

**PLANNING COMMISSION RESOLUTION NO. 22-11**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING THE MITIGATED NEGATIVE DECLARATION (22-MND-01) AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE BUELLTON GARDEN APARTMENTS PROJECT LOCATED AT 10 MCMURRAY ROAD, ASSESSOR'S PARCEL NUMBER 137-200-087 AND MAKING RELATED FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

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

**WHEREAS**, People's Self Help Housing, property owner, and Allicia King, agent, (collectively "Applicant") have filed an application for approval of a **Final Development Plan (21-FDP-01) and Tentative Parcel Map (31063)** to allow the construction of an 89-unit affordable multi-family housing development (the "Application") on a 3.06 acre parcel located at 10 McMurray Road (APN 137-200-087) in the City of Buellton within the General Commercial "CR" Zone on a portion of Affordable Housing Overlay Zone Site IX (the "Site"); and,

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

**WHEREAS**, the Initial Study/Mitigated Negative Declaration dated October 2022 was circulated for public and agency review and comment from October 14, 2022 through, and including November 14, 2022. Copies of the Initial Study/Mitigated Negative Declaration were made available to the public at the Planning Department on October 13, 2022, and the Initial Study/Mitigated Negative Declaration was distributed to interested parties and agencies. On October 13, 2022, a Notice of Availability of the Initial Study/Mitigated Negative Declaration, including the time and place of the Planning Commission meeting to review the Application and Initial Study/Mitigated Negative Declaration was published in the local newspaper and posted in two public locations; and,

**WHEREAS**, one email comment letter from the Santa Barbara County Air Pollution Control District (SBAPCD) was received during the circulation period of October 14, 2022 through November 14, 2022. SBAPCD had no comments on the Initial Study/Mitigated Negative Declaration, but had suggested conditions of approval which were included for the Project; and,

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

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

**WHEREAS**, the Initial Study/Mitigated Negative Declaration (Exhibit A to this Resolution No. 22-11) and related Mitigation Monitoring and Reporting Program (Exhibit B) for the Project are, by this reference, incorporated into this Resolution as if fully set forth herein; and,

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

**WHEREAS**, on November 17, 2022, the Planning Commission of the City of Buellton conducted a duly noticed public meeting in connection with the Application and the Initial Study/Mitigated Negative Declaration and considered all evidence, oral and written; and,

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

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

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

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

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

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

**PASSED AND ADOPTED** this 17<sup>th</sup> day of November 2022.

  
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Patty Hammel, Chair

  
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Clare Barcelona, Planning Commission Secretary

Exhibit A – Initial Study / Mitigated Negative Declaration  
Exhibit B – Mitigation Monitoring and Reporting Program

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

I, Clare Barcelona, Planning Commission Secretary of the City of Buellton, do hereby certify that the above and foregoing Resolution No. 22-11 was duly passed and adopted by the Planning Commission of said City at a regular meeting thereof, held on the 17<sup>th</sup> day of November 2022, by the following vote, to wit.

- AYES:       (5)     Commissioners Bob Blokdyk, Aaron Liggett, Marcilo Sarquilla, Vice Chair Art Mercado and Chair Patty Hammel
- NOES:       (0)
- ABSENT:     (0)
- NOT VOTING: (0)

**IN WITNESS WHEREOF**, I have hereunto set my hand this 17<sup>th</sup> day of November 2022.

*Clare Barcelona*  
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 Clare Barcelona  
 Planning Commission Secretary