



CITY OF BUELLTON

PLANNING COMMISSION AGENDA

**Regular Meeting of February 18, 2016 – 6:00 p.m.
City Council Chambers
140 West Highway 246, Buellton, California**

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

CALL TO ORDER

Chair Foster Reif

PLEDGE OF ALLEGIANCE

Commissioner Dunstan

ROLL CALL

Commissioners Brian Dunstan, Dan Heedy, Joe Padilla, Vice Chair Art Mercado and Chair Foster Reif

REORDERING OF AGENDA

PRESENTATIONS

None

APPROVAL OF MINUTES

1. Minutes of the regular Planning Commission meeting of January 21, 2016

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

- 2. Resolution No. 16-01 - “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (15-FDP-01) for the Chumash Mixed Use Project Which Includes a Mixed Use Building on 0.76 Acres Located at 560 Avenue of Flags, Assessor’s Parcel Number 137-170-011, and Making Findings in Support Thereof”**
❖ *(Staff Contact: Assistant Planner Andrea Olson)*

NEW PUBLIC HEARINGS

None

OTHER BUSINESS

WRITTEN COMMUNICATIONS

PLANNING COMMISSIONER COMMENTS

PLANNING DIRECTOR REPORT

ADJOURNMENT

To the next regularly scheduled Planning Commission meeting of Thursday, March 3, 2016 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.

AFFIDAVIT OF POSTING

I, Clare Barcelona, City of Buellton Planning Department, declare as follows:

On Thursday, February 11, 2016 by or before 6:00 p.m., I posted a true and correct copy of the Agenda for the Regular Planning Commission Meeting at **6:00 p.m. on Thursday, February 18, 2016**. That in compliance with City Resolution No. 98-19 adopted June 9, 1998, the above listed document was caused to be posted in three (3) places in the City of Buellton.

City Hall
107 West Highway 246
Buellton, CA 93427

Buellton Library/Council
Chambers
140 West Highway 246
Buellton, CA 93427

Albertson's Market
Buellton Town Center
222 East Highway 246
Buellton, CA 93427

Executed on February 11, 2016, at Buellton, California. I declare under penalty of perjury that the foregoing is true and correct.

Clare Barcelona
Planning Commission Secretary

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting, please contact the Planning Department Office at (805) 688-7474 at least 48 hours prior to the meeting to insure that reasonable arrangements can be made to provide accessibility to the meeting.

CITY OF BUELLTON

PLANNING COMMISSION MEETING MINUTES

**Regular Meeting of January 21, 2016 – 6:00 p.m.
City Council Chambers, 140 West Highway 246
Buellton, California**

CALL TO ORDER

Chair Reif called the meeting to order at 5:56 p.m.

PLEDGE OF ALLEGIANCE

Commissioner Dunstan led the Pledge of Allegiance

ROLL CALL

Present: Commissioners Brian Dunstan, Dan Heedy, Vice Chair Art Mercado and Chair Foster Reif

Absent: Commissioner Joe Padilla

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

REORDERING OF AGENDA

None

ELECTION OF OFFICERS

1. Election of Chair and Vice Chair

- Planning Commission Chairman

Motion by Vice Chair Mercado seconded by Commissioner Dunstan to nominate Foster Reif to serve as Planning Commission Chairman for calendar year 2016.
Motion passed with a 4-0 voice vote.

- Planning Commission Vice Chair

Motion by Chair Reif and seconded by Commissioner Dunstan to nominate Art Mercado to serve as Planning Commission Vice Chair for calendar year 2016.
Motion passed with a 4-0 voice vote.

2. Appointments to Committees:

The Planning Commission nominated the following Commissioners to the following Committees for 2015:

A. Community Block Grant Committee (CDBG)
Commissioner Heedy

B. Visioning Steering Committee
Chair Reif
Commissioner Dunstan

C. Sustainability Committee – Green Team
Commissioner Heedy
Vice Chair Mercado

MOTION:

Chair Reif moved and Vice Chair Mercado seconded the motion approving the appointments to committees A-C as listed above for 2016.

VOTE:

Motion passed by a voice vote of 4-0.

PRESENTATIONS

None

APPROVAL OF MINUTES

3. Minutes of the regular Planning Commission meeting of December 3, 2015

MOTION:

Chair Reif moved and Commissioner Heedy seconded the motion to approve the Minutes of December 3, 2015.

VOTE:

Motion passed by 4-0 voice vote.

PUBLIC COMMENTS

None

CONSENT CALENDAR

None

CONTINUED PUBLIC HEARINGS

None

NEW PUBLIC HEARINGS

- 4. **Resolution No. 16-01 - “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (15-FDP-01) for the Chumash Mixed Use Project Which Includes a Mixed Use Building on 0.76 Acres Located at 560 Avenue of Flags, Assessor’s Parcel Number 137-170-011, and Making Findings in Support Thereof”**

RECOMMENDATION:

That the Planning Commission consider the adoption of Resolution No. 16-01 - “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (15-FDP-01) for the Chumash Mixed Use Project Which Includes a Mixed Use Building on 0.76 Acres Located at 560 Avenue of Flags, Assessor’s Parcel Number 137-170-011, and Making Findings in Support Thereof”

DOCUMENTS:

Planning Department Staff Report

STAFF REPORT:

Assistant Planner Andrea Olson presented the staff report recommending that the Public Hearing be continued due to the story poles not being up in a timely manner.

SPEAKERS/DISCUSSION:

Chair Reif opened the Public Hearing at 6:02 p.m.

MOTION:

Chair Reif moved and Vice Chair Mercado seconded the motion to continue the Public Hearing to the February 18th Planning Commission meeting.

VOTE:

Motion passed with a 4-0 voice vote.

OTHER BUSINESS

- 5. **Planning Commission Workshop #2 on The Avenue of Flags Specific Plan**

RECOMMENDATION:

That the Planning Commission provide comments and ideas regarding The Avenue of Flags Specific Plan, to be forwarded to the City Council for review and discussion during a Workshop to be scheduled for February 2016. This is an information item; no formal action is required.

DOCUMENTS:

Planning Department Staff Report with attachments (Attachments 1 through 26, as described in the Staff Report)

STAFF REPORT:

Contract Planner Irma Tucker presented the staff report.

SPEAKERS/DISCUSSION:

Contract Planner Irma Tucker gave a recap of the consensus items that were discussed in the previous workshop including:

- Road alignment and circulation
- Placement of the roundabout
- Public spaces on the medians
- Form based codes are favored
- No roundabout at Damassa Road

The Planning Commission received input from the following persons:

- Peggy Brierton, 225 Teri Sue Lane, Buellton
- Ron Anderson, 374 Kendale Road, Buellton
- Judith Dale, 381 Thumbelina, Buellton
- Pete Robertson, 481 Avenue of Flags, Buellton
- Judi Stauffer, 1610 Cougar Ridge Road, Buellton

The Commission discussed and provided input to the Project Team on the following issues:

- Parking
- Building heights
- Architecture

A detailed summary of the Commissions comments is attached.

WRITTEN COMMUNICATIONS

None

PLANNING COMMISSIONER COMMENTS

None

PLANNING DIRECTOR REPORT

City Manager Bierdzinski updated the Commission on recent City Council actions and the status of various projects.

ADJOURNMENT

Chair Reif adjourned the meeting at 8:30 p.m. to the next regular scheduled meeting of the Planning Commission to be held February 5, 2015 at the City Council Chambers, 140 West Highway 246, Buellton.

Foster Reif, Planning Commission Chair

ATTEST:

Clare Barcelona, Planning Commission Secretary

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

Avenue of Flags Specific Plan
Planning Commission Workshop #2
January 21, 2016

Commissioner Comments

Parking:

Foster Reif - Concerned where parking will be provided

- “Centralized” parking (ie. City parking lot or structure)
- Does not want to have large parking requirements for every commercial development
- Dan Heedy – Impact on Second St. residents
- Potential for patrons parking on Second St., needs to be addressed
- Art Mercado – supports parking garage(s)

Building Heights:

- General consensus on 45’ building height
- Dan Heedy wants to incentivize for the 45’ height limit
- Art Mercado would like a higher building height
- Brian Dunstan – should look into incentivizing, step back buildings, provide natural light

Architecture:

- Vendor buildings - variety in design styles, need to understand their function, engage locals
- Mission Revival – remove from architectural styles
- Pavilion – Looks generic, need to change architectural style to reflect Buellton
- Foster Reif – Wants to allow a small number of unique design/ architectural styles
- Foster Reif – Side diagram of role curb concept to medians
- Event Barn – Overall favorable consensus
- Covered Seating – Heedy, Dunstan, Mercado

Public Speaker Comments

Peggy Brierton:

- Roundabout: Start discussion with Caltrans now
- Concerned w/ permanently closing off roadway between Median 2 and Median 3
- Colored pavement is confusing
- Move tabled crosswalk at center of Second St. intersection

- Median 2: Flip event barn and covered area
- Provide a band shell at the amphitheater
- Diagonal parking instead of building along median at town square to protect pedestrians
- Solar roofing
- Need to coordinate w/local artists for art village
- Supports 45' height limit, taller buildings on the median

Ron Anderson:

- Impressed w/ medians, commended staff on a job well done

Judith Dale:

- Supports 45' height limit
- Concerned w/ land owners rights, limiting opportunities of landowners, work w/ landowners
- Pavilion – concerned w/ functionality
- Roundabout – Start discussions with Caltrans now
- Vintage Walk – try to make it fit w/other surroundings
- Amphitheatre – need to provide shade and cover
- Vendor Building – does not like roll up doors

Pete Robertson:

- Concerned w/ land owner rights, limiting uses
- Median 2 food vendors– concerned about competition w/ private properties
- Keep medians as flexible as possible, no permanent kiosks, more seating
- Parking on medians
- Amphitheatre – not in favor
- Supports 45' height limit

Judy Stauffer:

- Roundabout – Start discussions with Caltrans now
- Art Village – coordinate w/ artist groups, etc., “form needs to follow function”
- Pavilion – Is it functional? “form needs to follow function”
- Supports 3 stories on the Avenue
- Supports move of Library/Post Office to AOF, City presence
- Architectural Styles – too many, only need 1 or 2
- Parking – supports parking structure

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: Andrea Olson, Assistant Planner

Date: February 18, 2016

Subject: Resolution No. 16-01 - “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (15-FDP-01) for the Chumash Mixed Use Project Located at 560 Avenue of Flags, Assessor’s Parcel Number 137-170-011”

BACKGROUND/DISCUSSION

Owner: Chumash Buellton Apartments, LLC
Agent: Sid Goldstien
Zoning: CR (General Commercial)
APN: 137-170-011

The Santa Ynez Valley Band of Chumash Indians, property owner, and Sid Goldstien, agent (“Applicant”) have submitted a Final Development Plan (15-FDP-01) for a mixed use building to be located on vacant land at 560 Avenue of Flags. The project site is located on a 0.76 acre site (approximately 33,105 square feet) on Assessor’s Parcel Number 137-170-011 (Attachment 1 – Vicinity Map). The property is zoned CR (General Commercial). This is the property where a secondary vehicle access/pedestrian access for the Buellton Apartments project was approved. As noted on the plans, the access improvements are labeled as existing and will be constructed as part of the Buellton Apartments project.

The project consists of one building with two stories. The highest point on the building is 35.83 feet. The maximum height permitted is 35 feet. Section 19.02.220.G of the Buellton Municipal Code allows a variable height limit for properties with frontage along Avenue of Flags.

The project consists of 7,911 square feet of commercial space on the first floor and seven apartments on the second floor. The apartments include three studios, two one-bedrooms, and two two bedroom units. All the apartments have balconies. The project consists of the following application:

Final Development Plan (15-FDP-01): Proposal for a mixed use building, including seven apartments and 7,911 square feet of commercial space.

The Final Development Plan is for the approval of the building envelope, site and floor plans and architectural renderings for the two-story mixed use building.

The complete set of project plans is provided as Attachment 2. Attachment 3 includes color renderings. Full size plans have been provided to the Planning Commission. The project is subject to the design requirements of the Mixed Use Ordinance, Chapter 19.18 of the Municipal Code (Attachment 4).

The proposal conforms to the City's general commercial zoning standards as summarized in the following table (reference Buellton Municipal Code sections 19.02.220 and 19.04.142).

Development Standard	General Commercial (CR) Zone Requirements	Proposed Project
Minimum Lot Size	None required	0.76 acres
Front Setback	None Required	2 feet
Side Setback	None Required	3 feet
Rear Setback	10% of lot depth, to 10 ft. maximum	7 feet to parking 130 feet to building
Floor Area	No maximum	7,911 sf of commercial 6,423 sf of residential
Site Coverage	No Maximum	23.8% Building (87.9% total)
Height Limit	35 feet	35.83 feet
Landscaping	5% of the net lot area, 15% per Mixed Use Regulations	15%
Parking	One Bedroom Units: 1 space per unit Two Bedroom Units: 2 spaces per unit Visitor Parking: 1 space per 5 units Commercial: 1 space per every 300 sf Total Required: 37 spaces	40 spaces (Including 1 van and 1 auto accessible space, plus 1 loading space)
Open Space	250 sf per residential unit (1,750 sf total)	1,394 (Balconies) 8,997 (Adjoining Playground)
Density	10 units per acre	9.2 units per acre (7 units on 0.76 acres)

Architecture

The architecture of the project is considered Agrarian as described in the Community Design Guidelines. The architecture and colors are meant to compliment the architecture of the Buellton Apartments. A color and materials board will be provided at the Planning Commission meeting.

Affordable Housing Requirement

The maximum density for a mixed use project in the General Commercial zone is 10 units per acre. Seven units is the maximum permitted at this site. The inclusionary zoning regulations require that 15% of the residential units be affordable, which means 1.05 units should be affordable. Since the project is small, an in-lieu fee may be paid instead of providing the one affordable housing unit. Staff is in support of payment of the fee.

Parking

Pursuant to the City's parking standards, the project is required to provide 37 parking spaces. 40 spaces are provided, including one van and one auto accessible space plus one loading space.

Landscaping and Irrigation

The Mixed Use regulations require at least 15% of the net lot area to be landscaping. The project meets this requirement. Conceptual landscape and irrigation plans have been included in the plans.

Open Space

All apartment units include a balcony. The square footage of each balcony is included as part of the total for the required 250 square feet of open space per residential unit. The remaining open space required is provided by the adjoining playground that will be a joint-use facility shared with the Buellton Apartments. A joint-use agreement will need to be executed and is included as a condition of approval.

General Plan Policy Consistency

The project is consistent with the following General Plan Land Use Element policies.

- L-3 Encourage locally serving businesses such as grocery stores, pharmacies, hardware stores, banks, day care, dry cleaning, and post offices, as well as schools, parks and social centers to locate within easy walking distance (generally ½ mile) of residences. Similarly, new residential neighborhoods should remain within easy walking and bicycling distance from the City center.

The project is located on the Avenue of Flags.

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

Adequate public services are available.

- L-8 New development and changes in existing use should adhere to the pattern of land use recommended in the Avenue of Flags/Highway 246 Urban Design Plan for the Avenue of Flags Revitalization Area (refer to Figure LU-6 and the discussion

of the Urban Design Plan in the introduction). Non-conforming uses should be encouraged to relocate elsewhere at locations appropriate to the use. Vertical and horizontal mixed-use development should be encouraged in relation to lot depth, and a commercial orientation shall be maintained along the street frontage of the Avenue.

The project is consistent with the Avenue of Flags/Highway 246 Urban Design Plan. The commercial portion of the project is oriented along the Avenue of Flags. In addition, a mixed use project also meets the intent of the vision for the Avenue of Flags as part of the in process Avenue of Flags Specific Plan.

- L-19 The form, scale and character of new residential development should be compatible with the existing development context (e.g., density, design features, etc.) of adjacent development areas.

The project meets the zoning requirements as to setbacks, etc., and the architectural design is consistent with the surrounding area, including the adjacent Buellton Apartments project. The height of the building is slightly more than the maximum allowed height in the CR zone, however, such a slight increase will not detract from the scale and character of adjacent development areas.

- L-23 For property with a General Commercial (GC) land use designation and frontage upon Avenue of Flags or Highway 246, new residential development may only be allowed: (i) as part of mixed use projects, subordinate in character and scale to principal permitted commercial uses; (ii) located above or behind commercial uses facing the street; and (iii) where sufficient vehicle access and parking is provided for both residential and commercial uses. Exemptions to this policy may only be granted by a majority vote of the City Council when all of the following findings can be made: (i) compelling public interests are served (e.g., provision of affordable housing) or circumstances particular to a project or site warrant such an exemption (e.g., site characteristics, development constraints, neighborhood compatibility, environmental setting, community benefits and other relevant factors); (ii) the viability of the remaining commercial corridor is not jeopardized; and (iii) the City's economic and fiscal goals are not compromised.

The residential portion of this project is located on the second floor, above the commercial portion. Adequate vehicle access and on-site parking is provided for both uses.

- L-24 New commercial development shall be encouraged in Buellton along Avenue of Flags and Highway 246. In general, new commercial development should provide a wider range of retail shopping opportunities for the community.

This project provides additional space for commercial uses along the Avenue of Flags.

- L-29 Residences shall be allowed in conjunction with compatible commercial development on land designated General Commercial. The City shall encourage

mixed use development as outlined in Program 3 of the Housing Element by adopting a variable limit for mixed use units, increasing allowed building heights, allowing off-street parking credits for on-street and shared parking, and using a density definition that is adjustable for unit sizes. The mixed use development shall only occur in the General Commercial (CR) designation.

This project is in a General Commercial (CR) zone. The slight increase in allowed building height to 35.83 feet would not be inconsistent with this policy.

- L-30 New development should be required to incorporate streetscape features promoted in the Avenue of Flags/Highway 246 Urban Design Plan or otherwise contribute toward the cost of installing such features along the property frontage. New development should also adhere to planning principles promoted in the Avenue of Flags/Highway 246 Urban Design Plan: storefronts should be sited close to the street to better define the street edge and building frontages at street level should be appropriately designed at a human scale.

The first floor commercial portion is located close to the street.

Planning Commission Concerns

In April 2015, the Planning Commission reviewed the conceptual project and had several concerns that were included in the April 3, 2015, letter on the project.

- The Commission suggested that the applicant consider stepping the building finish floor elevations to better meet the property contours.
The applicant has responded that stepping the building would limit the size of the commercial spaces. Therefore, they have not stepped down the building and are requesting Planning Commission concurrence.
- The plan shall be revised to provide safer pedestrian access from Avenue of Flags.
An opening in the retaining wall has been provided along the Avenue of Flags to allow for safe pedestrian access. Stairs are also included.
- More street trees shall be added.
Four Australian Flame Trees have been added to the plans. These trees will be located along the street frontage and will provide shade and increased aesthetics along the Avenue.
- It may be possible to consider the Buellton Apartments and the mixed use project as one project in order to provide shared open space and landscaping.
The projects are not considered to be one project, however, the applicant has requested that the open space/park of the Buellton Apartments project be shared with the mixed use project. Staff is agreeable to this request provided that a joint use agreement with the Buellton Apartments be recorded. The required landscaping has been met for the project on the site itself.

ENVIRONMENTAL REVIEW

In accordance with the requirements of the California Environmental Quality Act (“CEQA”), Public Resources Code sections 21000 et seq., the State CEQA Guidelines, 14 California Code of Regulations sections 15000 et seq., and the CEQA Guidelines of the City of Buellton, and due to the nature of the project, its location and conditions of approval, the project is a Class 32 Categorical Exemption (Infill Development) from the requirements of CEQA as the project is located on a vacant parcel within an already built-up area with services and infrastructure already in place.

RECOMMENDATION

That the Planning Commission consider the adoption of Resolution No. 16-01 - “A Resolution of the Planning Commission of the City of Buellton, California, Approving a Final Development Plan (15-FDP-01) for the Chumash Mixed Use Project Located at 560 Avenue of Flags, Assessor’s Parcel Number 137-170-011”.

ATTACHMENTS

Resolution No. 16-01

Attachment 1 – Vicinity Map

Attachment 2 – Architectural, Landscape, and Civil Plans

Attachment 3 – Color Renderings

Attachment 4 – Mixed Use Regulations

PLANNING COMMISSION RESOLUTION NO. 16-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING A FINAL DEVELOPMENT PLAN (15-FDP-01) FOR THE CHUMASH MIXED USE PROJECT LOCATED AT 560 AVENUE OF FLAGS, ASSESSOR'S PARCEL NUMBER 137-170-011

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 the Santa Ynez Band of Chumash Indians, property owner, and Sid Goldstien, agent, hereinafter referred to as "Applicant", requesting approval to develop the Chumash Mixed Use project, a mixed use building located on vacant land at 560 Avenue of Flags (APN 137-170-011). The subject property is currently zoned CR (General Commercial).

SECTION 2: The proposed Project consists of:

A. Final Development Plan (15-FDP-01): Approval of a two-story mixed use building, including 7,911 square feet of commercial space on the first floor, seven apartments on the second floor (three studios, two one-bedrooms, and two two-bedroom units), and 40 parking spaces on the 0.76 acre project site. The subject property is planned and zoned for General Commercial (CR). The project is generally consistent with City standards; the following item requires a Development Plan Modification in accordance with Municipal Code Section 19.08.120 (G) which allows the Planning Commission to modify code requirements when it finds that such modifications are justified.

- A modification to the maximum height limit of 35 feet in order to allow a height increase for the building to 35.83 feet.

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 February 18, 2016 ("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 15-FDP-01 and the set of project plans dated September 25, 2015.
 - b. The staff report dated February 18, 2016.

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

1. A notice of PC Public Hearing was published in a newspaper of general circulation on January 7, 2016 (the “PC Public Notice”), a minimum of 10 days in advance of the PC Public Hearings conducted on January 21, 2016, and February 18, 2016.
2. The PC Public Notice was mailed to the Applicant, affected public agencies, persons owning property within 300 feet of the Project site and others known to be interested in the matter on January 7, 2016, a minimum of 10 days in advance of the PC Public Hearings.
3. The PC Public Notice was posted in three public locations on January 7, 2016, a minimum of 10 days in advance of the PC Public Hearings.

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

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

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 (15-FDP-01).

a. Findings:

- i. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed.
- ii. That adverse impacts are mitigated to the maximum extent feasible; the project is exempt from environmental review as a Class 32 Categorical Exemption, and no adverse impacts were identified.
- iii. That streets and highways are adequate and properly designed pursuant to the requirements of the City Engineer. The Fire Department has approved the circulation system from a Fire Department perspective.
- iv. That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the Project. The Public Works Department is able to provide water and sewerage service to the Project. The Fire Department has provided conditions of approval to address their concerns. The Sheriff's Department has no concerns with the Project.
- v. That the Project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will be compatible with the surrounding area.
- vi. That the project is in conformance with the applicable provisions of Title 19 of the Municipal Code and the General Plan. With imposition of the conditions of approval, the project complies with both the General Plan and Title 19 (Zoning).
- vii. That the project will not conflict with any easements required for public access through, or use of, a portion of the property.
- viii. That the proposed development is in conformance with the Agrarian architectural style as described in the Community Design Guidelines.

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 height limit modification only requires a slight increase from the maximum allowed 35 feet to 35.83 feet.
- ii. The increased height would not be incompatible with the surrounding area because: the proposed building heights are comparable to the future Buellton Apartments that will be located directly to the east of the project site. The height of the building would be less than 1 foot higher than some of the surrounding buildings that are a part of the Buellton Apartments project.
- iii. The increased height conforms with other applicable provisions of Title 19 (Zoning), with the general plan and with the Community Design Guidelines.

SECTION 4: Based on the findings set forth in Sections 2 and 3, and subject to the conditions attached hereto, the Planning Commission hereby approves the Final Development Plan 15-FDP-01 subject to the attached conditions.

PASSED, APPROVED and ADOPTED this 18th day of February 2016.

Foster Reif
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. 16-01 was duly approved by the Planning Commission of the City of Buellton at a meeting held on the 18th day of February 2016, by the following vote, to wit.

- AYES: ()
- NOES: ()
- ABSENT: ()
- NOT VOTING: ()

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of February, 2016.

Clare Barcelona
Planning Commission Secretary

CONDITIONS OF APPROVAL

CHUMASH MIXED USE PROJECT FINAL DEVELOPMENT PLAN 15-FDP-01

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 the Santa Ynez Band of Chumash Indians, property owner, and Sid Goldstien, agent (the “Applicant”) for Final Development Plan 15-FDP-01 for the Chumash Mixed Use Project, a mixed-use building on a 0.76 acre parcel with 7,911 square feet of commercial space on the first floor and seven apartments on the second floor (“the Project”). The Project is located at 560 Avenue of Flags, Assessor’s Parcel Number 137-170-011 (the “Property”). The Project plans that are included in this approval are dated September 25, 2015. The approved color palette is on the color elevations date stamped February 18, 2016 and 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 the Santa Ynez Band of Chumash Indians, 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 the Santa Ynez Band of Chumash Indians, 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.** The Applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures) (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, arising from or in connection with the approval, decision or action of the City Council, Planning Commission, or other decision-making body, or staff action concerning the Project, including but not

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

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

12. **Access to Records and Facilities.** As to any condition that requires for its effective enforcement the inspection of records or facilities by City or its agents, the Applicant shall make such records available or provide access to such facilities upon reasonable notice from City.
13. **Payment of Fees.** All applicable fees associated with development of the Project shall be paid by the Applicant at the time such fees become payable as provided by Buellton Municipal Code or otherwise stipulated in this approval (whichever date is sooner), and the amount payable shall be based on 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.

C. ENGINEERING CONDITIONS

PRIOR TO GRADING PERMIT ISSUANCE:

15. **Improvement Plans.** Applicant shall cause to be prepared by a Civil Engineer, registered in the State of California, grading and utilities improvement plans, including, but not limited to, street, water, sewer, and storm drain improvements. An engineering cost estimate shall be submitted with the grading and improvement plans along with any calculations, signed/stamped certifications and plan check processing fees.
16. **Improvement Plan Requirements.** Plans for the frontage improvements shall be drawn by a California Registered Civil Engineer. Drawings shall be prepared on 24-inch by 36-inch mylar (4 mil) showing all proposed improvements including, but not limited to, curbs, gutters, sidewalks, paving, driveway cuts, storm drains, street lights, utilities, and street trees.
17. **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.

18. **Erosion Control Plan.** Erosion Control Plans shall be completed and submitted to the City Engineer for review and approval. Appropriate BMP measures shall be undertaken at *all* times. This shall be in compliance with the Regional Water Quality Control Board requirements. NOI shall be filed. A SWPPP shall be developed for the project site by a certified QSD, draft copy shall be submitted for review prior to issuance of the grading permit. SWPPP shall be on-site at all times. Implementation shall be performed by a QSP.
19. **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.
20. **RWQCB.** 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 maintenance/water quality control plan shall be submitted and 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.

21. **Fire Department Review.** Applicant shall submit improvement plans for concurrent review with the Santa Barbara County Fire Department and shall provide documentation of submittal along with grading and utility improvement plans to the City Engineer. A copy of the Fire Department approval shall be submitted prior to issuance of grading permit.

22. **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.
23. **Mylars.** Upon approval of the final plans, the applicant shall furnish original stamped mylars to the City Engineer for signature and reproduction for permitting purposes. A final Engineer's estimate shall be prepared (updated from the original submittal and shall utilize prevailing wage rates) and permit/inspection fees paid.
24. **Sureties.** A faithful performance and labor/material bond for the grading and utilities (each to be equal to 100% of the final City Engineer's estimate of costs, which shall include a 20% contingency), or equivalent form of guarantee, shall be posted by the applicant. The bonds shall remain in effect until the completion of the project and a certificate of occupancy has been issued, at which time, 10% of the bond shall be retained for a warranty period of 1 year after the City has approved a Notice of Completion and after receipt/approval of the As-built Record Drawings.
25. **Geotechnical Engineer.** A geotechnical engineer or geologist licensed in the State of California shall provide guidance during grading operations and shall certify constructed pads and ensure all mitigation measures are properly implemented. Certifications and final reports shall be submitted to the City Engineer for approval.
26. **CLOMR.** The applicant shall process a Conditional Letter of Map Revision (CLOMR) with FEMA to remove the project site from the flood zone. Reasonable progress shall be made prior to issuance of the grading permit, such that certainty to approval can be reached. CLOMR will need to be approved and accepted by FEMA prior to issuance of Certificate of Occupancy.

PRIOR TO BUILDING PERMIT ISSUANCE:

27. **Grading Permit.** The applicant shall obtain a grading permit from the City Engineer prior to obtaining a building permit.
28. **Rough Grading.** Rough grading certification by the geotechnical engineer shall be approved by the City Engineer prior to obtaining a building permit.
29. **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.
30. **Traffic Fees.** The applicant shall pay Traffic Mitigation Fees and other applicable fees prior to occupancy.

PRIOR TO OCCUPANCY CLEARANCE:

31. **Completion of Improvements.** The applicant shall complete all required improvements to the satisfaction of the City Engineer. The applicant shall furnish the mylar or a reproducible copy of the improvement plans to the City Engineer, modified to reflect field changes made during construction and stamped “As-Built Record Drawings.”
32. **Water and Sewer Fees.** The applicant shall pay water and sewer utilities fees from the Public Works Department prior to occupancy. In addition, all pretreatment and FOG compliance requirements must be in place prior to payment of water/sewer fees and occupancy.
33. **Joint-Use Agreement.** A Joint-Use Agreement shall be executed between APN 137-170-053 and 137-170-011 for the shared-use of the adjoining playground that is part of the Buellton Apartments project.
34. **Payment of Fees.** All fees and any unpaid balances from plan check or inspection and permits, shall be paid in full.

GENERAL CONDITIONS:

35. **City Standards.** Unless superceded by Caltrans all public improvements shall be designed and constructed in conformance with The City of Buellton Standards, and when applicable, the Santa Barbara County Standards.
36. **Utility Easements.** Existing and proposed easements for all utilities shall be located and described on the engineering plans.
37. **Utility Locations.** All utilities shall be shown on the plans. Proposed water and sewer lines shall be highlighted. Lines on-site shall be maintained as private.
38. **Access.** Main access to the building shall be from the Avenue of Flags. Access at this location is shared with Buellton Apartments project as secondary access; used primarily for emergencies for that project.

D. PLANNING CONDITIONS

39. **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.
40. **Performance Standards.** The design, operation, and use of the Project and

Property shall comply with all outdoor storage, trash collection design, performance standards, landscaping requirements, and lighting provisions of the Buellton Municipal Code. All exterior lighting shall be located and designed so as to avoid creating substantial off-site glare, light spillover onto adjacent properties, or upward illumination into the sky. In addition, the Property shall be maintained in strict compliance with the following additional standards:

- a. Use Limitations. No building or other improvement upon the Property shall be constructed, maintained, or used for any purpose other than that which is allowed by the Buellton Municipal Code or otherwise stipulated in the conditions of approval herein. Furthermore, the Property shall be maintained in strict compliance with the following additional standards:
 - (1) Unobstructed Access. All driveways and areas designated for off-street parking shall remain accessible at all times. Except as allowed by revocable license approved by the City, parking shall not be allowed on driveways at any time.
 - (2) Vehicle Repair. No disassembly, repair or any other work shall be performed on any vehicle, machine, motor, appliance or other similar device shall be allowed on any portion of the Property 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.

41. **Mixed Use Performance Standards.**

a. **CC & Rs.** CC&Rs are required for all mixed-use projects and shall include provisions notifying future residential tenants and owners of the potential noise and nuisance impacts of living in a mixed-use project.

b. **Outdoor Lighting.** Outdoor lighting shall be shielded in a manner that prevents a direct line between its luminary and any residentially zoned or residentially developed parcel. Within fifty (50) feet of a residentially zoned parcel, lighting shall be installed no higher than twenty (20) feet above the ground directly below the light fixture. Outdoor lighting shall not exceed the following levels:

1. One-half foot-candles at the property line if the subject property abuts a residential zoning district.

2. Two foot-candles at the property line if the subject property abuts a nonresidential zoning district.

c. **Glare and Heat.** Glare and heat from arc welding, acetylene torch cutting, or similar processes shall be contained within a completely enclosed and vented building.

d. **Odors.** The odors released from any operation or activity shall not exceed detectable concentrations beyond any lot lines. Commercial or industrial uses with attached residential units provide state-of-the-art ventilation systems to prevent odors from penetrating the attached residential units.

e. **Vibration.** No use, activity, or process shall produce vibrations that are perceptible without instruments at the property line for more than three minutes in any one hour of the day between the hours of 8:00 a.m. and 9:00 p.m. No use, activity, or process shall produce any vibrations between the hours of 9:00 p.m. and 8:00 a.m.

f. **Hours of Operation.** Unless otherwise approved through a Development Plan, the hours of operation for any commercial or industrial component of a mixed-use project with a residential component, except live-work/work-live units, shall not begin before 7:00 a.m. or continue after 9:00 p.m. These hours of operation shall include other activities directly related to the operation of the commercial or industrial component, including, but not limited to, deliveries and cleaning activities. Projects within the Avenue of Flags Urban Design Area are exempt from the time limitations of this section, except that deliveries and cleaning

activities shall not occur before 6:00 a.m. or after midnight. However, normal indoor cleaning functions are not subject to these time limitations.

g. **Outdoor Work.** All work shall be performed entirely indoors unless otherwise approved through the development plan. Any outdoor work allowed through a development plan shall not be performed in designated parking areas, drive aisles, or landscape areas. All approved outdoor work areas shall not be counted as required open space or landscaping.

h. **Flammable, Explosive, and Combustible Materials.** The use or storage of flammable, explosive, or combustible materials shall at all times comply with the adopted Uniform Fire Prevention Code, California Building Code, and all other applicable adopted ordinances or regulations of the city of Buellton, county of Santa Barbara, state of California, and the federal government.

i. **Noise.** All mixed-use projects shall comply with the adopted noise regulations of the city of Buellton.

j. **Staircases.** All stairways that connect adjacent levels, stories or floors shall be provided with an intermediate landing at the mid-height level and shall otherwise comply with all other applicable building code provisions in effect at the time of submittal application. Alternatively, elevators may be provided.

k. **Three-bedroom Units.** A maximum of five percent of the dwelling units may be three-bedroom units. Percentages shall be rounded to the nearest whole number. Four-bedroom and more units are prohibited.

42. **Fire Department.** The Project is located within the jurisdiction of the County Fire Department and shall comply with all applicable standards of that agency.
43. **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.
44. **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.

45. **Standard Dust Control Procedures.** During clearing, grading, earth moving, or excavation operation, excessive fugitive dust emissions shall be controlled by regular watering, paving construction roads, or other dust preventive measures such as using the following procedures:

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- Gravel pads must be installed at all access points to prevent tracking of mud on to public roads.
- If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading for the structure.
- Prior to land use clearance, the applicant shall include, as a note on a separate informational sheet to be recorded with map, these dust control requirements. All requirements shall be shown on grading and building plans.

46. **Construction Hours.** Construction shall be limited to the hours of 7:00am to 5:00pm, Monday through Friday. Equipment maintenance and servicing shall be confined to the same hours. Weekend construction and other exceptions shall require special approval from the Planning Director, in consultation with the City Engineer, and be limited to the hours of 9:00am to 4:00pm. 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.

47. **Truck Delivery Limitations.** Truck deliveries to commercial uses on mixed-use development sites shall be limited to between the hours of 8:00AM and 5:00PM on weekdays and 9:00AM and 4:00PM on Saturdays. No deliveries shall occur on Sundays.
48. **Truck Idling Limitations.** The owners or operators of commercial uses on mixed-use development sites shall post a sign at each loading area which states that the idling time for delivery truck engines shall be limited to no more than three minutes.
49. **Disclosure of Nuisance.** Upon the transfer of residential property on mixed-use sites, the transferor shall deliver to the prospective transferee a written disclosure statement which shall make prospective home buyers or renters aware that although potential impacts or conflicts between commercial and residential uses (e.g., noise) may be lessened by proper maintenance, some level of incompatibility between the two uses would remain.
50. **APCD Permits.** Prior to occupancy, APCD permits must be obtained for all equipment that requires an APCD permit. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boiler/large water heaters whose combined input rating exceeds 2.0 million BTUs per hour.
51. **Rule 360 Emissions Compliance.** Small boilers and water heating units (rated between 75,000 and 2.0 million BUT/hr) must comply with the emission limits and certification requirements of APCD Rule 360. Please see www.sbapcd.org/eng/boiler/rule_360.htm for more information and list of certified boilers (note: any units fired on fuels other than natural gas must be certified by the SBAPCD on a case-by-case basis, even if the unit is certified when fired on natural gas).
52. **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.
53. **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.

54. **Community Design Guidelines.** The Project shall be in conformance with the Community Design Guidelines.
55. **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.
56. **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.
57. **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.
58. **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.
59. **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.
60. **Approval.** Approval of 15-FDP-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.

61. **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.
62. **Affordable Housing.** Inclusionary Zoning requires the project to provide 1.05 units of affordable housing, or pay an in-lieu fee. An in-lieu fee of \$59,087.50 shall be paid prior to the issuance of the building permit.
63. **Parking.** A total of 37 parking spaces are required for the Project. This includes one space each for the studio units (3 spaces), one space each for the 1-bedroom units (2 spaces), two spaces each for the 2-bedroom units (4 spaces), 2 guest spaces, and one space per every 300 square feet of commercial space (26 spaces). 40 parking spaces are proposed. This includes 1 van accessible, 1 auto accessible, and 1 loading space.
64. **Signage.** Signage for the project will require a separate Zoning Clearance from the Buellton Planning Department.
65. **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 Agrarian.
66. **Masonry Block.** All masonry walls shall be split face block.
67. **Bike Racks.** Bike racks to accommodate 5 bicycles shall be provided as shown on the project plans.

68. **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.
69. **Green Building Standards.** Green building features above the mandatory green building code requirements of the County of Santa Barbara shall be incorporated into the project where feasible.
70. **Second Story Balconies.** A minimum of 50% of the upstairs units shall have usable balcony areas.
71. **Enclosed Storage.** A minimum of 200 cubic feet of enclosed storage shall be provided for each unit.

F. FIRE DEPARTMENT CONDITIONS

The following Fire Department conditions are imposed with the understanding that the Fire Protection Certificate application(s) may involve modifications, which may determine additional conditions.

72. **Access Ways.** All access ways shall be installed, made serviceable and maintained for the life of the project.
 - Roadway shall have a minimum width of 24 feet.
 - 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.
73. **Temporary Address Posting.** Temporary address posting is required during construction. Inspections will not be completed without temporary address posted.
74. **Temporary Addresses.** Temporary address posting is required during construction.
75. **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.
76. **Fire Extinguishers.** Portable fire extinguishers are required and shall be in accordance with the current adopted Santa Barbara County Code Chapter 15.
77. **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.
 - Fire Department Connection (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.
78. **Fire Department Connection.** The fire department connection shall be clearly visible from the access road or driveway. Provide unobstructed access from the roadway to the fire department connection. Clearance around the fire department connection shall be a minimum of 3 feet.
- Clearance shall be maintained for the life of the project.
79. **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.
80. **Addresses.** Recorded addressing for the buildings, residences and suites is required by the fire department.
81. **Address Numbers.** Address numbers shall be a minimum height of 12 inches for buildings; 4-inches for suites and residences.
- Address number location(s) 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.
82. **Entry System.** A Knox Box entry system shall be installed.
83. **Fees.** The applicant will be required to pay Fire Department Development Impact Mitigation Fees. In accordance with Chapter 15 of the Santa Barbara County

Code, the fee shall be computed per square foot of occupied space in each new building. Payment shall be made according to the schedule of fees in place on the dates fees are paid.

Residential-Other Residential Housing	\$0.75 per square ft
Nonresidential-Retail/Commercial	\$0.77 per square ft

Final occupancy clearance inspection will not be scheduled unless fees have been paid.

84. **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.

If you have any questions or require further information, please call Fred Tan at 805-681-5527 or 805-681-5523.

G. COUNTY OF SANTA BARBARA BUILDING DIVISION CONDITIONS

The following information will be required at submittal of building permit application and plans.

85. **Geology Report.** A Geology report prepared and signed by a California licensed geologist will be required.
86. **Soils Report.** A soils report to include an assessment and conclusion of the potential for liquefaction will be required. At a minimum, one boring to a depth of 50' will be required.
87. **Egress Plan.** A separate, detailed egress plan 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.
88. **Emergency Escape.** Provide emergency escape and rescue openings to the bedrooms on the 2nd floor at the northeast elevation located in close proximity to the property line which comply with the requirements of the California Building Code. Such openings shall open directly into a public way or to a yard or court that opens to a public way. Yard, as defined in the 2013 CBC is an open space, other than a court, unobstructed from the ground to the sky, except where specifically provided by the code, on the lot on which the building is situated.

Openings on the first and second floor will be required to comply with CBC Table 705.8 for maximum area of exterior wall openings based on fire separation distance and degree of opening protection.

It appears at least 2 exits are required from the first and second floors. The capacity of that means of egress required from any story shall not be reduced along the path(s) of accessible egress travel until arrival at the public way. It appears a second ramp from the upper level at the first floor to grade will be needed.

Encroachments (i.e.: out swinging doors in close proximity of the site retaining wall) into the required means of egress shall be in accordance with section 1005.7 of the CBC in affect.

89. **Fire Area Plan.** Provide a complete, independent plan which graphically delineates all fire areas, fire walls, fire barriers, horizontal fire-resistive assemblies, and/or fire partitions on the plans. Label all fire-resistive corridors, shafts, incidental use areas, etc. Cite code sections indicating reasons assemblies are rated. 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 and protection of openings and penetrations 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.
90. **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. Please differentiate the residential parking versus commercial parking and provide accessible parking in compliance with CBC 11A and CBC 11B as required.

In this elevator building, the second floor is considered a ground floor and all dwelling units on this floor are considered "Covered Dwelling Units". The dwelling units must be on an accessible route and adaptable. Fully detail all accessibility requirements.
91. **City Conditions.** Incorporate all City of Buellton discretionary conditions of approval and department condition letters into the plans.
92. **CA Green Code.** Incorporate compliance with the applicable CA Green Code in the plans, to include commissioning (if applicable). Incorporate compliance with

the requirements of the Energy code in effect at the time of submittal to include commissioning.

- 93. **Flood Plain Conditions.** Incorporate the conditions of approval by the Flood Plain Administrator into the plans.
- 94. **Emergency Building Standards Compliance.** Incorporate into the plans compliance with the emergency building standards for outdoor landscape irrigation which became effective June 1, 2015.
- 95. **Signed 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.

If you have any questions or require further information, please call Beth Brooke, Plans Examiner, County of Santa Barbara, at 805-934-6238 (phone), or 805-935-6258 (fax).

H. FINANCE DEPARTMENT CONDITIONS

- 96. **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.
- 97. **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

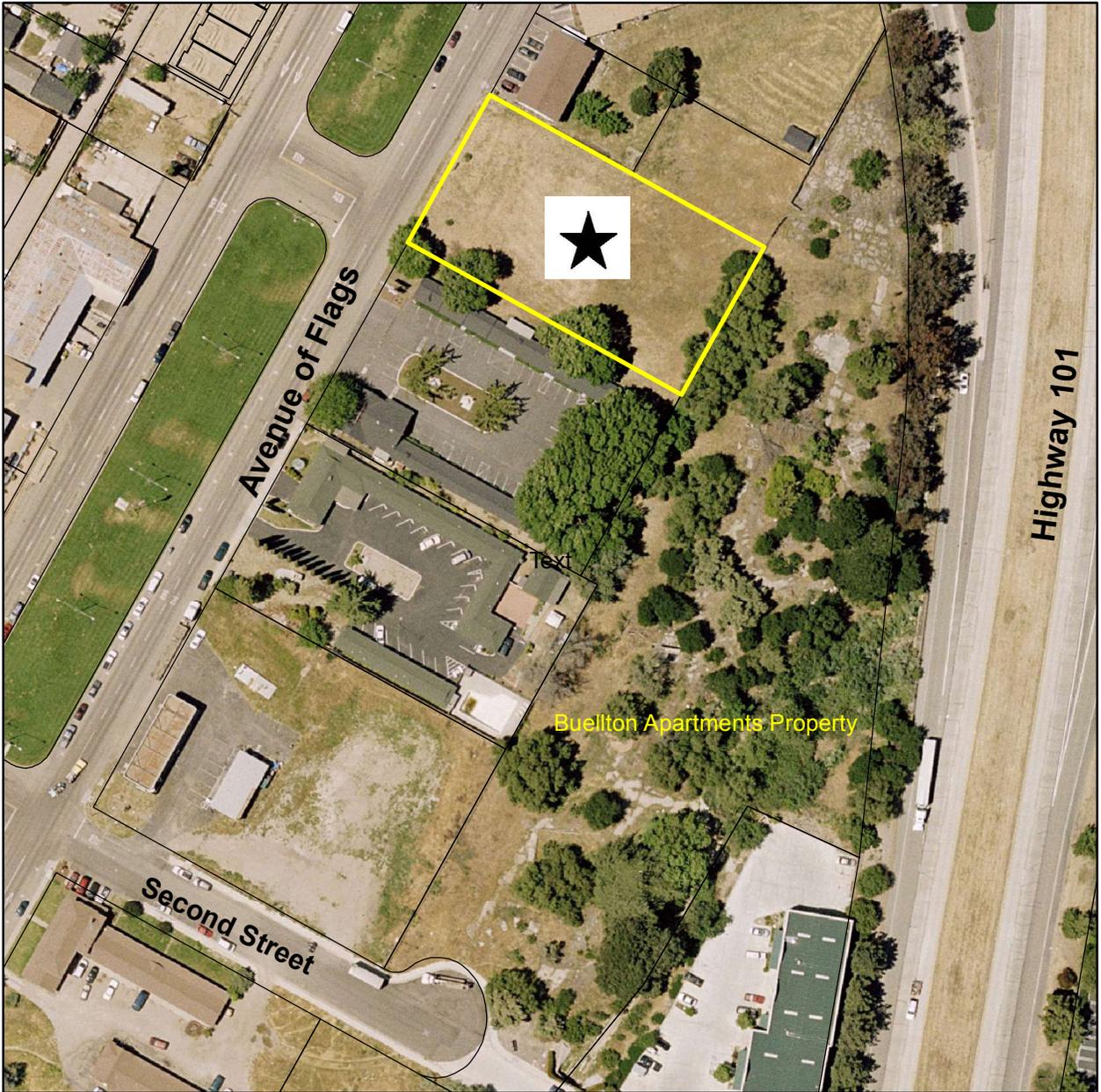
Date

Project Applicant/Agent/Representative Signature

Date

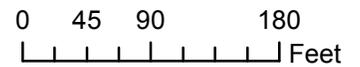


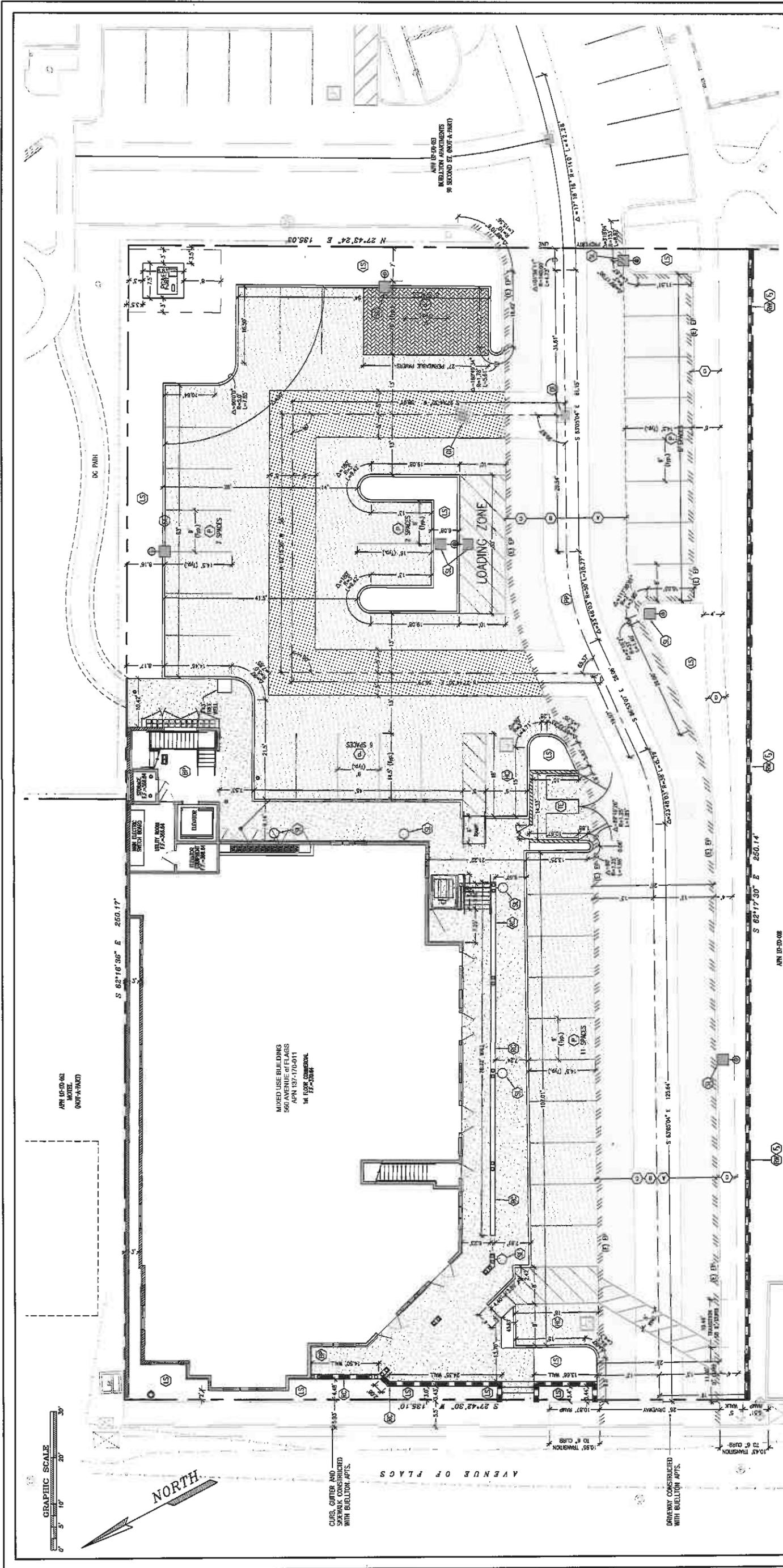
Vicinity Map



Legend

-  City Parcels
-  Mixed Use Project Location





EXISTING IMPROVEMENTS:

APN 137-170-011 ARE TO BE CONSTRUCTED AS PART OF THE IMPROVEMENTS SHOWN ON A.P.N. 137-170-011 ARE TO BE CONSTRUCTED AS PART OF THE IMPROVEMENTS SHOWN ON A.P.N. 137-170-053. THESE EXISTING IMPROVEMENTS INCLUDE THE 25' WIDE PAVED DRIVEWAY (WITH 10 PERMEABLE PAPER CUTTER AND CHANNEL INFILTRATION TRENCH WITH SUBDRAIN), 8 PAVED PARKING SPACES, THE 6" PVC PUBLIC WATER MAIN, THE 18" STORM DRAIN PIPES AND CATCH BASINS, AND THE CONCRETE SIDEWALK AND CHU REPAIRING WALL ALONG THE SOUTH PROPERTY LINE.

APN 137-170-053 ARE TO BE CONSTRUCTED AS PART OF THE IMPROVEMENTS SHOWN ON A.P.N. 137-170-053. THESE EXISTING IMPROVEMENTS INCLUDE THE 25' WIDE PAVED DRIVEWAY (WITH 10 PERMEABLE PAPER CUTTER AND CHANNEL INFILTRATION TRENCH WITH SUBDRAIN), 8 PAVED PARKING SPACES, THE 6" PVC PUBLIC WATER MAIN, THE 18" STORM DRAIN PIPES AND CATCH BASINS, AND THE CONCRETE SIDEWALK AND CHU REPAIRING WALL ALONG THE SOUTH PROPERTY LINE.

- LEGEND**
- (1) BRUSH (SEE ARCHITECT'S PLANS)
 - (2) BICYCLE PARKING (SEE ARCHITECT'S PLANS)
 - (3) IRON INLET
 - (4) FENCE (SEE ARCHITECT'S PLANS)
 - (5) FIRE HYDRANT
 - (6) CRILL
 - (7) ACCESSIBLE PARKING SPACE
 - (8) LANDSCAPE AREA
 - (9) MAN BOX
 - (10) MOTORCYCLE PARKING
 - (11) PARKING
 - (12) PAVEMENT CURBMENT
 - (13) PERMEABLE PAPER CUTTER (SEE ARCHITECT'S PLANS)
 - (14) POND TABLE
 - (15) CONCRETE RETAINING WALL
 - (16) CHU REPAIRING WALL
 - (17) STORM DRAIN PIPE
 - (18) STREET LIGHT (SEE PLANS BY IRMA ELECTRIC)
 - (19) PROPOSED 6" SEWER MAIN (SEE CE-07)
 - (20) HANGY ENCLOSURE (SEE ARCHITECT'S PLANS)
 - (21) PROPOSED WATER LINES (SEE CE-07)
 - (22) WATER METER
 - (23) EXISTING AC PAVEMENT
 - (24) EXISTING CONCRETE WALLS
 - (25) EXISTING PERMEABLE PAVEMENT
 - (26) NEW AC PAVEMENT
 - (27) NEW CONCRETE WALLS
 - (28) NEW PERMEABLE PAVEMENT

PROPOSED EASEMENTS

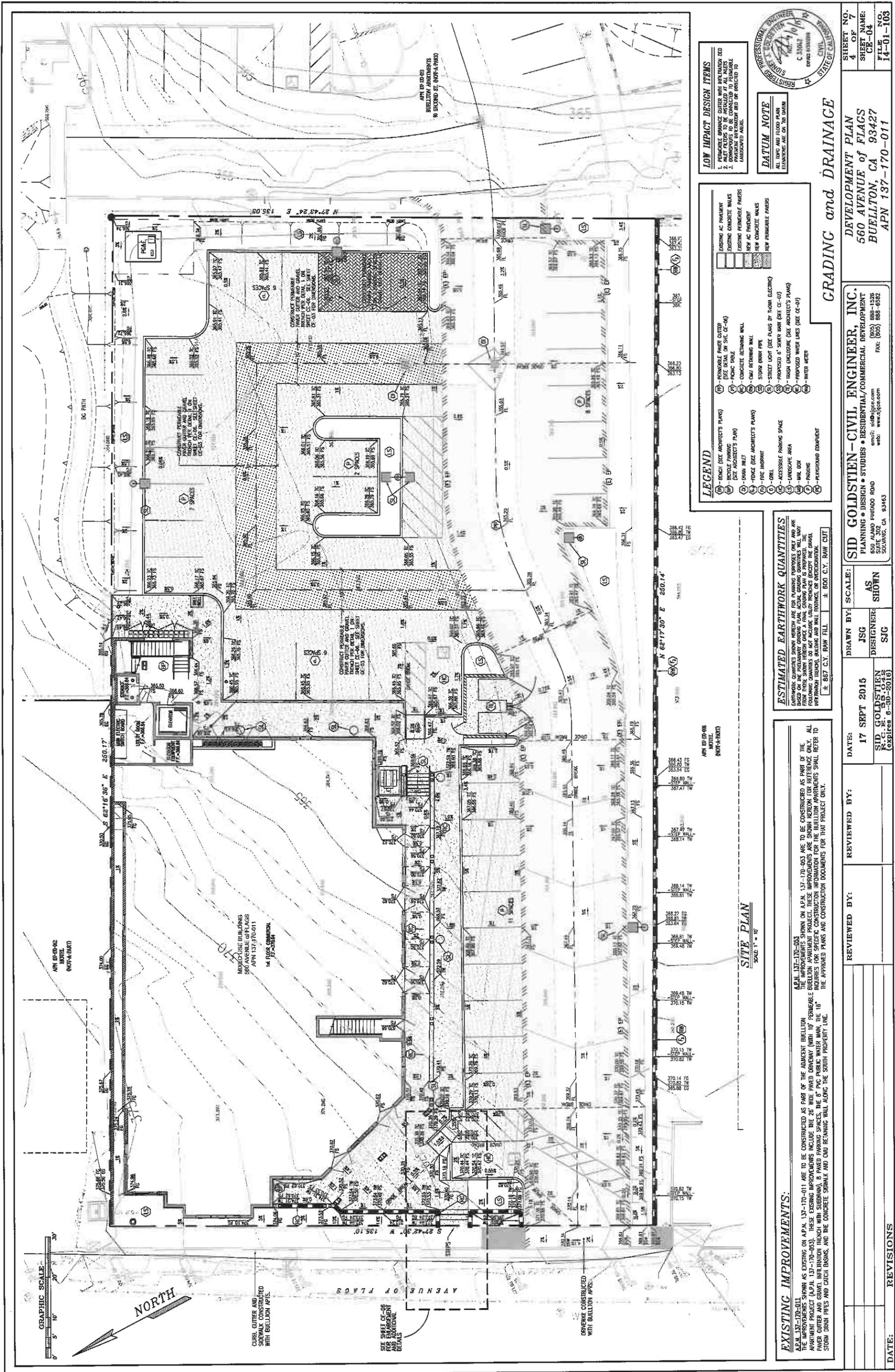
- (A) 25' WIDE WIDELINE EASEMENT TO THE CITY OF BUELLTON
- (B) PUBLIC UTILITY EASEMENT (RUB)
- (C) 25' WIDE ACCESS EASEMENT TO BUELLTON A.P.N. 137-170-053
- (D) FUTURE EASEMENT TO BUELLTON A.P.N. 137-170-053

SITE PLAN
SCALE 1" = 10'



HORIZONTAL CONTROL

DATE: 17 SEPT 2015 SID GOLDSTIEN P.C.E. # 95,042 (expires 8-30-2016)	DRAWN BY: SCALE: JSG AS SHOWN DESIGNER: SJK	REVIEWED BY:	REVIEWED BY:	REVISIONS	SHEET NO. 3 OF 7 SHEET NAME: CE-03 FILE NO. 14-01-108



LOW IMPACT DESIGN ITEMS
 1. PERMEABLE DRAINAGE GUTTERS WITH INTERLOCK BED
 2. INLET FILTERS TO BE INSTALLED AT ALL INLETS
 3. DOWNPIPES TO BE CONNECTED TO PERMEABLE
 MANHOLES AND/OR DIRECTED TO
 UNDESIRABLE AREAS.

DATUM NOTE
 ALL TOPO AND FLOOD PLAIN
 ELEVATIONS ARE ON 28 DATUM

LEGEND

- (A) - PERMEABLE PAPER GUTTER (SEE DETAIL ON SHEET CE-04)
- (B) - PERMEABLE CONCRETE WALKS
- (C) - PERMEABLE CONCRETE PATIERS
- (D) - PERMEABLE CONCRETE PATIERS
- (E) - PERMEABLE CONCRETE PATIERS
- (F) - PERMEABLE CONCRETE PATIERS
- (G) - PERMEABLE CONCRETE PATIERS
- (H) - PERMEABLE CONCRETE PATIERS
- (I) - PERMEABLE CONCRETE PATIERS
- (J) - PERMEABLE CONCRETE PATIERS
- (K) - PERMEABLE CONCRETE PATIERS
- (L) - PERMEABLE CONCRETE PATIERS
- (M) - PERMEABLE CONCRETE PATIERS
- (N) - PERMEABLE CONCRETE PATIERS
- (O) - PERMEABLE CONCRETE PATIERS
- (P) - PERMEABLE CONCRETE PATIERS
- (Q) - PERMEABLE CONCRETE PATIERS
- (R) - PERMEABLE CONCRETE PATIERS
- (S) - PERMEABLE CONCRETE PATIERS
- (T) - PERMEABLE CONCRETE PATIERS
- (U) - PERMEABLE CONCRETE PATIERS
- (V) - PERMEABLE CONCRETE PATIERS
- (W) - PERMEABLE CONCRETE PATIERS
- (X) - PERMEABLE CONCRETE PATIERS
- (Y) - PERMEABLE CONCRETE PATIERS
- (Z) - PERMEABLE CONCRETE PATIERS

PROFESSIONAL ENGINEER
 SID GOLDSTIEN
 CIVIL ENGINEER
 STATE OF CALIFORNIA
 LICENSE NO. 14-01-103

SHEET NO. 4 OF 7
 SHEET NAME: CE-04
 FILE NO. 14-01-103

DEVELOPMENT PLAN
 560 AVENUE OF FLAGS
 BUELLTON, CA 93427
 APN 137-170-011

SID GOLDSTIEN - CIVIL ENGINEER, INC.
 PLANNING • DESIGN • STUDIES • RESIDENTIAL/COMMERCIAL DEVELOPMENT
 550 FLOOD PRINCE ROAD
 SUWANNA, CA 93463
 PHONE: (805) 889-1525
 FAX: (805) 889-6082
 EMAIL: sid@sgj.com
 WEB: www.sgj.com

DRAWN BY: JSG
DESIGNER: SJG
DATE: 17 SEPT 2015
REVIEWED BY: SID GOLDSTIEN
 R.C. No. 58-0428
 (expires 6-30-2016)

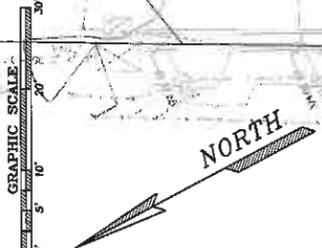
SCALE: AS SHOWN

EXISTING IMPROVEMENTS:
 APN 137-170-011
 THE IMPROVEMENTS SHOWN AS EXISTING ON A.P.N. 137-170-011 ARE TO BE CONSTRUCTED AS PART OF THE BUELLTON APARTMENT PROJECT. THESE IMPROVEMENTS ARE SHOWN HEREIN FOR REFERENCE ONLY. ALL IMPROVEMENTS TO BE CONSTRUCTED AS PART OF THE BUELLTON APARTMENT PROJECT SHALL REFER TO THE APPROVED PERMITS AND CONSTRUCTION DOCUMENTS FOR THAT PROJECT ONLY.

ESTIMATED EARTHWORK QUANTITIES
 EARTHWORK QUANTITIES SHOWN HEREIN ARE FOR PLANNING PURPOSES ONLY AND ARE NOT TO BE USED FOR BIDDING OR CONTRACTING. THE QUANTITIES SHOWN HEREIN ARE BASED ON THE INFORMATION PROVIDED AND SHOULD BE VERIFIED BY THE CONTRACTOR. THE QUANTITIES DO NOT INCLUDE UTILITY PROVISIONS EXCEPT THE GRAVEL INFILTRATION TRENCH, BUILDING AND WALL FOUNDATIONS, OR UNDERDRAINING.
 ± 867 C.Y. RAW FILL ± 600 C.Y. RAW CUT

REVISIONS:

NO.	DATE	DESCRIPTION

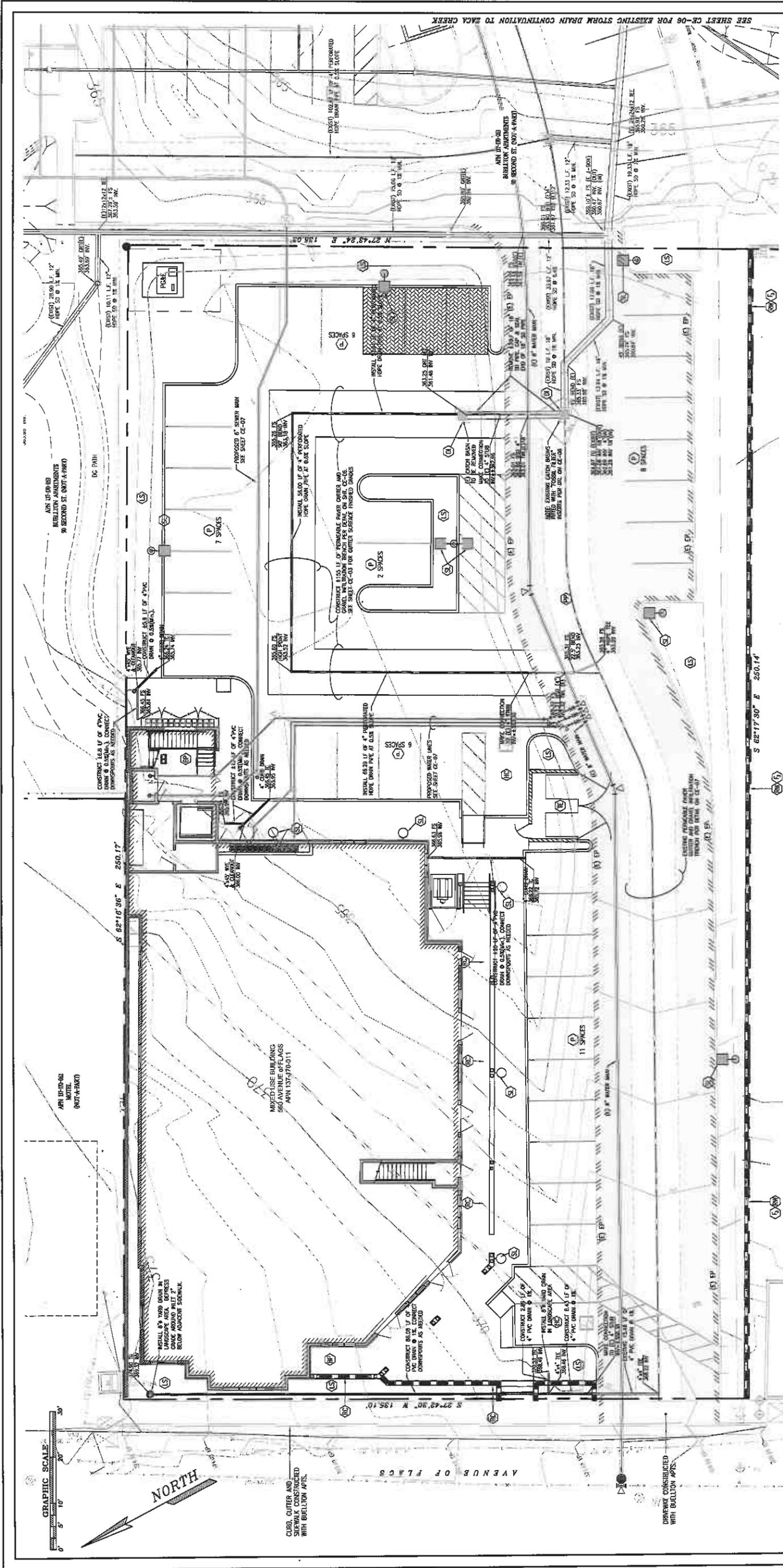


CURB, GUTTER AND SIDEWALK CONSTRUCTED WITH BUELLTON APN.

SEE SHEET CE-08 FOR ENVIRONMENTAL DETAILS

DRAINAGE CONSTRUCTED WITH BUELLTON APN.

SITE PLAN
 SCALE 1" = 10'



LEGEND

- (P) PERMEABLE PAVEMENT (SEE ARCHITECT'S PLAN)
- (R) REBAR (SEE ARCHITECT'S PLAN)
- (S) SCHEDULE PAVING (SEE ARCHITECT'S PLAN)
- (D) DRAIN INLET
- (C) CURB (SEE ARCHITECT'S PLAN)
- (T) THE INLET
- (G) GRILL
- (A) ACCESSIBLE PAVING SPACE
- (L) LANDSCAPE AREA
- (M) MAIL BOX
- (P) PARKING
- (E) PERSONAL EQUIPMENT
- (G) PERMEABLE POWER GUTTER (SEE DETAIL ON SHEET DC-06)
- (T) TRUNCATED CONE CURB
- (C) CONCRETE RETAINING WALL
- (C) CHU RETAINING WALL
- (S) STORM DRAIN PIPE
- (S) STREET LIGHT (SEE PLANS BY THOMA ELECTRIC)
- (S) PROPOSED 6" SINKER MAIN (SEE DC-07)
- (S) IRISH ENCLOSURE (SEE ARCHITECT'S PLAN)
- (M) PROPOSED WATER LINES (SEE DC-07)
- (M) WATER METER

EXISTING AC PAVEMENT
EXISTING PERMEABLE PAVEMENT
NEW AC PAVEMENT
NEW PERMEABLE PAVEMENT

SITE PLAN
SCALE: 1" = 10'

LOW IMPACT DESIGN (L.I.D.) ITEMS

- PERMEABLE DRAINAGE GUTTER WITH INFILTRATION BED
- INLET FILTERS TO BE INSTALLED AT ALL INLETS
- DOWNSPOUTS TO BE CONNECTED TO PERMEABLE PAVEMENT INFILTRATION BED OR DIRECTED TO LANDSCAPED AREAS.

EXISTING IMPROVEMENTS:

APN 137-170-011
THE IMPROVEMENTS SHOWN ON A.P.N. 137-170-011 ARE TO BE CONSTRUCTED AS PART OF THE BUELLION APARTMENT PROJECT (A.P.N. 137-170-053). THESE EXISTING IMPROVEMENTS INCLUDE THE 26' WIDE PAVED DRIVEWAY (WITH 10' PERMEABLE PAVEMENT), 8 PAVED PARKING SPACES, THE 18" PVC PUBLIC WATER MAIN, THE 18" STORM DRAIN PIPES AND CATCH BASINS, AND THE CONCRETE SIDEWALK AND CHU RETAINING WALL ALONG THE SOUTH PROPERTY LINE.

EXISTING IMPROVEMENTS:

APN 137-170-053
THE IMPROVEMENTS SHOWN ON A.P.N. 137-170-053 ARE TO BE CONSTRUCTED AS PART OF THE BUELLION APARTMENT PROJECT (A.P.N. 137-170-053). THESE EXISTING IMPROVEMENTS INCLUDE THE 26' WIDE PAVED DRIVEWAY (WITH 10' PERMEABLE PAVEMENT), 8 PAVED PARKING SPACES, THE 18" PVC PUBLIC WATER MAIN, THE 18" STORM DRAIN PIPES AND CATCH BASINS, AND THE CONCRETE SIDEWALK AND CHU RETAINING WALL ALONG THE SOUTH PROPERTY LINE.



STORM DRAIN
DEVELOPMENT PLAN
560 AVENUE OF FLAGS
BUELLION, CA 93427
APN 137-170-011

SID GOLDSTIEN - CIVIL ENGINEER, INC.
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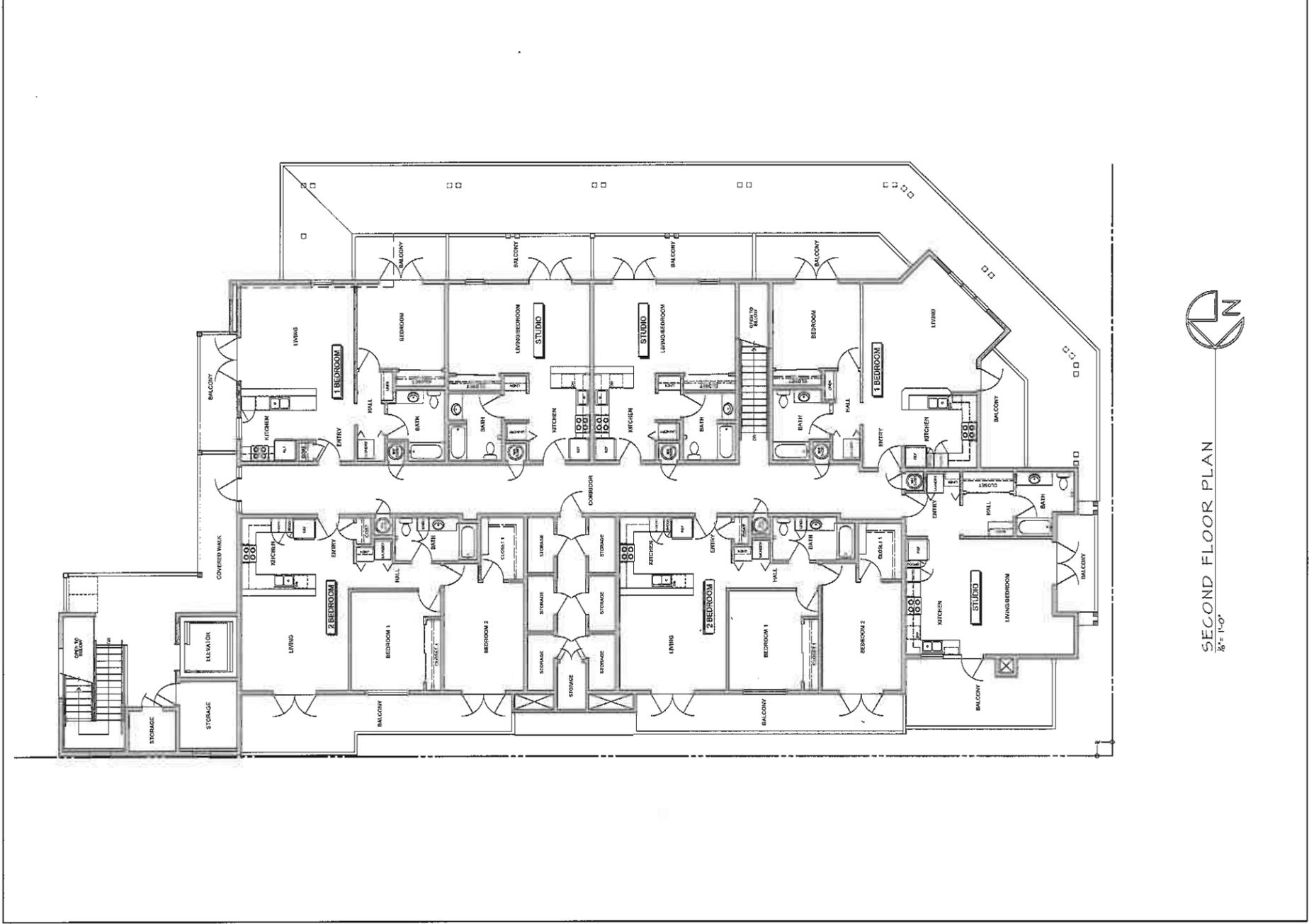
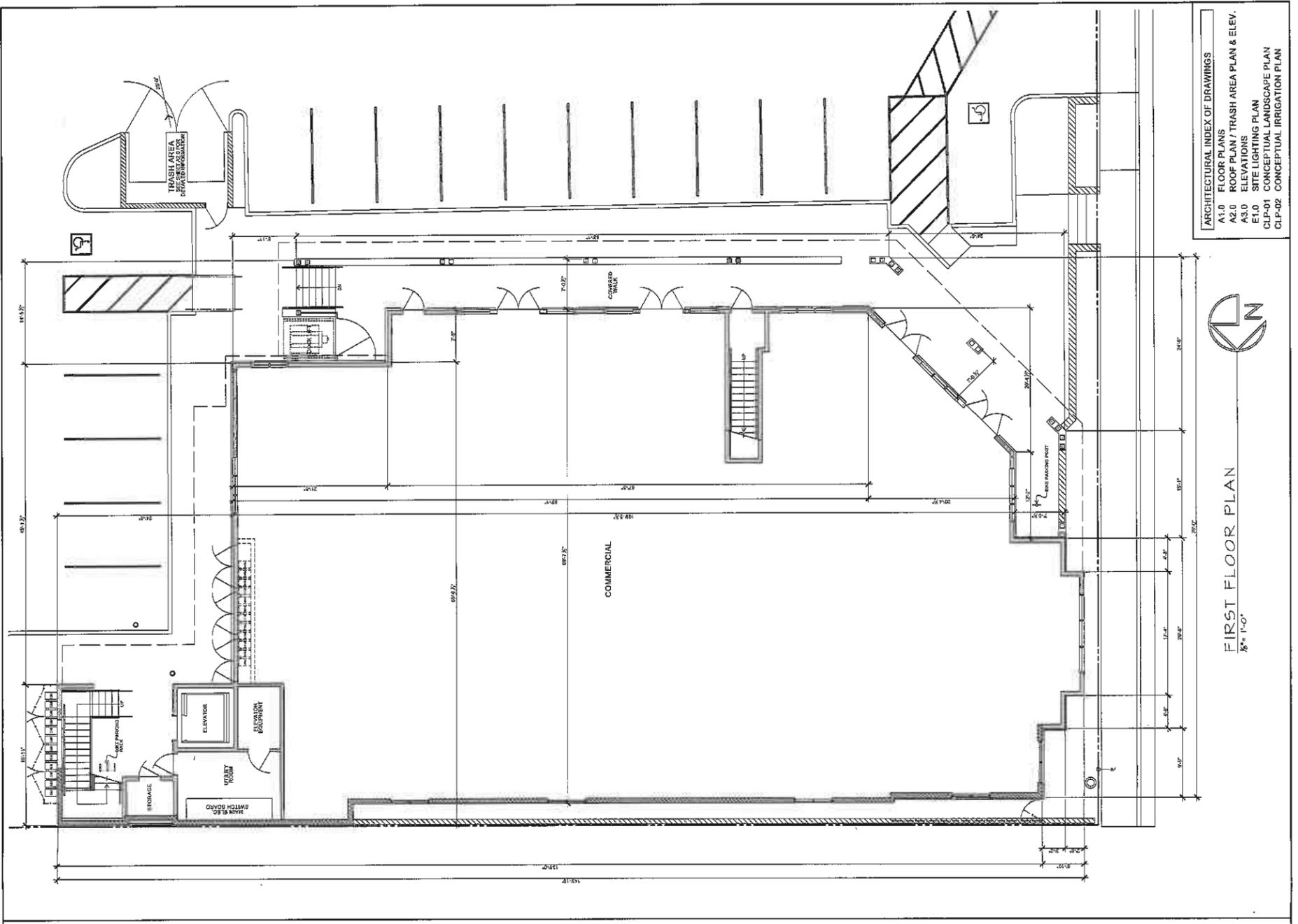
DATE: 17 SEPT 2015
DRAWN BY: JSG
DESIGNER: SJG
SCALE: AS SHOWN

REVIEWED BY:

REVISIONS

DATE:

DAVID GOLDSTEN ARCHITECT INC. 639 Alamo Parkway Suite 300 San Jose, CA 95128 408-488-1330		ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. THIS INFORMATION IS UNCLASSIFIED DATE 08/20/2013 BY SP5/BJM/STP.	BUELLTON MIXED USE BUILDING AVE OF THE FLAGS BUELLTON, CA		REVISIONS
					4-24-15 DP SUB. 6-2-15 DP SUB. 9-4-15 DP SUB.
PRINTED: PLOTTED 9-24-15 DRAWN: MH/RA JOB: 1402 SHEET: A1.0 OF 5					



DAVID GOLDSTEN ARCHITECT INC.
 650 Alhambra Prunedo
 Suite 100, CA 94863
 San Francisco, CA 94103
 415-488-1331

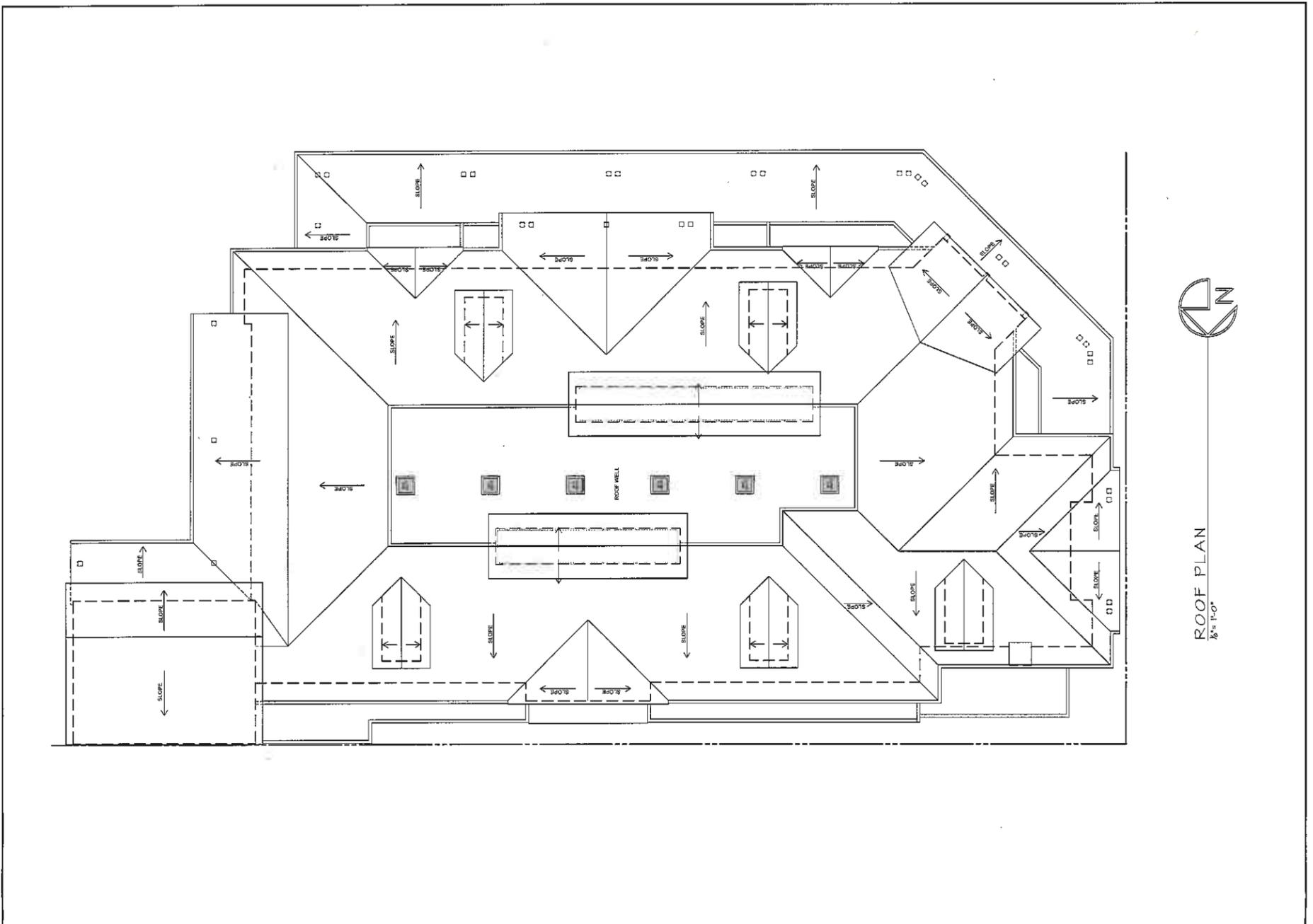


David Goldsten, AIA
 Licensed Architect
 No. 100487
 State of California
 License No. 100487
 Exp. 12/31/2017

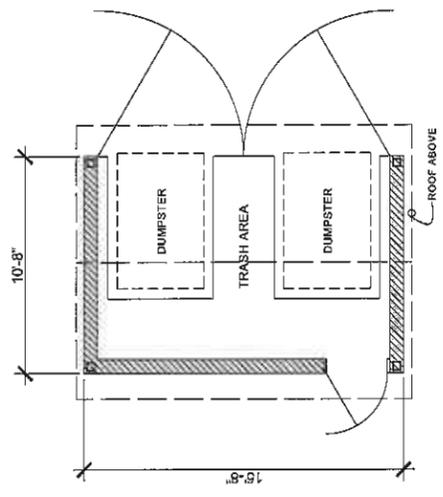
BUELLTON MIXED USE BUILDING
 AVE OF THE FLAGS
 BUELLTON, CA



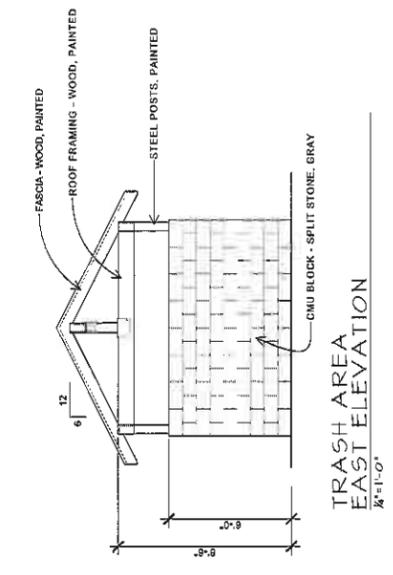
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PLOTTED	9-24-15
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JOB	1402
SHEET	A2.0
OF SHEETS	



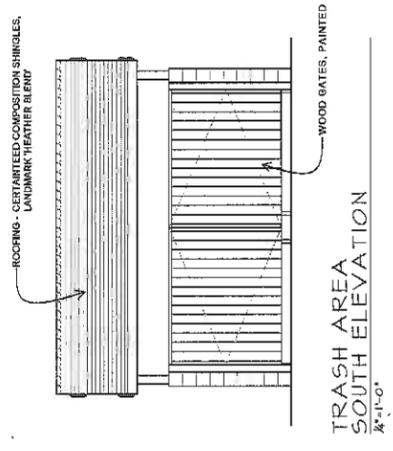
ROOF PLAN
 $\frac{1}{8}'' = 1'-0''$



TRASH AREA FLOOR PLAN
 $\frac{1}{4}'' = 1'-0''$

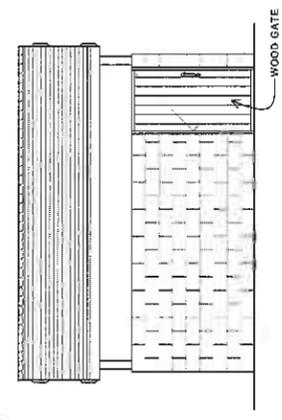


TRASH AREA EAST ELEVATION
 $\frac{1}{4}'' = 1'-0''$

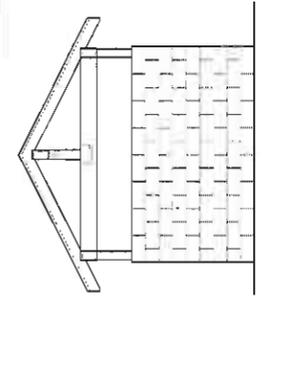


TRASH AREA SOUTH ELEVATION
 $\frac{1}{4}'' = 1'-0''$

NOTE: PAINT COLORS PER PAINT COLOR KEY ON SHEET A3.0

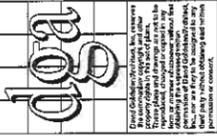


TRASH AREA NORTH ELEVATION
 $\frac{1}{4}'' = 1'-0''$



TRASH AREA WEST ELEVATION
 $\frac{1}{4}'' = 1'-0''$

DAVID GOLDSTEN ARCHITECT INC. 630 Alamo Plaza Suite 300 San Francisco, CA 94104 415-398-4330



PROJECT

BUELLTON MIXED USE BUILDING

AVE OF THE FLAGS BUELLTON, CA

CONSULTANT



CONSULT. JOB NO. 15-BC015



REVISIONS

PRINTED 04.22.15

PLOTTED 04.22.15

DRAWN C-J

ARCH. JOB NO. 1402

BUILDING NO.

SHEET NO.

E1.0

SITE LIGHTING

TYPE	ILLUSTRATION	MANUFACTURER	CATALOG NO.	VOLTAGE	MAX VA	LAMPING	MOUNTING	DESCRIPTION
S1		ANTIQUE STREET LAMPS	EHL16ST-6LED-525MA-4K-CGF-AVOLT-R3-1DS-DOB	60VOLT	65W	LED 4000K TYPE IV	16FT POLE	OUTDOOR POLE MOUNT LIGHT WITH MATCHING ARCHED MOUNTING ARM AND POLE. BRONZE FINISH. INTEGRAL MOTION SENSOR DIMMING AND HOUSE SIDE SHIELD.
S2		ANTIQUE STREET LAMPS	EHL16ST-6LED-525MA-4K-CGF-AVOLT-R3-1DS-DOB	60VOLT	65W	LED 4000K TYPE III	16FT POLE	OUTDOOR POLE MOUNT LIGHT WITH MATCHING ARCHED MOUNTING ARM AND POLE. BRONZE FINISH. INTEGRAL MOTION SENSOR DIMMING AND HOUSE SIDE SHIELD.
S3		ANTIQUE STREET LAMPS	EHL16ST-6LED-525MA-4K-CGF-AVOLT-R3-1DS-DOB	60VOLT	65W	LED 4000K TYPE III	16FT POLE DUAL HEAD	OUTDOOR DUAL HEAD POLE MOUNT LIGHT WITH MATCHING ARCHED MOUNTING ARM AND POLE. BRONZE FINISH. INTEGRAL MOTION SENSOR DIMMING.
S4		ANTIQUE STREET LAMPS	EHL16ST-6LED-525MA-4K-CGF-AVOLT-R3-1DS-DOB	60VOLT	65W	LED 4000K TYPE III	WALL WITH DECORATIVE ARM	WALL MOUNT LIGHT WITH MATCHING ARCHED MOUNTING ARM. BRONZE FINISH.

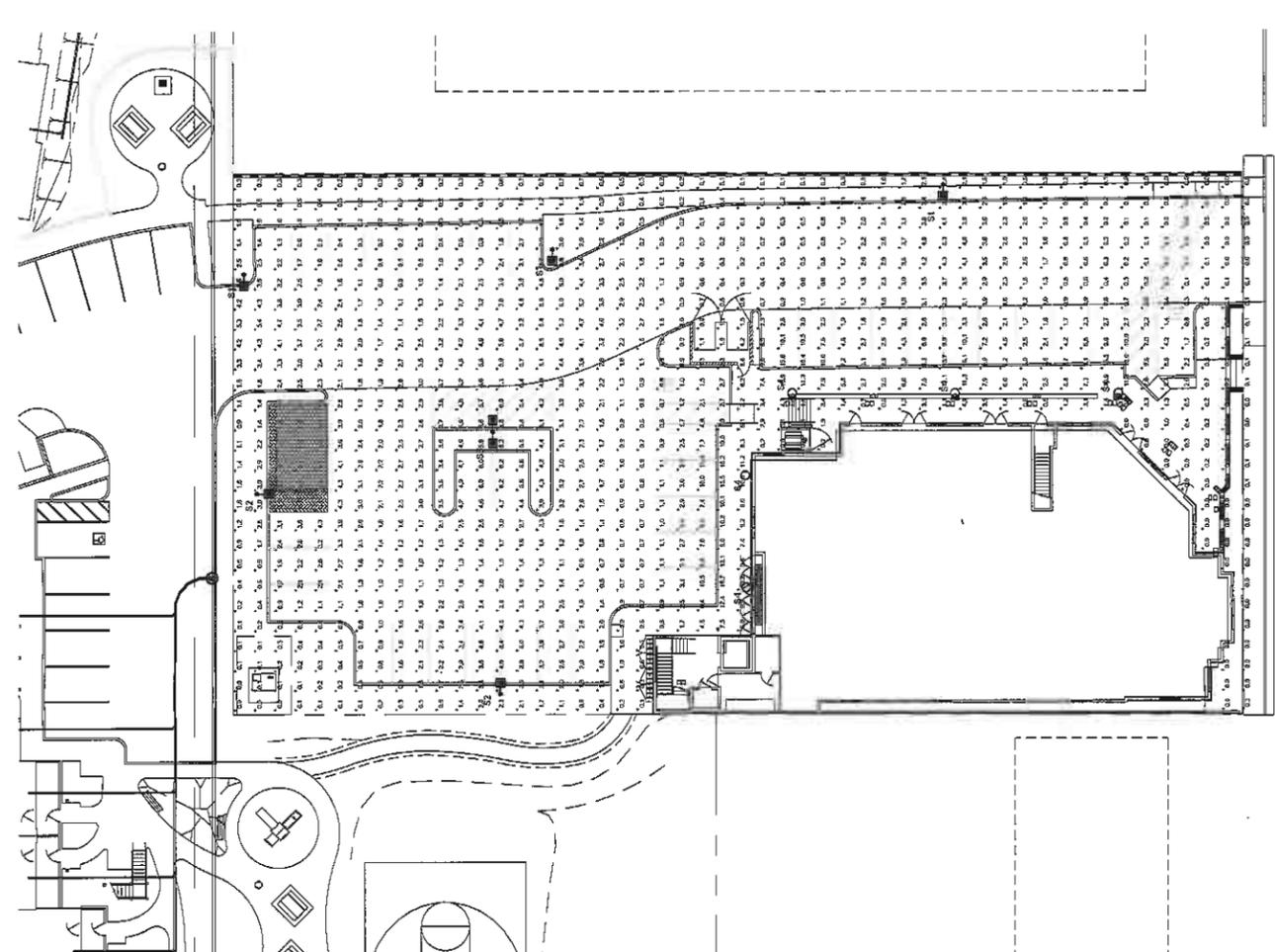
ANTIQUE STREET LAMPS

EHL16 LED HANOVER PENDANT

This European styled product is well suited for use in a variety of applications with a choice of two LED options.

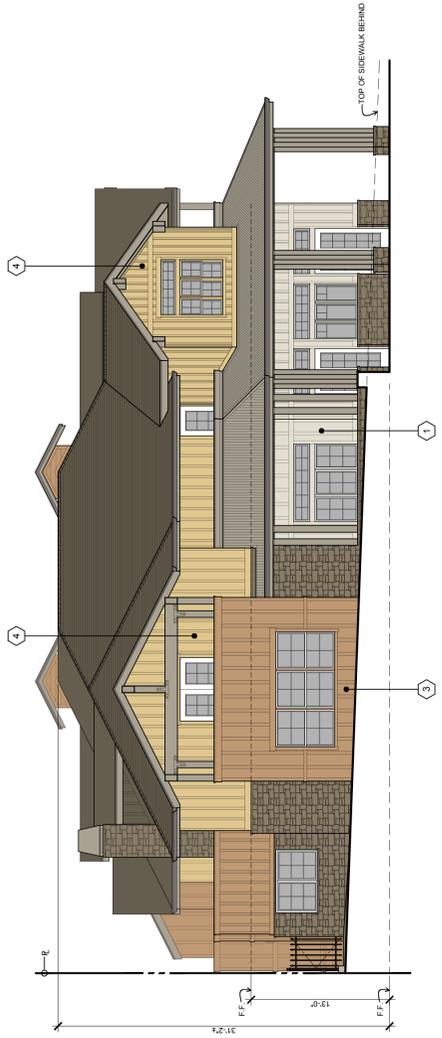
- Choice of a 16" or 14" glass lens
- Stainless steel hardware
- Dimmer and light engine assembly mount on a removable assembly plate and are finished with spec aluminum plate for ease of installation and maintenance
- CSA listed and labeled as suitable for wet locations
- TFC powder coat finish
- Pendant via JET-LED threaded stem option to the Union 4" or 5" diameter arms (glassy plate) option which offers a 3" arm (see arm specification sheet) for detail on mounting options.

Flux: 1100lm, 0.83 sq foot
 Flux Height: 18.3" (45.3cm)
 Flux Width: 20" (50.8cm)
 Flux Weight: 4.5 lbs (2.0 kg)
 Lamps: CSA Model # EHL16-LED

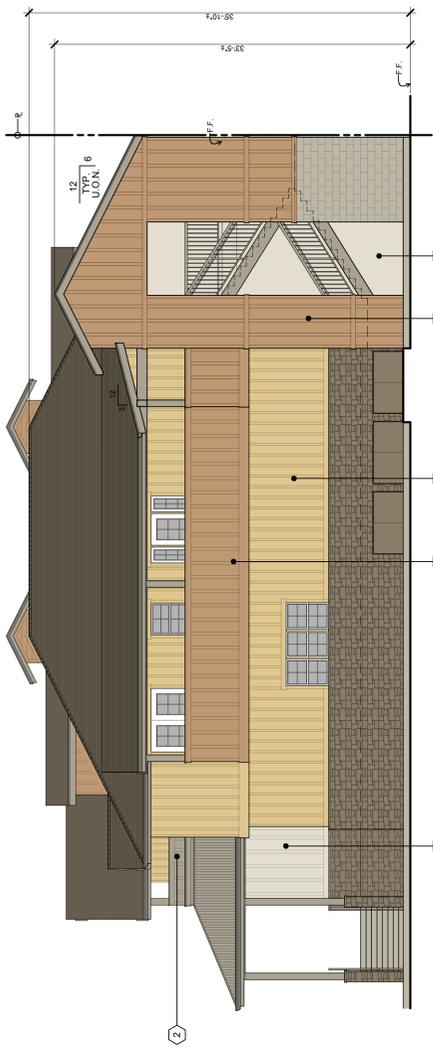


SITE LIGHTING PLAN
 SCALE: 1" = 20'-0"
 NORTH





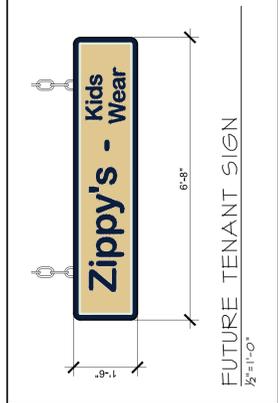
WEST ELEVATION (FRONT)
 1/8" = 1'-0"



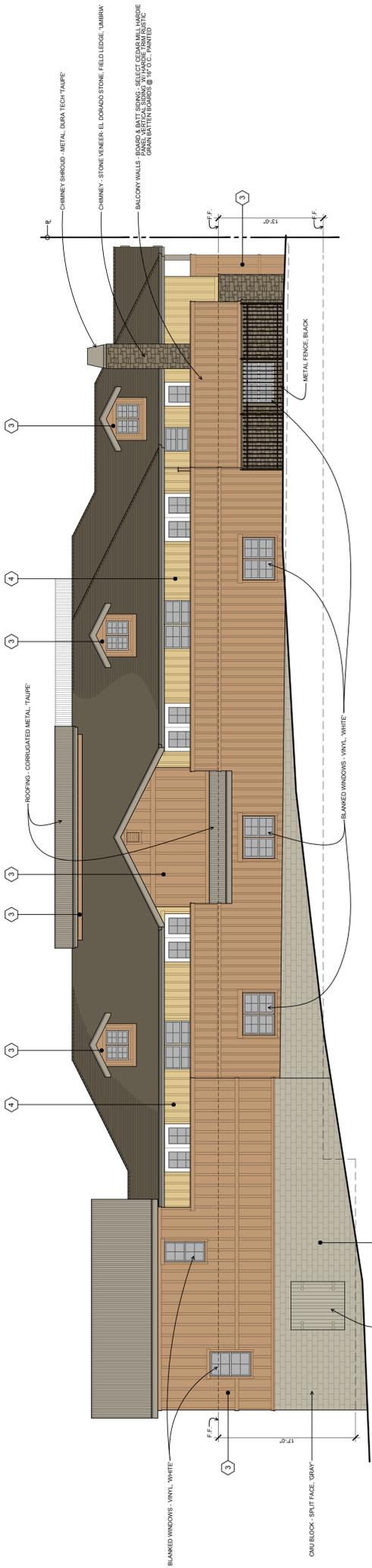
EAST ELEVATION (BACK)
 1/8" = 1'-0"



SOUTH ELEVATION
 1/8" = 1'-0"



FUTURE TENANT SIGN
 1/2" = 1'-0"



NORTH ELEVATION
 1/8" = 1'-0"

- PAINT COLOR KEY**
 NOTE: ALL PAINT COLORS SHERWIN WILLIAMS, U.O.N.
- 1 NATURAL CHOICE #7011
 - 2 INTELLECTUAL GRAY #7045
 - 3 LANYARD #7680
 - 4 BIRDSEYE MAPLE #2834
 - 5 GAUNTLET GRAY #7019
- NOTE: COLORS SHOWN ON ELEVATIONS ARE MATERIAL FINISHES BOARD FOR ACCURATE REPRESENTATION.

- ROOFING - CERTAINTED COMPOSITION SHINGLES, LANDMARK HIGHTER BLEND
- DOORS - FIBERGLASS, WHITE
- ROOFING - CORRUGATED METAL, TAUPE
- ROOF EAVE & RAKE T, METAL FLASHING, PAINTED
- GUTTER - FASCIA STYLE ALUMINUM
- CUSTOM-BUILT METALS PERIBLE STONE CLAY
- FASCIA - WOOD, PAINTED
- POSTS & BEAMS - WOOD, PAINTED
- WINDOWS - VINYL, WHITE
- TRIM - HARDIE TRIM BUSTIC GRAY, PAINTED
- BOARD & BATT INSULATION - SELECT CEDAR MILL
- TRIM - METAL, PAINTED
- STAIRS - CONCRETE TREADS, VINYL STEEL STRINGERS & RAILINGS, PAINTED
- BALCONY - METAL, PAINTED
- STONE VENEER - EL DORADO STONE, FIELD EDGE, UMBRIA
- STONE VENEER - EL DORADO STONE, FIELD EDGE, UMBRIA
- BALCONY WALLS - BRICKS & BATT INSULATION - SELECT CEDAR MILL
- PANELS & BATT INSULATION - SELECT CEDAR MILL
- GRANITE WATER BARRIERS @ 1/2" O.C., PAINTED
- CHIMNEY - SHROUD, METAL DURA TECH TAUPE
- CHIMNEY - STONE VENEER, EL DORADO STONE, FIELD EDGE, UMBRIA
- BALCONY WALLS - BRICKS & BATT INSULATION - SELECT CEDAR MILL
- PANELS & BATT INSULATION - SELECT CEDAR MILL
- GRANITE WATER BARRIERS @ 1/2" O.C., PAINTED
- METAL FENCE, BLACK
- BLANKED WINDOWS - VINYL, WHITE
- DOORS, PAINTED
- CONCRETE TREADS, VINYL STEEL STRINGERS & RAILINGS, PAINTED

19.18.010

Chapter 19.18**MIXED USE REGULATIONS****Sections:**

- 19.18.010 Purpose and intent.**
- 19.18.012 Definitions.**
- 19.18.014 General requirements.**
- 19.18.016 Allowable mix of uses.**
- 19.18.018 Development standards.**
- 19.18.020 Parking standards.**
- 19.18.022 Landscape and open space standards.**
- 19.18.024 Performance standards.**
- 19.18.026 Live-work/work-live units.**
- 19.18.028 Incentive program.**

19.18.010 Purpose and intent.

The purpose of this chapter is to provide an opportunity for mixed-use development with a combination, in part or in whole, of residential, commercial, office, industrial, live/work uses within a livable urban environment. It is intended to provide standards for projects that include a combination of permitted uses applicable to the underlying zoning designations. (Ord. 11-07 § 3, 2011; Ord. 08-07 § 3, 2008)

19.18.012 Definitions.

For purposes of this chapter, the following definitions shall apply:

- A. **Infill Development.** Infill development refers to construction of new housing, workplaces, shops, and other facilities within existing built-up areas. The development can be of several types: building on vacant lots, reuse of underutilized sites (such as parking lots and old industrial sites), and rehabilitation or expansion of existing buildings.
- B. **Live-Work/Work-Live Units.** Live-work/work-live units are single tenant spaces that include both a residential unit and a commercial or light industrial use such as an artist studio, photography studio, craftsperson shop (woodworking, ceramics, etc.), or similar use. This differs from other types of mixed-use developments where the residential use and commercial or other nonresidential use is in different tenant spaces. Live-work units comprise one or more rooms with cooking space and sanitary facilities in conformance with the California Building Code (CBC) and adequate working space available for and regularly used by persons residing therein.
- C. **Mixed-Use.** Mixed-use refers to the development of a building or buildings, or a lot, with a variety of integrated and complementary uses, such as but not limited to, residential, office, retail, light industrial, public, and recreation in one of the following ways:
 1. **Vertical Mixed-use.** Structure(s) in which multiple and separate uses occupy different floors/levels.
 2. **Horizontal Mixed-use-Attached.** Structure(s) in which multiple and separate uses occupy different attached buildings on the same lot or within the same project.
 3. **Horizontal Mixed-use-Detached.** Structure(s) in which multiple and separate uses occupy different detached buildings on the same lot or within the same project.

D. Primary Use. The allowed and permitted residential, commercial or industrial use guided by the zoning designation.

E. Secondary Use. The accompanying mixed-use component of an allowed and permitted residential, commercial or industrial use guided by the zoning designation. (Ord. 11-07 § 3, 2011; Ord. 08-07 § 3, 2008)

19.18.014 General requirements.

Unless otherwise specifically required by this chapter, a development plan (DP) shall be required for all mixed-use developments. The city council shall be the decision-maker on all mixed-use projects upon recommendations from the planning commission. (Ord. 11-07 § 3, 2011; Ord. 08-07 § 3, 2008)

19.18.016 Allowable mix of uses.

A. At the time of application of the development plan for a mixed-use project, the applicant shall declare from Figure 18-1 the proposed mix of uses for the project. The matrix in Figure 18-1 identifies which mix of uses are allowed together.

Example: a property zoned CR (general commercial) by the city of Buellton's zoning map shall be known as the base zone. Allowable mix of uses in the CR base zone are found in the vertical column below the CR designation. In this example, the allowable mix of uses are: RM (residential multifamily); CN (neighborhood commercial); CS (service commercial); and M (manufacturing). The mix of uses that are NOT allowed are: RS (single-family residential); PRD (planned residential development); and MHP (mobilehome park).

B. For both the primary use and secondary use components of a mixed-use project, the specific allowable uses shall be found in Sections 19.02.110 and 19.02.210 of the city of Buellton Municipal Code. Uses not allowed as part of any mixed-use project are mini-storage warehouses. In addition, the following uses have been determined to be incompatible and shall not be part of a mixed-use project that includes a residential component:

1. Agricultural uses.
2. Auto and vehicle sales.
3. Auto body and repair.
4. Auto parts sales.
5. Chemical storage or manufacturing.
6. Columbariums and mortuaries.
7. Construction contractors and yards.
8. Gas/service stations.
9. Heavy manufacturing.
10. Kennels and animal boarding.
11. Laundries and dry cleaning facilities.
12. Metal manufacturing.
13. Recycling collection stations.
14. Scrap and wrecking yards.
15. Slaughterhouses.
16. Truck stops.
17. Vehicle and freight terminals.

Other uses may be deemed incompatible through the development plan process.

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Figure 18-1 Allowed Mix of Uses

Secondary Uses	Primary Uses (Base Zone)								
	Zone	RS	RM	PRD	MHP	CN	CR	CS	M
	RS		X	X	X	X	X	X	X
	RM	X		X	X	DP	DP	DP	DP
	PRD	X	X		X	X	X	X	X
	MHP	X	X	X		X	X	X	X
	CN	X	DP	X	X		DP	DP	DP
	CR	X	DP	X	X	DP		DP	DP
	CS	X	DP	X	X	DP	DP		DP
	M	X	X	X	X	DP	DP	DP	

DP – Allowed subject to approval of a development plan

X – Not allowed

(Ord. 11-07 § 3, 2011; Ord. 08-07 § 3, 2008)

19.18.018 Development standards.

The following development standards shall apply to all mixed-use projects within the city of Buellton. For each mixed-use project, the development standards that apply are from the primary use (base zone) zoning.

A. General Requirements for All Zoning Districts.

1. The primary use must be consistent with the underlying zoning designation and must be equivalent to fifty (50) percent or greater of the total floor space.

2. Tentative and final or parcel maps shall be required for all mixed-use projects that include the creation of lots, condominiums, stock cooperatives, community apartments, and planned unit developments, both new and conversion.

3. Mixed-use projects along the Avenue of Flags and certain portions of State Highway 246 are also subject to the development standards contained in the Avenue of Flags/Highway 246 Urban Design Plan.

4. Mixed-use projects are subject to the design requirements of the Community Design Guidelines.

B. RM (Residential Multi-Family) Zoning District.

Minimum Lot Area	8,000 square feet
Residential Density	Pursuant to Section 19.02.120(C)
Height Limit	35 feet
Setbacks	Refer to Section 19.04.160 for the measurement of, and exceptions to, setback requirements
Front	10 feet
Side	5 feet Exception: mixed-use projects adjoining an R-1 zone shall provide one-half foot of setback for each foot of building height
Street Side	10 feet
Rear	10 feet Exception: mixed-use projects adjoining an R-1 zone shall provide one-half foot of setback for each foot of building height (minimum of 10 feet)
Interior	5 feet between a habitable building and any other building
Parking Areas	15 feet from street property line, 5 feet from all other property lines
Site Coverage	50% of net site area
Landscaping/Open Space	See Section 19.18.022

C. CN (Neighborhood Commercial) Zoning District.

Minimum Lot Area	None
Residential Density	8 dwelling units per acre
Height Limit	30 feet
Setbacks	Refer to Section 19.04.160 for the measurement of, and exceptions to, setback requirements
Front	5 feet
Side	None Exception: mixed-use projects adjoining an R-1 zone shall provide one-half foot of setback for each foot of building height
Street Side	5 feet
Rear	10 feet Exception: mixed-use projects adjoining an R-1 zone shall provide one-half foot of setback for each foot of building height (minimum of 10 feet)
Interior	None unless required by the California Building Code
Parking Areas	5 feet from all property lines
Site Coverage	60% of net site area
Landscaping/Open Space	See Section 19.18.022

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D. CR (General Commercial) Zoning District—Avenue of Flags Urban Design Area.

Minimum Lot Area	None
Residential Density	10 units per acre; density may be increased to 12 units per acre if 60% of the units are 1 bedroom or less
Height Limit	35 feet
Setbacks	Refer to Section 19.04.160 for the measurement of, and exceptions to, setback requirements
Front	First floor, none; second floor, 5 to 10 feet (a minimum of 25% and a maximum of 40% of the frontage shall be at 5 feet); third floor, 10 to 15 feet (a minimum of 25% and a maximum of 40% of the frontage shall be at 10 feet)
Side	None Exception: mixed-use projects adjoining an R-1 zone shall provide one-half foot of setback for each foot of building height
Street Side	Avenue of Flags Urban Design Area: first floor, none; second floor, 5 to 10 feet (a minimum of 25% and a maximum of 40% of the frontage shall be at 5 feet); third floor, 10 to 15 feet (a minimum of 25% and a maximum of 40% of the frontage shall be at 10 feet)
Rear	10 feet Exception: mixed-use projects adjoining an R-1 zone shall provide one-half foot of setback for each foot of building height (minimum of 10 feet)
Interior	None unless required by the California Building Code
Parking Areas	5 feet from all property lines
Site Coverage	60% of net site area
Landscaping/Open Space	See Section 19.18.022

E. CS (Service Commercial) Zoning District—Outside of Avenue of Flags Urban Design Area.

Minimum Lot Area	None
Residential Density	8 dwelling units per acre
Height Limit	30 feet
Setbacks	Refer to Section 19.04.160 for the measurement of, and exceptions to, setback requirements
Front	First floor, 15 feet; second floor, 15 to 20 feet (a minimum of 25% and a maximum of 40% of the frontage shall be at 15 feet); third floor, 20 to 25 feet (a minimum of 25% and a maximum of 40% of the frontage shall be at 20 feet)
Side	None Exception: mixed-use projects adjoining an R-1 zone shall provide one-half foot of setback for each foot of building height
Street Side	First floor, 10 feet; second floor, 10 to 15 feet (a minimum of 25% and a maximum of 40% of the frontage shall be at 10 feet); third floor, 15 to 20 feet (a minimum of 25% and a maximum of 40% of the frontage shall be at 15 feet)

Rear	10 feet Exception: mixed-use projects adjoining an R-1 zone shall provide one-half foot of setback for each foot of building height (minimum of 10 feet)
Interior	None unless required by the California Building Code
Parking Areas	5 feet from all property lines
Site Coverage	60% of net site area
Landscaping/Open Space	See Section 19.18.022

F. CS (Service Commercial) Zoning District.

Minimum Lot Area	None
Residential Density	8 units per acre, subject to Section 19.18.028
Height Limit	40 feet
Setbacks	Refer to Section 19.04.160 for the measurement of, and exceptions to, setback requirements
Front	10 feet
Side	None Exception: mixed-use projects adjoining an R-1 zone shall provide one-half foot of setback for each foot of building height
Street Side	10 feet
Rear	10 feet Exception: mixed-use projects adjoining an R-1 zone shall provide one-half foot of setback for each foot of building height (minimum of 10 feet)
Interior	None unless required by the California Building Code
Parking Areas	5 feet from all property lines
Site Coverage	60% of net site area
Landscaping/Open Space	See Section 19.18.022

G. M (Industrial) Zoning District.

Minimum Lot Area	None
Residential Density	8 dwelling units per acre, subject to Section 19.18.028
Height Limit	45 feet
Setbacks	Refer to Section 19.04.160 for the measurement of, and exceptions to, setback requirements
Front	10 feet
Side	None Exception: mixed-use projects adjoining an R-1 zone shall provide one-half foot of setback for each foot of building height
Street Side	10 feet
Rear	10 feet Exception: mixed-use projects adjoining an R-1 zone shall provide one-half foot of setback for each foot of building height (minimum of 10 feet)

19.18.020

Interior	None unless required by the California Building Code
Parking Areas	5 feet from all property lines
Site Coverage	60% of net site area
Landscaping/Open Space	See Section 19.18.022

(Ord. 11-07 § 3, 2011; Ord. 08-07 § 3, 2008)

19.18.020 Parking standards.

A. Parking for the individual land uses shall first be established in accordance with Section 19.04.142 of this title. For illustrative purposes, a mixed-use project with twenty (20) one-bedroom apartments and five thousand (5,000) square feet of retail space would require twenty (20) parking spaces for the residential units and seventeen (17) parking spaces for the retail use. The base number of parking spaces would therefore be thirty-seven (37).

B. Parking Reduction. A twenty-five (25) percent reduction in the number of parking spaces from the base number for the project as calculated in subsection A may be granted through the development plan process if a city of Buellton owned parking lot is located within a five hundred (500) foot radius of the project site. No more than fifty (50) percent of the public parking lot spaces shall be encumbered for this purpose on a cumulative project basis. All projects granted this parking reduction will be tracked in order to monitor this standard.

1. If an applicant uses a city parking lot to satisfy a portion of their parking requirement, then a parking fee of eighteen thousand dollars (\$18,000.00) per space shall be paid prior to issuance of building permits for the project. The fee is based on the engineers cost to pave one parking space and the funds will be used to offset the maintenance costs of the city parking lot.

In no case shall the amount of parking be reduced to less than one space for every residential unit.

C. Shared Parking. Parking requirements may be partially satisfied through a shared parking agreement with properties within five hundred (500) feet of the project site. This may only be allowed through the development plan if the shared parking lot has parking spaces in excess of that required for the uses on that property, or that the shared parking is intended for use during the non-peak hours of the uses on the shared parking property.

D. Parking structures may be allowed in conjunction with a mixed-use project provided that the parking structure is architecturally integrated into the architectural theme of the project. Parking structure massing shall be at an appropriate scale and shall visually conceal the automobiles from adjoining roadways.

E. Unless otherwise permitted by prior land use entitlements, sixty (60) percent of the parking spaces shall be located to the rear of a mixed-use development. Parking areas and driveways adjoining streets, alleys, sidewalks, and/or dwelling units shall be screened with a decorative low wall, fence, or landscaped berm of sufficient size and density to partially screen automobiles. Space defining elements such as trellises, columns, walls, arbors, and hedges shall be provided to enhance the appearance of parking lots. These elements shall be consistent with the development's architectural theme and the community design guidelines.

F. All mixed-use projects with residential units shall provide a minimum of one covered or uncovered parking space per unit. (Ord. 11-07 § 3, 2011; Ord. 08-07 § 3, 2008)

19.18.022 Landscape and open space standards.

A. Landscaping. The amount of landscaped area in a mixed-use project shall be thirty (30) percent of the net site area for projects located in a base zoning district of RM, and fifteen (15) percent of the net site area for all other base zoning districts. Landscaping shall follow the standards outlined in the community design guidelines. Up to twenty-five (25) percent of the required landscaped area may be decorative hardscape, including, but not limited to, decorative paving, fountains, statues or other artwork, and seating areas.

B. Residential Open Space. An open space area of two hundred fifty (250) square feet per residential unit, exclusive of the required landscaping, shall be provided. These open space areas shall contain usable amenities, including, but not limited to, outdoor seating areas, barbeques, child play areas, water features, pools/spas, basketball or volleyball courts, and similar amenities. Private patio or balcony areas can be included in the required area.

C. Landscape and irrigation plans shall be included with all development plan submittals.

D. If the façade of an existing mixed-use building is renovated in accordance with the community design guidelines when not required by the municipal code, then the open space requirements required by this chapter may be waived. (Ord. 11-07 § 3, 2011; Ord. 08-07 § 3, 2008)

19.18.024 Performance standards.

A. CC&Rs are required for all mixed-use projects and shall include provisions notifying future residential tenants and owners of the potential noise and nuisance impacts of living in a mixed-use project.

B. Outdoor Lighting. Outdoor lighting shall be shielded in a manner that prevents a direct line between its luminary and any residentially zoned or residentially developed parcel. Within fifty (50) feet of a residentially zoned parcel, lighting shall be installed no higher than twenty (20) feet above the ground directly below the light fixture. Outdoor lighting shall not exceed the following levels:

1. One-half foot-candles at the property line if the subject property abuts a residential zoning district.

2. Two foot-candles at the property line if the subject property abuts a nonresidential zoning district.

C. Glare and Heat. Glare and heat from arc welding, acetylene torch cutting, or similar processes shall be contained within a completely enclosed and vented building.

D. Odors. The odors released from any operation or activity shall not exceed detectable concentrations beyond any lot lines. Commercial or industrial uses with attached residential units provide state-of-the-art ventilation systems to prevent odors from penetrating the attached residential units.

E. Vibration. No use, activity, or process shall produce vibrations that are perceptible without instruments at the property line for more than three minutes in any one hour of the day between the hours of 8:00 a.m. and 9:00 p.m. No use, activity, or process shall produce any vibrations between the hours of 9:00 p.m. and 8:00 a.m.

F. Hours of Operation. Unless otherwise approved through a Development Plan, the hours of operation for any commercial or industrial component of a mixed-use project with a residential component, except live-work/work-live units, shall not begin before 7:00 a.m. or continue after 9:00 p.m. These hours of operation shall include other activities directly related to the operation of the commercial or industrial component, including, but not limited to, deliveries and cleaning activities. Projects within the Avenue of Flags Urban Design Area are exempt from the time limitations of this section, except that deliveries and cleaning activities shall not occur before 6:00 a.m. or after midnight. However, normal indoor cleaning functions are not subject to these time limitations.

G. All work shall be performed entirely indoors unless otherwise approved through the development plan. Any outdoor work allowed through a development plan shall not be performed in designated parking

19.18.026

areas, drive aisles, or landscape areas. All approved outdoor work areas shall not be counted as required open space or landscaping.

H. Flammable, Explosive, and Combustible Materials. The use or storage of flammable, explosive, or combustible materials shall at all times comply with the adopted Uniform Fire Prevention Code, California Building Code, and all other applicable adopted ordinances or regulations of the city of Buellton, county of Santa Barbara, state of California, and the federal government.

I. Noise. All mixed-use projects shall comply with the adopted noise regulations of the city of Buellton.

J. Staircases. All stairways that connect adjacent levels, stories or floors shall be provided with an intermediate landing at the mid-height level and shall otherwise comply with all other applicable building code provisions in effect at the time of submittal application. Alternatively, elevators may be provided.

K. Three-bedroom Units. A maximum of five percent of the dwelling units may be three-bedroom units. Percentages shall be rounded to the nearest whole number. Four-bedroom and more units are prohibited. (Ord. 11-07 § 3, 2011; Ord. 08-07 § 3, 2008)

19.18.026 Live-work/work-live units.

A. Live-work/work-live units are allowed in the CN, CR, CS, and M zoning districts. Uses allowed in these units include, but are not limited to, photographers and photographic studios, artists and artist studios, craftspersons and workshops, professional-technical service trades and researchers (i.e., architects, engineers, drafters, accountants, bookkeepers, appraisers), and are allowed in an approved mixed-use live-work/work-live project subject to issuance of a zoning clearance.

B. CS and M Zoning Districts. Live-work/work-live units are the only residential units permitted in the CS and M zoning districts.

C. Unit Size Restrictions. Live-work/work-live units shall be limited to studios or one-bedroom units. No more than fifty (50) percent of the unit shall be devoted to living space.

D. Location Restrictions. Live-work/work-live units shall be incorporated into the commercial or industrial building and shall not be standalone units or buildings.

E. Any building containing a live-work/work-live occupancy shall comply with the standards of the latest adopted edition of the California Building Code (CBC), including standards for habitability.

F. Performance Standards. Any live-work/work-live unit shall comply with the performance standards set forth in Section 19.18.024, along with the following standards:

1. The combined area of each unit shall be two thousand (2,000) square feet or less. A minimum of fifty (50) percent of the square footage shall be devoted to the nonresidential use associated with the business.

2. Units shall be classified as a Group R occupancy when the work areas are deemed accessory to the primary residential occupancy.

3. Units shall be classified as B, M, or F occupancy according to the primary work use when the residential area is deemed as accessory to the work occupancy.

4. Buildings with three or more live-work/work-live units shall be classified as R-1 occupancies pursuant to the CBC.

5. All live-work/work-live units shall be separated from each other and the rest of the building by not less than one-hour fire resistive occupancy separation and sound transmission control assembly per the CBC.

6. The residential area of the unit shall meet the requirements of the CBC for efficiency dwelling units, Section 310.7.

7. All units shall comply with the California Energy Code for residential buildings.
8. The buildings containing the units shall comply with the requirements of CBC Chapters 11A and 11B (Disabled Access for Newly Constructed Buildings).
9. Consistent with Title 24 of the California Code of Regulations and requirements of federal law, in lieu of an accessible public restroom in each live-work/work-live unit, fully accessible restroom facilities may be provided in common areas located on an accessible route of travel within a reasonable distance of the accessible units as defined in Title 24, Part 5, Sections 413.5.2 and 413.5.3 of the California Plumbing Code.
10. Parking shall be accessible per CBC, Chapters 11A and 11B. A minimum of two parking spaces shall be required for each unit.
11. Construction materials and methods of construction shall be governed by and in accordance with the CBC.
12. Live-work/work-live activities may start at 7:00 a.m. and shall end at 9:00 p.m. (Ord. 11-07 § 3, 2011; Ord. 08-07 § 3, 2008)

19.18.028 Incentive program.

- A. Mixed-use projects may receive fee reductions if additional public benefits above those required in the Buellton Municipal Code are included in the project.
- B. Procedures. Fee reductions specified in subsection C may be permitted upon approval of a development plan or conditional use permit by the city council, on the recommendation of the planning commission, if public benefits as specified in subsection D are provided. The following findings are also required:
 1. That the proposed project is of excellent design quality.
 2. That the proposed project will provide significant public benefits substantially beyond normal requirements in one or more of the areas listed in subsection D.
- C. Fee Reductions. If certain public benefits selected in subsection D are provided then reductions in the park and traffic fees may be granted by the city council in accordance with the procedures described in subsection B.
- D. Public Benefits. To be eligible for fee reductions, a project must provide significant public benefits substantially beyond municipal code requirements in one or more of the following areas:
 1. Sustainable Design. A project that is certifiable as LEED Gold or Platinum or equivalent may be entitled to a ten percent reduction in park and traffic fees. A project that receives LEED Gold or Platinum certification may be entitled to a fifteen (15) percent reduction in park and traffic fees.
 2. Utility Wires. If existing overhead utility wires that are not adjoining the project's frontage are placed underground, then the project may be entitled to a ten percent reduction in park and traffic fees. The amount of undergrounding shall be no less than the linear street frontage of the project site.
 3. On-Site Child Care. A project that provides on-site child care may be entitled to a five percent reduction in park and traffic fees. First priority shall be given to residents and employees of the building.
 4. Public Open Space. If an additional ten percent of the project area is provided as public open space on the project site or within five hundred (500) feet of the project site, then the project may be entitled to a five percent reduction in park and traffic fees. Public open space includes park or plaza areas.
 5. Recycled Water/Water Reuse. If a project provides dual plumbing in buildings for the future use of recycled water for toilet flushing, cooling towers, and other appropriate uses or provides on-site gray water or rain water collection and reuse facilities, then the project may be entitled to a five percent reduction in park and traffic fees.

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6. Public Restrooms. If a project provides private restroom facilities that are open to the public then the project may be entitled to a ten percent reduction in park and traffic fees.

7. Alternative Public Benefit. The city council, on the recommendation of the planning commission, may consider a currently undefined public benefit as proposed by the applicant that provides a public benefit which is significant and substantially beyond normal requirements so as to warrant the granting of fee reductions. (Ord. 11-07 § 3, 2011)