, and traffic impact fees in accordance with City requirements.

Project Applicant/Property Owner Acknowledgement of Required Conditions of Approval

Property Owner Signature

10/30/14
Date

Project Applicant/Agent/Representative Signature

10-29-14
Date

Karen Flock
Real Estate Development Director



PROJECT NAME: **VILLAGE SENIOR APARTMENTS**
 Location: Redwood, CA 95427
 Owner: Cabillo Economic Development Corporation
 Associate Architect: Project Status

CARDE - TEN ARCHITECTS
 1628 H FIFTEENTH ST
 SAN JOSE, CA 95131
 info@cardetent.com
 www.cardetent.com

NO.	DATE	DESCRIPTION

Proj. No.	21202
Date	AUG 11, 2014
Drawn	ME
Designed	TC
Checked	SC
Working title	

SITE PLAN

Sheet No: **A.101**

CONCEPT SITE PLAN
 Scale: 1/8" = 1'-0"

Attachment 5



GROUND FLOOR PLAN | 01
Scale: 1/8" = 1'-0"



SECOND FLOOR PLAN | 02
Scale: 1/8" = 1'-0"

Project Name: **VILLAGE SENIOR APARTMENTS**
 Location: **WILMINGTON, CA**
 Client: **Cabrillo Economic Development Corporation**
 Architect: **Cardo Architects**
 Address: **137-990-945 (pending)**

CARDE - TEN ARCHITECTS
 1638 NINETEENTH ST
 SANTA MONICA, CA
 90404
 Info: info@cardoten.com
www.cardoten.com

Name: _____

Revision: _____

NO.	Date	Description

Proj. No.	21202
Drawn	AUG 11, 2014
Drawn	MF
Designed	TC
Checked	SC
Drawn by	

GROUND & SECOND FLOOR PLANS

Sheet No: **A201**

Date: 8/12/2014 12:41:28 PM

PROJECT NAME: **VILLAGE SENIOR APARTMENTS**
 BUREAU: BUREAU, CA
 OFFICE: Calhills Economic Development Corporation
 ADDRESS: 137-080-045 (partial)

ARCHITECT: **CARDE - TEN ARCHITECTS**
 188 NINETEENTH ST
 SANTA MONICA, CA 90404
 info@cardeten.com
 www.cardeten.com



EAST ELEVATION 04
 Scale: 1/8" = 1'-0"



WEST ELEVATION 03
 Scale: 1/8" = 1'-0"



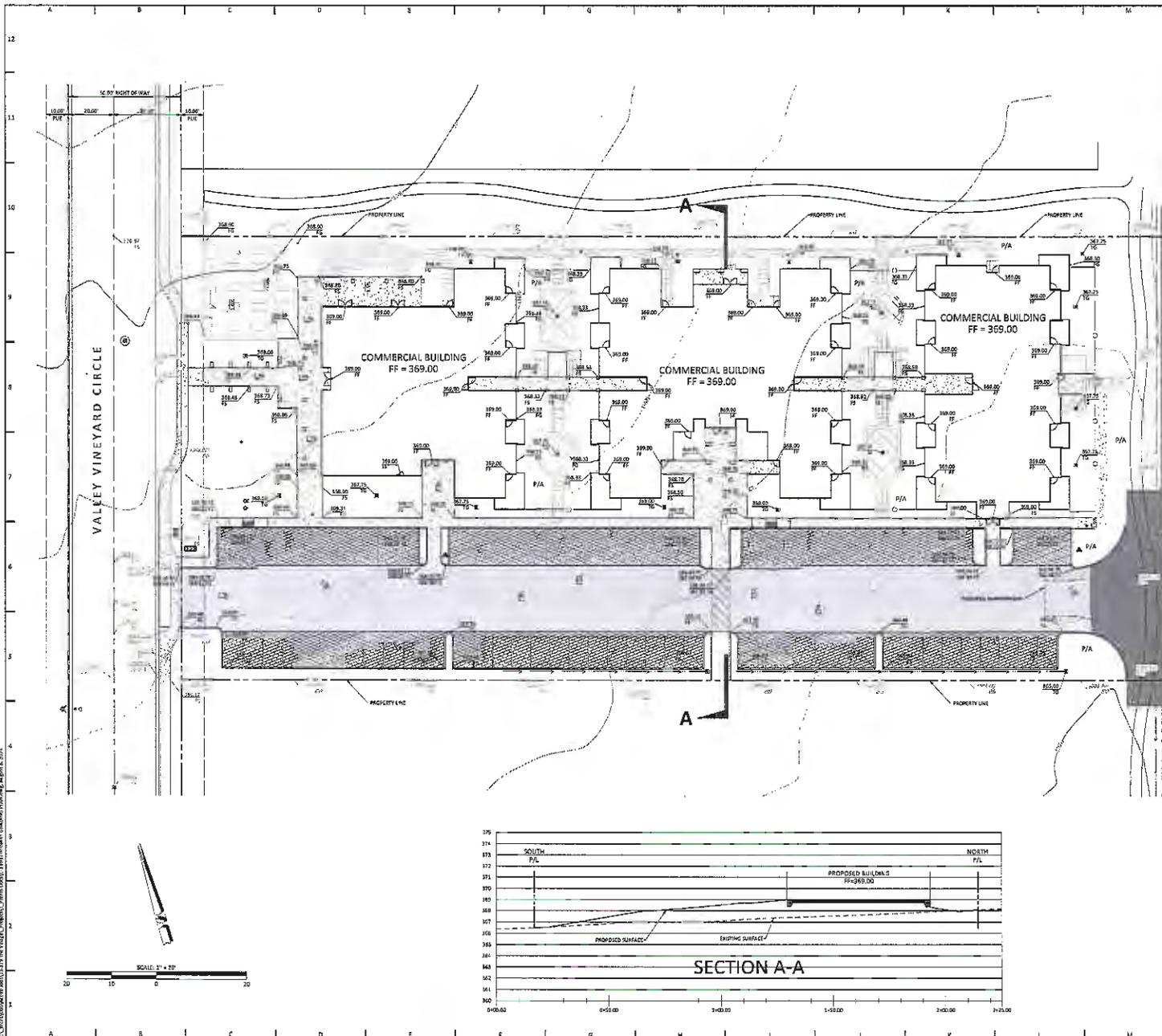
NORTH ELEVATION 02
 Scale: 1/16" = 1'-0"



SOUTH ELEVATION 01
 Scale: 1/16" = 1'-0"

NO.	DATE	DESCRIPTION

Proj. No. 21202
 Date: AUG 11, 2014
 Drawn: M
 Designed: TC
 Checked: SC
 Review: JH
 Building Elevations
 A301
 8/11/2014 12:54:30 PM

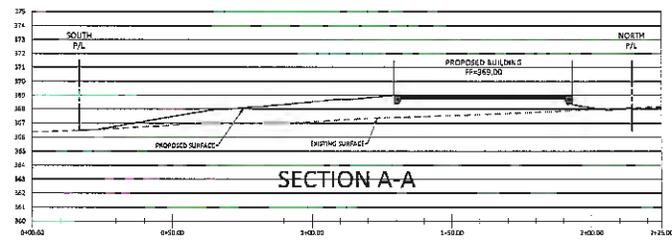
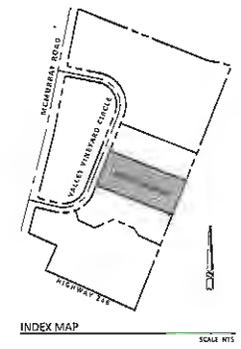


- LEGEND**
- ASPHALT
 - PERVIOUS ASPHALT
 - CONCRETE IN PENETRANT AREA
 - DECOMPOSED GRANITE
 - PLANTER AREA
 - DETECTABLE WARNING SURFACE
 - IRI 15 TRUCK RATED GRASS PAVR

GRADING PLAN NARRATIVE
 LAND DESCRIPTION: THE EXISTING SITE IS AN UNDEVELOPED LOT.
 STRUCTURES: THERE ARE NO EXISTING STRUCTURES ON THIS PROPERTY. THE PROPOSED USE IS A COMMERCIAL BUILDING.
 GRADING QUANTITIES: SEE GRADING QUANTITIES TABLE BELOW.

GRADING QUANTITIES		
CLIFF (CUBIC YDS)	FILL (CUBIC YDS)	IMPORT/EXPORT (CUBIC YDS)
1800	1000	100 EXPORT

*GRADING QUANTITIES ARE PROVIDED FOR GENERAL INFORMATION ONLY. THE QUANTITIES SHOWN ABOVE WILL NOT BE INTENDED FOR USE BY THE CONTRACTOR UNLESS OTHERWISE STATED BY THE ENGINEER OR THE CONTRACTOR TO GENERATE AND/OR VERIFY CAREFUL QUANTITIES.



CIVIL DESIGN STUDIO
 CIVIL & MECHANICAL ENGINEERING
 1015 California Blvd | Suite 200 | Berkeley, CA 94704
 415.863.0300 | www.civil-design.com

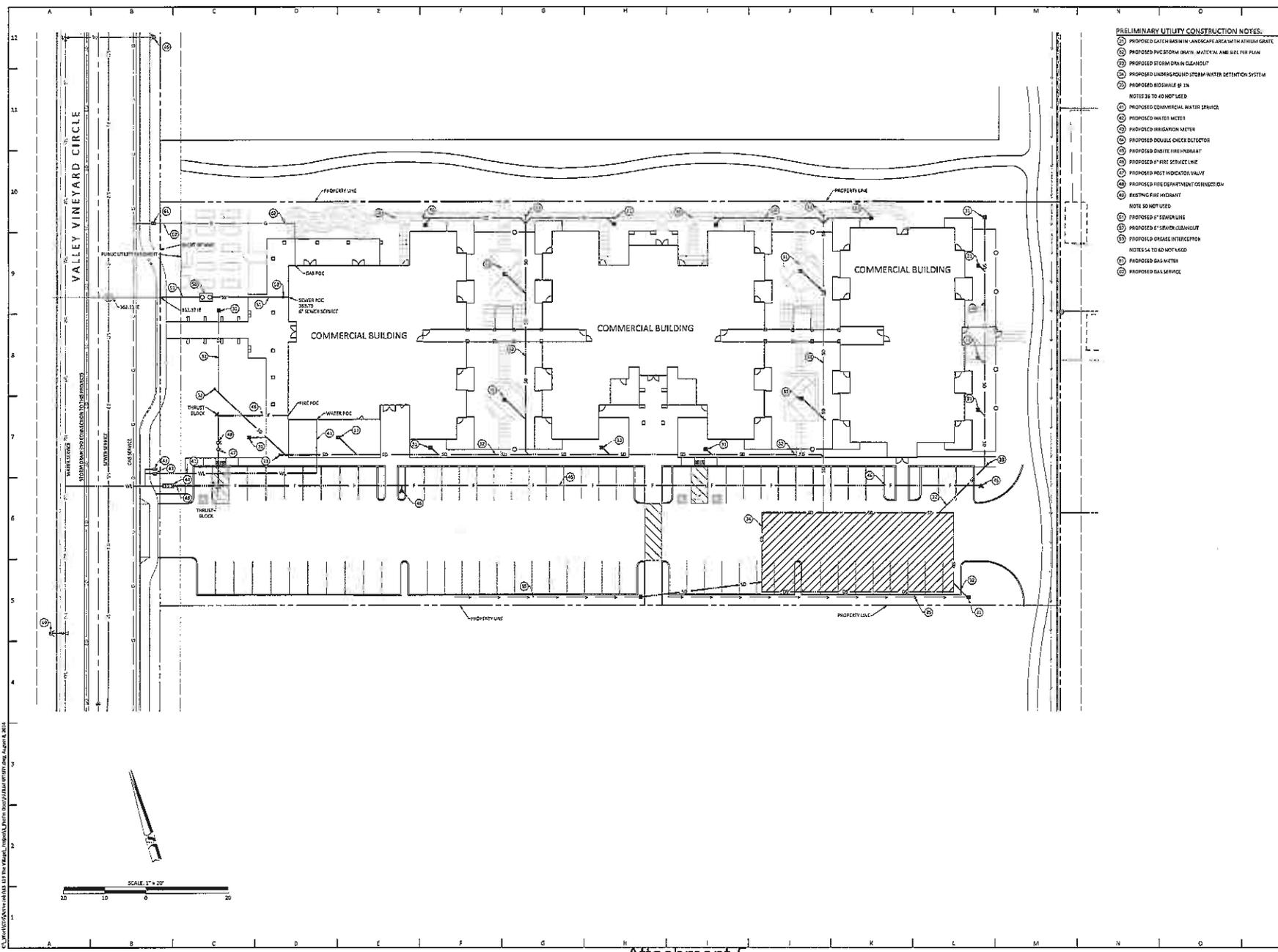


PROJECT LOCATION:
 VALLEY CIRCLE ROAD
 BURLINGTON, CA

PROJECT OWNER:
 THE VILLAGE
 CABRILLO ECONOMIC
 DEVELOPMENT CORPORATION
 702 COUNTY SQUARE DRIVE
 VENTURA, CA 93003

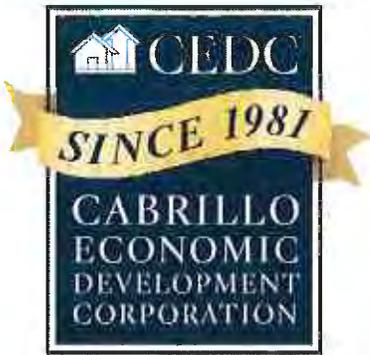
DESIGNED BY: RDW
 PREPARED BY: MRS
 DATE: August 5, 2014
 SCALE: AS SHOWN
 LOG JOB #: 13-119

PRELIMINARY GRADING PLAN
 C-1
 SHEET 1 OF 2 SHEETS



- PRELIMINARY UTILITY CONSTRUCTION NOTES:**
- 1. PROPOSED DATCH BASIN IN LANDSCAPE AREA WITH ATRIUM GRATE
 - 2. PROPOSED PVC STORM DRAIN WATER CAL ANB SIE PER PLAN
 - 3. PROPOSED STORM DRAIN CLEANOUT
 - 4. PROPOSED UNDERGROUND STORM WATER DETENTION SYSTEM
 - 5. PROPOSED BISSVALE # 1/4
 - NOTES SA TO 40 NOT USED
 - 6. PROPOSED COMMERCIAL WATER SERVICE
 - 7. PROPOSED WATER METER
 - 8. PROPOSED IRRIGATION METER
 - 9. PROPOSED DOUBLE CHECK DETECTOR
 - 10. PROPOSED DOUBLE FIRE HYDRANT
 - 11. PROPOSED 6" FIRE SERVICE LINE
 - 12. PROPOSED FIVE INCH DIA VALVE
 - 13. PROPOSED FIRE DEPARTMENT CONNECTION
 - 14. EXISTING FIRE HYDRANT
 - NOTE SA NOT USED
 - 15. PROPOSED 6" SEWER LINE
 - 16. PROPOSED 6" SEWER CLEANOUT
 - 17. PROPOSED GREASE INTERCEPTION
 - NOTES SA TO 60 NOT USED
 - 18. PROPOSED GAS METER
 - 19. PROPOSED GAS SERVICE

 CIVIL DESIGN STUDIO CIVIL ENGINEERING LANDSCAPE ARCHITECTURE	 DAVID A. CABRILLO CIVIL ENGINEER No. 45870 State of California	PROJECT LOCATION: THE VILLAGE CABRILLO ECONOMIC DEVELOPMENT CORPORATION 709 COUNTY SQUARE DRIVE VENTURA, CA 93003
PROJECT OWNER: CABRILLO ECONOMIC DEVELOPMENT CORPORATION 709 COUNTY SQUARE DRIVE VENTURA, CA 93003	PROJECT ADDRESS: VALLEY CIRCLE ROAD BULLTON, CA	
PREPARED BY: RDW	PREPARED BY: MRS	
DATE: August 8, 2014	SCALE: AS SHOWN	
CONSULTANT: 13-119	PRELIMINARY UTILITY PLAN C-2	
SHEET 2 OF 2 SHEETS		



Via Email

May 12, 2020

Ms. Cara Meche
Assistant Planner
City of Buellton
107 West Highway 246
Buellton, CA 93427
cara@cityofbuellton.com

Re: Village Senior Apartments
Development Plan Modification
Request for Increased Density

Dear Ms. Meche:

Cabrillo Economic Development Corporation ("CEDC") hereby requests a density bonus for the Village Senior Apartments of 25 additional residential units for a total of 75 residential units. This request is based on recent legislation (AB 1763, Government Code Section 65915(b)(1)(G). "**100% Affordable Density Bonus**") that provides an up to 80% density bonus for projects in which 100% of the units (exclusive of manager's units) are affordable to lower- and moderate-income households. The current entitled project is 50 units in which all units (other than a manager's unit) will be restricted to lower-income occupancy and affordable rents under anticipated funding sources and the attached Regulatory Agreement recorded on the property. With one unit designated as a manager's unit and the remaining 49 units of housing affordable to lower-income households, CEDC could request an additional 39 units under AB 1763 but we are requested only 25 additional units.

CEDC acknowledges that under the 100% Affordable Density Bonus legislation, that rents for all the residential units in the development (other than the manager's unit) must be set as follows:

- The rent for at least 20 percent of the units in the development shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code;

Bringing Community HOME

702 County Square Drive, STE 200 | Ventura, CA 93003
Tel (805) 659-3791 | Fax (805) 659-3195 | www.cabrilloedc.org



Attachment 6

Density Bonus Letter – Ms. Meche

Page 2

May 12, 2020

- The rent for the remaining units in the development shall be set at an amount consistent with the maximum rent levels for a housing development that receives an allocation of state or federal low-income housing tax credits from the California Tax Credit Allocation Committee.

In addition, the 100% Affordable Density Bonus legislation allows CEDC to request up to 4 incentives and concessions under AB 1763 (Government Code Section 65915(d)(2)(D)). CEDC hereby request the following incentives and concessions in addition to the additional 25 units:

1. Open space requirement reduction from 45.99% to 33%.

Each of these incentives and concessions result in identifiable and actual cost reductions which will assist in the provision of the affordable housing.

We also understand that the Environmental Impact Report evaluated a project size of 60-75 senior units and therefore there will be no additional environmental review required related to this request for increased density.

In addition, per your request, CEDC agrees that the Incomplete Letter from the City of Buellton can be delayed until May 22, 2020, so that it may address any concerns the Planning Commission may express during its meeting on May 21, 2020.

Thank you for your assistance,



Margarita H. de Escontrias
CEO



2015-0002652

Recorded		REC FEE	42.00
Official Records			
County of			
Santa Barbara			
Joseph E. Holland			
County Clerk Recorder			
		EC	
08:00AM 21-Jan-2015		Page 1 of 10	

LAWYERS TITLE COMPANY-81

RECORDING REQUEST
BY: "DPS"

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Rural Community Assistance Corporation
3120 Freeboard Drive, Suite 201
West Sacramento, CA 95691

Attn: Loan Fund Department

413240924
137-770-02405

REGULATORY AGREEMENT
Golden State Acquisition Fund

This Regulatory Agreement (the "Agreement") is dated January 9, 2015, for reference purposes only, is made and entered into by and between Cabrillo Economic Development Corporation, a California nonprofit public benefit corporation (the "Borrower") and Rural Community Assistance Corporation, a California nonprofit public benefit corporation (the "Lender"), and recites as follows:

RECITALS:

- A. Borrower is requesting a loan (the "Loan") from Lender for the purposes of acquiring that certain property located at the City of Buellton, Santa Barbara County, CA and more particularly described in Exhibit A hereto (the "Property"). The Loan is made pursuant to the terms and provisions of that certain Loan Agreement of even date herewith (the "Loan Agreement") and such other documents and instruments as are referred and defined therein as the Loan Documents. Unless otherwise provided, the capitalized terms herein shall have the defined meanings set forth in the Loan Agreement.
- B. Lender has entered into an Origination and Participation Agreement dated December 14, 2012 (the "Participation Agreement") with GSAF LLC, a California limited liability company, ("GSAF") to which GSAF has provided 25% of the Loan funds (the "GSAF Funds"). The GSAF Funds were obtained by GSAF from the California Department of Housing and Community Development ("HCD") pursuant to that certain Loan Agreement—Golden State Acquisition Fund dated December 14, 2012 (the "HCD Loan Agreement"). In this regard, use of the GSAF Funds are restricted and otherwise governed by the terms and provisions of the HCD Loan Agreement as well as the Participation Agreement (collectively, the "HCD/GSAF Requirements");
- C. The HCD/GSAF Requirements require that the Property may only be developed for Affordable Housing. "Affordable Housing" means a residential project containing units that are either: 1) for-sale homeowner units subject to enforceable restrictions that limit the incomes of at least the initial owner-occupants to Lower Income Households (an "Affordable Homeownership Project"), or 2) rental units subject or that will be subject to enforceable public agency restrictions that limit occupancy to households earning no more than 60% of Area Median Income, at Affordable Rents (an "Affordable Rental Housing Project"). "Affordable Rents" and "Area Median Income" shall have the meanings set forth or referenced in 25 CCR 7301. "Lower Income Households" shall have the meaning set forth in California Health and Safety Code Section 50079.5 (i.e. households earning no more than 80% of Area Median Income).

Attachment 6

- D. As further consideration for the Loan, Borrower has agreed to enter into this Agreement. The purpose of this Agreement is to regulate and restrict the occupancy, rents, operation, ownership and management of the Property in compliance with the Golden State Acquisition Fund Program Guidelines, a copy of which is attached to the Rider to the Loan Agreement (the "GSAF Program Guidelines").

NOW, THEREFORE, for the benefit of Lender, GSAF, and HCD, Borrower agrees as follows:

1. Recitals. The foregoing recitals, and "NOW, THEREFORE" clause, are a part of this Agreement.
2. Compliance with GSAF Program Guidelines; Prohibited Transfers. Except with the prior written approval of Lender and GSAF, Borrower shall not:
 - a. make any sale, assignment, lease, conveyance, or transfer in any other form of the Property or any interest therein to any party for purposes other than the development and operation of Affordable Housing (a "Prohibited Transfer"); and/or
 - b. use, or permit the use of, the Property in any way that would result in noncompliance or nonconformance with any of the GSAF Program Guidelines.

Subject to the terms and provisions of this Agreement, Borrower hereby agrees that if it engages in a Prohibited Transfer then, in addition to the rights and remedies referenced in Section 6.a. and 6.b. below, such Prohibited Transfer shall be subject to Equity Recapture provisions, set forth in Section 6.c. below. In addition, Borrower acknowledges that it is familiar with the GSAF Program Guidelines and has access to professional advice to the extent necessary to enable Borrower to fully comply with and conform to the GSAF Program Guidelines.

3. Affordable Housing. Anything in this Agreement to the contrary notwithstanding, Affordable Housing shall include the following "Eligible Projects" as set forth in the GSAF Program Guidelines which must be located in the State of California and must be:
 - a. Rental housing projects where 100% of the units are restricted to occupancy by households earning not more than 60% of the area median income at Affordable Rents, or
 - b. Housing built for sale to Lower-Income Household buyers as homeownership units, including
 - (1) Fee simple ownership, including condominiums or other common interest subdivisions;
 - (2) limited-equity co-ops;
 - (3) manufactured housing units located on a rented space in a mobile home park;
 - (4) leasehold interest on real property that enables the lessee to make improvements on and encumber the property and has a term sufficient to secure a conventional first mortgage loan (e.g. a community land trust); or
 - c. Mobile home units and parks, where no less than 50% of the units in the park are restricted to occupancy by Lower-Income Households; or

Attachment 6

- d. For the purposes of subsection (e) and (f) below, "Affordable Housing" means a residential project, or portion thereof, where all the units meet the criteria for units set forth in subsection (a) of section 102 of the GSAF Program Guidelines; or
- e. Mixed-use projects (commercial and residential occupancies on the same site) are eligible for Project Loans covering all acquisition costs, provided no less than 75% of the total square footage is to be developed as Affordable Housing; or

If less than 75% of the proposed square footage is to be developed as Affordable Housing, the percentage of the acquisition cost eligible to be paid with Project Loan proceeds shall be reduced to an amount equal to the percentage of the project that meets these requirements. *[If less than 75% of the total square footage is to be developed as Affordable Housing, state the percentage of the total square footage that is to be developed as Affordable Housing for a specific project];* or

- f. Mixed-income residential housing projects are eligible for Project Loans covering all acquisition costs if 75% or more of the number of proposed residential units are to be developed as Affordable Housing. If less than 75% of the proposed residential units are to be developed for Affordable Housing, the percentage of the acquisition cost eligible to be paid with Project Loan proceeds must be reduced to an amount equal to the percentage of the project that is affordable. *[If less than 75% of the total square footage is to be developed as Affordable Housing, state the percentage of the total square footage that is to be developed as Affordable Housing for a specific project].*

4. Term of Agreement.

- a. Unless terminated sooner pursuant to Section 4(b), 4(c), or 4(d) below, this Agreement shall commence on the date set forth above and (except as set forth in the following paragraphs of this Section 4) remain in full force and effect, and shall apply to the Property and any and all development thereon, through and including the fifty-fifth (55th) anniversary of the date of recordation of this Agreement regardless of any prepayment of the Loan or any sale, assignment, transfer, encumbrance, or conveyance of the Property.
- b. With respect to any Affordable Homeownership Project developed on the Property, upon the completion of such Affordable Homeownership Project this Agreement shall apply only to the residential units that are required to be sold to Lower Income Households (as set forth in the Loan Agreement)(the "Affordable Homeownership Units") and shall not apply to any units that are not Affordable Homeownership Units and/or to any non-residential portions of such Affordable Homeownership Project. This Agreement shall automatically terminate as to each Affordable Homeownership Unit upon the sale of such Affordable Homeownership Unit to a qualified Lower Income Household.
- c. With respect to any Affordable Rental Housing Project developed or to be developed upon the Property, this Agreement shall automatically terminate upon the close of any other project financing that includes occupancy guarantees and/or the recording against the Property of any other Affordable Housing regulatory or restriction agreement.
- d. The covenants and restrictions imposed on the Property pursuant to this Agreement shall be subordinate to the lien of the deed of trust that secures the Loan. In this regard, this Agreement and the covenants and restrictions herein shall terminate upon any transfer of

Attachment 6

the Property pursuant to a foreclosure of such deed of trust or a deed in lieu of such foreclosure.

5. Review and Inspections.

- a. At any time during the term of this Agreement, Lender, or HCD or their designees may enter and inspect the physical premises and inspect all records pertaining to the construction, development or operation of the Property.
- b. Lender and/or HCD may request any other information that it deems necessary to monitor compliance with the GSAF Program Guidelines, the HCD/GSAF Requirements and the requirements set forth in this Agreement. Borrower shall promptly provide such information.

6. Violation of Agreement by Borrower.

- a. In the event of Borrower's breach, violation or default in the performance of any covenant, agreement or obligation of Borrower set forth in this Agreement (a "Default"), Lender may treat such Default as an Event of Default under the Loan Agreement, and Borrower acknowledges and agrees that HCD, as a third-party beneficiary of this Agreement, may, separately from Lender, directly enforce Borrower's compliance with all of the terms and conditions of this Agreement.
- b. In addition the rights and remedies that Lender has under the Loan Documents with respect to a Default (including, without limitation, the right to accelerate the maturity of the Loan and foreclose upon the Property), Lender shall also have the right to apply to any court, state or federal, for specific performance of this Agreement, injunctive relief, or for such other relief as may be appropriate in order to compel Borrower to comply with this Agreement and/or to prevent Borrower from violating this Agreement.
- c. In addition to the rights and remedies referenced in a. and b. above, if Borrower transacts a Prohibited Transfer, Lender shall be entitled to recover from Borrower damages (an "Equity Recapture") in an amount equal to (i) the amount of the consideration received by Borrower from such Prohibited Transfer less (ii) the sum of the amount of the Loan and any other loans obtained by Borrower to acquire and pre-develop the Property plus Borrower's actual cash equity contributions towards such acquisition and predevelopment. The foregoing shall not prevent Lender from recovering other damages and amounts to which it is entitled under the Loan Agreement, any other Loan Document, and/or under applicable law.
- d. The remedies of Lender hereunder and under the other Loan Documents are cumulative, and the exercise of one or more of such remedies shall not be deemed an election of remedies and shall not preclude the exercise by Lender of any one or more of its other remedies.
- e. Until such time that the Loan is repaid in full, without the prior written consent of Lender, HCD shall not exercise any rights or remedies it may have against Borrower, including, but not limited to foreclosure or other realization upon any collateral. Notwithstanding the foregoing, HCD shall be entitled to exercise and enforce against Borrower all other covenants under this Agreement relating to income, rent, or affordability restrictions upon prior written notice to Lender. In this regard, HCD may

Attachment 6

pursue an action directly against Borrower to recover the Equity Recapture (if any) upon Lender's prior written consent, provided, however, that the proceeds therefrom will be allocated first toward repayment of the Loan. As set forth under the Participation Agreement, GSAF may not communicate or meet with Borrower regarding the Loan.

7. Amendment. This Agreement shall not be altered or amended except in writing, executed between both parties hereto.
8. Partial Invalidity. If any provision of this Agreement shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.
9. Covenants Run with the Land; Binding on Successors; Benefited Parties. Lender and Borrower hereby declare their express intent that, until this Agreement terminates as provided in Section 4 above, the covenants and restrictions set forth in this Agreement shall run with the land, and touch and concern the Property in that Borrower's legal interest in the Property is rendered less valuable thereby. The benefit of the restrictive covenants set forth in this Agreement touch and concern the land by providing Affordable Housing opportunities for Lower Income Households and other low income households. The aforesaid households, together with the Lender, HCD, and GSAF, are the intended beneficiaries of such covenants and restrictions.

The covenants and restrictions in this Agreement bind all successors-in-interest to the Property; provided, however, that on the expiration hereof (as provided in Section 4 above) the restrictive covenants herein shall automatically expire. Each and every contract, deed or other instrument hereafter executed covering, or conveying or otherwise transferring the Property or any portion thereof, will be held conclusively to have been executed, delivered and accepted subject to such covenants and restrictions. The foregoing applies regardless of whether such covenants or restrictions are set forth in such contract, deed or other instrument, and regardless of whether the terms of these restrictive covenants are actually known to such other party or parties unless Lender expressly releases such conveyed portion of the Property from the requirements of this Agreement.

10. Indemnification. Borrower agrees to indemnify Lender, GSAF, and their agents, employees and officers against, and holds Lender, GSAF, and their agents, employees and officers harmless from, any losses, damages, liabilities, claims, actions, judgments, court costs and legal or other expenses (including attorneys' fees) of every name, kind and description, which such parties may incur as a direct or indirect consequence of Borrower's failure to comply with this Agreement (including, without limitation, any of the GSAF Program Guidelines). The foregoing indemnity shall include, without limitation, claims or actions asserted or brought by against Lender by HCD or GSAF and actions brought against GSAF by HCD.
11. Attorneys' Fees. The prevailing party in any action to enforce this Agreement shall be entitled to reasonable attorneys' fees as determined by the trier of fact in that forum.

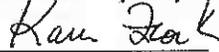
Signatures on following pages

Attachment 6

IN WITNESS WHEREOF the parties hereby execute and enter into this Agreement as of the date first set forth above and agree to be bound hereby;

Borrower:

Cabrillo Economic Development Corporation,
a California nonprofit public benefit corporation

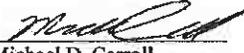

Karen Flock
Real Estate Development Director

Borrower Address:

Cabrillo Economic Development Corporation
702 County Square Drive
Ventura, California 93003

Lender:

Rural Community Assistance Corporation,
a California nonprofit public benefit corporation


Michael D. Carroll
Director, Lending and Housing

Lender Address:

Rural Community Assistance Corporation
3120 Freeboard Drive, Suite 201
West Sacramento, California 95691

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

ACKNOWLEDGMENT

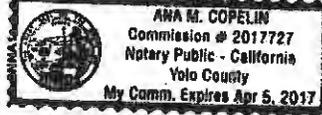
STATE OF CALIFORNIA } ss:
COUNTY OF Yolo

On January 13, 2015 before me, Ana M. Copelin, a Notary Public,
(insert name and title of the officer)
personally appeared Michael D. Carroll

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Ana M. Copelin

(Seal)

ACKNOWLEDGMENT

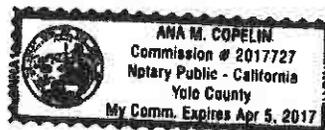
State of California
County of Yolo

On January 13, 2015 before me, Ana M. Copelin, Notary Public personally appeared Michael D. Carroll, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Ana M. Copelin (Seal)



ACKNOWLEDGMENT

State of California
County of _____

On _____ before me, _____, Notary Public personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

SEE ATTACHED

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

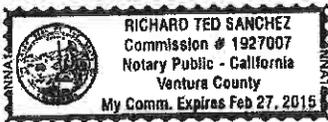
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of VENTURA)
On January 14, 2015 before me, RICHARD TED SANCHEZ, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared KAREN FLICK
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he she they executed the same in his her their authorized capacity(ies), and that by his her their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Real Estate AGMT Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____
 Corporate Officer — Title(s): _____ Corporate Officer — Title(s): _____
 Partner — Limited General Partner — Limited General
 Individual Attorney in Fact Individual Attorney in Fact
 Trustee Guardian or Conservator Trustee Guardian or Conservator
 Other: _____ Other: _____
Signer Is Representing: _____ Signer Is Representing: _____

Attachment 6

EXHIBIT A TO REGULATORY AGREEMENT

LEGAL DESCRIPTION

Real property in the City of Buellton, County of Santa Barbara, State of California, described as follows:

Lot 4 of Lot Line Adjustment No. 13-LLA-03, recorded September 23, 2014 as Instrument No. 2014-0043409 of Official Records, being a portion of Lots 2 and 5 of Tract 31, 052 in the City of Buellton, County of Santa Barbara, State of California, as per map recorded in book 205, pages 69 and 70 of Maps, in the office of the County Recorder of said County.

Excepting all oil, petroleum and other hydrocarbon substance, including natural gas, in and upon said land, as reserved in deeds from Merchants Trust Company, a Corporation, recorded September 5, 1912 in book 137, page 165 and September 24, 1913 in book 141, page 519 both of Deeds, in the office of the County Recorder of said County.

City of Buellton Design Review

Distribution:

<i>City</i>	<i>Ravatt Albrecht</i>	<i>Other</i>	<i>Applicant</i>	<i>Other</i>
<input type="checkbox"/> M. Biredzinzki	<input checked="" type="checkbox"/> G. Ravatt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> 1 st Review
<input type="checkbox"/> I. Tucker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 2 nd Review
<input type="checkbox"/> A. Perez		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 3 rd Review
<input type="checkbox"/> R. Hess			<input type="checkbox"/>	<input type="checkbox"/> Final Review

VIA

Email Fax U.S. Mail Delivery

PROJECT: Village Senior Apartments
Buellton CA,

ARCHITECT: Ravatt Albrecht & Associates Inc
1371 Pacific Street
San Luis Obispo, CA 93401

DATE: 04/23/2020

CITY FILE NO: 20-DPM-01

REVIEWER: Greg Ravatt AIA

SITE DESIGN:

	N/A	Complete	Complete w/ Corrections	Incomplete
1. Site Planning	1 <input type="checkbox"/>	1 <input checked="" type="checkbox"/>	1 <input type="checkbox"/>	1 <input type="checkbox"/>
2. Adjacencies	2 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	2 <input type="checkbox"/>
3. Massing	3 <input type="checkbox"/>	3 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	3 <input type="checkbox"/>
4. Perimeter Walls/Fence	4 <input type="checkbox"/>	4 <input type="checkbox"/>	4 <input checked="" type="checkbox"/>	4 <input type="checkbox"/>
5. Solar Orientation	5 <input type="checkbox"/>	5 <input checked="" type="checkbox"/>	5 <input type="checkbox"/>	5 <input type="checkbox"/>
6. Landscape	6 <input type="checkbox"/>	6 <input checked="" type="checkbox"/>	6 <input type="checkbox"/>	6 <input type="checkbox"/>

Remarks:

1. Site is zoned "CR" for general commercial, and it is located in the Village Specific Plan and has been reviewed against these guidelines.
2. Provide information regarding the design intent of the site fencing and man gates. Decorative metal fence is proposed. Ensure compatibility with Ranch Style Design Guidelines. (p. 62)
3. Provide design intent detailing of site pergola, such as material and color.
4. Site Planning appears to comply with Design Guidelines with provisions for emergency vehicle turn-arounds, trash rooms, ground floor utility rooms, sufficient landscaping, perimeter fencing and pedestrian connections to adjacent properties.
5. General building massing is compliant.

*Referenced the Village Specific Plan and pages 47-57 of Buellton Design Guidelines for comments.

Attachment 7

BUILDING DESIGN:

	N/A	Complete	Complete w/ Corrections	Incomplete
1. Design Style	1 <input type="checkbox"/>	1 <input type="checkbox"/>	1 <input checked="" type="checkbox"/>	1 <input type="checkbox"/>
2. Color Schemes	2 <input type="checkbox"/>	2 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>
3. Detailing	3 <input type="checkbox"/>	3 <input type="checkbox"/>	3 <input type="checkbox"/>	3 <input checked="" type="checkbox"/>
4.	4 <input type="checkbox"/>	4 <input type="checkbox"/>	4 <input type="checkbox"/>	4 <input type="checkbox"/>
5.	5 <input type="checkbox"/>	5 <input type="checkbox"/>	5 <input type="checkbox"/>	5 <input type="checkbox"/>

Remarks:

1. Architectural Style is indicated as Ranch – acceptable for this location.
2. Per Buellton’s Design Guidelines (BDG), P24, Ranch style buildings include porches and are encouraged.
3. Per BDG, P 24-25, roof forms should include gable elements. Deep overhangs are also encouraged. Consider revising roof design.
4. Please provide railing material. Appears to be wrought iron/metal. Reconsider material to comply with ranch style, page 25.
5. Awnings shown do not look typical of Ranch Style. What is material for awnings? Please provide character detail or consider revising to be compliant with design guidelines. See page 26 of BDG.
6. Please provide detailing of design intent for all windows as well as full height window/doors. Do these open completely? Partially? Fall protection? Is a Juliette balcony intended instead? Are you providing wood trim as recommended on page 26 of BDG?
7. Please provide detailing of material transitions (ie. hardie board to stucco).
8. Please provide detailing of elements specific to the project and to communicate design intent. (These do not have to be construction level details.) Typical details include top/bottom of columns, roof eaves, gutters and downspouts, window trims, door trim, awnings/overhangs, railings, parapets, and any other character/project specific features.

*Referenced the Village Specific Plan (VSP) and Buellton Design Guidelines (BDG) for comments.



May 11, 2020

Planning Commission
City of Buellton

Re: Village Senior Apartments

Attn: Clare Barcelona

After reviewing the latest Notice of Public Hearing regarding the Village Senior Apartments, I have some concerns about the project. In that the property is immediately adjacent to Vineyard Village, I foresee parking becoming a major issue. We have 155 units in Vineyard Village Townhomes. Almost every resident has at least two automobiles. The units have two-car garages, but not all residents put two cars in them. A good number of them park on both sides of Valley Vineyard Circle.

With the addition of 25 senior apartments, I estimate this will generate at least 25 to 40 additional automobiles to the senior project. I am certain that by necessity many of the seniors and their visitors will park their cars on Valley Vineyard Circle. This will add to the already unsafe situation with people jaywalking across the street, as well as people opening their car doors into the traffic.

I would like to propose two solutions. First, keep the housing project to 50 units. Second, install No Parking Any Time signs on the west side of Valley Vineyard Circle.

Thank you for reading my concerns.

Sincerely,

Susan Perry
Resident, Vineyard Village