

**From:** [Linda Reid](#)  
**To:** [Board Letters](#); [Chelsea Lenzi](#)  
**Cc:** [John Beck](#); [Andrea Luparello](#)  
**Subject:** Buellton Election Resolutions  
**Date:** Friday, June 7, 2024 12:20:06 PM  
**Attachments:** [image001.png](#)  
[Resolution No. 24-13.pdf](#)  
[Resolution No. 24-14.pdf](#)  
[Resolution No. 24-15.pdf](#)  
[Resolution No. 24-16.pdf](#)  
[Resolution No. 24-17.pdf](#)

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**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

Hello,

Attached, please find Buellton's election resolutions for consolidation below:

Resolution No. 24-13 – "A Resolution of the City Council of the City of Buellton, California, Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 5, 2024 for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities"

Resolution No. 24-14 – "A Resolution of the City Council of the City of Buellton, California, Requesting the Board of Supervisors of the County of Santa Barbara to Consolidate a General Municipal Election to be Held on Tuesday, November 5, 2024 with the General Election Pursuant to Section 10403 of the Elections Code"

Resolution No. 24-15 – "A Resolution of the City Council of the City of Buellton, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidate's Statements, Materials Submitted to the Electorate, and the Cost Thereof, Submitted to the Voters at an Election to be Held on Tuesday, November 5, 2024"

Resolution No. 24-16 – "A Resolution of the City Council of the City of Buellton, California, Calling and Giving Notice of the Holding of an Election that is Requested to be Consolidated with the General Election to be Held on Tuesday, November 5, 2024 for the Submission to the Qualified Voters of the Question: Should the Buellton General Plan be Amended Until December 31, 2036, to Expand the Area within the Existing Urban Growth Boundary by Approximately 123 Acres (Allowing for Potential Expansion of City Limits within the Expanded Area) but Prohibit Other Changes to the City Limits or the Provision of Municipal Services Beyond the Amended Urban Growth Boundary Line Except by Another Initiative Election?"

Resolution No. 24-17 – "A Resolution of the City Council of the City of Buellton, California, Calling and Giving Notice of the Holding of an Election to be Consolidated With The General Election To Be Held On Tuesday, November 5, 2024 for the Purpose of Submitting a Measure to the Qualified Voters of

## Buellton Regarding Raising the Transient Occupancy Tax Rate”

All resolutions were approved by the Buellton City Council on May 23 and June 13, 2024.

Please place all five Resolutions on your June 25 Board agenda for consolidation with the Santa Barbara County Elections Division.

Please let me know if you need the Word documents or if you need anything further. Glad to assist.

Thank you!

Regards,  
Linda Reid, CMC, M.S.  
City Clerk/Human Resources Director  
City of Buellton, P.O. Box 1819, Buellton, CA 93427  
(805) 686-7424 / (805) 686-0086 (fax)  
[lindar@cityofbuellton.com](mailto:lindar@cityofbuellton.com) - [www.cityofbuellton.com](http://www.cityofbuellton.com)



**RESOLUTION NO. 24-13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES**

**WHEREAS**, under the provisions of the laws relating to General Law Cities in the State of California, a General Election shall be held on November 5, 2024 for the election of Municipal Officers.

**NOW, THEREFORE, THE CITY COUNCIL DOES RESOLVE, DECLARE, DETERMINE, AND REQUEST AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Buellton, California, on Tuesday, November 5, 2024, a General Municipal Election for the purpose of electing two (2) Members of the City Council, one Representative from District 2 and one Representative from District 3 for the full terms of four-years each and one (1) Mayoral seat for the full term of two years.

**SECTION 2.** That the ballots to be used at the election shall be in form and content as required by law.


**SECTION 3.** That the polls or in-person voting for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls or in-person voting shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

**SECTION 4.** That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 5.** That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form, and manner as required by law.

**SECTION 6.** That the City Clerk shall certify to the passage and adoption of this resolution.

**PASSED, APPROVED, and ADOPTED** this 23<sup>rd</sup> day of May 2024.

  
\_\_\_\_\_  
Dave King  
Mayor

ATTEST:

  
\_\_\_\_\_  
Linda Reid  
City Clerk, Elections Official

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I, Linda Reid, City Clerk of the City of Buellton, do hereby certify that the foregoing Resolution No. 24-13 was duly adopted by the City Council of the City of Buellton at a regular meeting held on the 23<sup>rd</sup> day of May 2024 by the following vote of the Council:


AYES:           5       Council Members Hornick, Lewis, and Silva. Vice Mayor Sanchez, and Mayor King

NOES:           0

ABSENT:        0

ABSTAIN:       0

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Linda Reid  
City Clerk, Elections Official

**RESOLUTION NO. 24-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024 WITH THE GENERAL ELECTION PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE**

**WHEREAS**, under the provisions of the laws relating to General Law Cities in the State of California, a General Municipal Election shall be held on November 5, 2024 for the election of Municipal Officers.

**NOW, THEREFORE, THE CITY COUNCIL DOES RESOLVE, DECLARE, DETERMINE, AND REQUEST AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Santa Barbara is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 5, 2024 for the purpose of electing two (2) Members of the City Council, one Representative from District 2 and one Representative from District 3 for the full terms of four-years each and one (1) Mayoral seat for the full term of two years.

**SECTION 2.** That pursuant to the requirements of the laws of the State of California relating to General Law Cities there is called and ordered to be held in the City of Buellton, California, on Tuesday, November 5, 2024, a General Municipal Election for the purposes of electing two (2) Members of the City Council, one Representative from District 2 and one Representative from District 3 for the full terms of four-years each and one (1) Mayoral seat for the full term of two years.

**SECTION 3.** That the Board of Supervisors is requested to direct the County Elections Division to take any and all steps necessary for the conducting of the consolidated election.

**SECTION 4.** That the City Council recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees pursuant to Section 10002 of the Elections Code to reimburse the County in full for the cost of services performed upon presentation of a bill.

**SECTION 5.** That the City will be providing the following services:

- (a) Notice of election will be published, in time, form and manner required by law.
- (b) Accept and process official candidate nomination papers, which include verification as to whether candidate statements and ballot designations meet all legal requirements.

- (c) Upon certification by the County Elections Division, issue certificates of election.
- (d) Take any other action necessary that is not the responsibility of the County Elections Official.

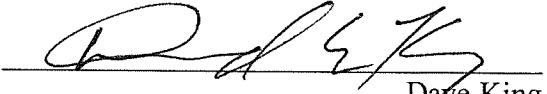
**SECTION 6.** That the City Council recognizes that the County Elections Official will be providing the following services:

- (a) Verify nomination petitions as requested.
- (b) Designate polling places or in-person voting and provide supplies and equipment.
- (c) Appoint and train election officers.
- (d) Furnish any and all official ballots, sample ballots, notices, and printed material.
- (e) Provide and process absentee voter requests.
- (f) Provide polling places or in-person voting for the election, which shall be open at 7:00 a.m. of the day of the election and shall remain open continuously until 8:00 p.m. of the same day when the polls or in-person voting shall be closed, except as provided in Section 14401 of the Elections Code.
- (g) Ensure that the ballots used at the election are in the proper form and content required by law.
- (h) Count ballots and canvass the returns.
- (i) Declare results and certify election.
- (j) Take any other action necessary in order to properly and lawfully conduct the election.
- (k) Prepare and mail all invoices regarding election costs.

**SECTION 7.** The City acknowledges that the consolidated election will be held and conducted in the manner prescribed in Election Code Section 10418.

**SECTION 8.** That the City Clerk shall certify to the passage and adoption of this resolution.

**PASSED, APPROVED, and ADOPTED** this 23<sup>rd</sup> day of May 2024.

  
\_\_\_\_\_  
Dave King  
Mayor

ATTEST:

  
\_\_\_\_\_  
Linda Reid  
City Clerk, Elections Official



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I, Linda Reid, City Clerk of the City of Buellton, do hereby certify that the foregoing Resolution No. 24-14 was duly adopted by the City Council of the City of Buellton at a regular meeting held on the 23<sup>rd</sup> day of May 2024 by the following vote of the Council:

AYES:           5       Council Members Hornick, Lewis and Silva, Vice Mayor Sanchez, and Mayor King

NOES:           0

ABSENT:        0

ABSTAIN:       0

  
\_\_\_\_\_  
Linda Reid  
City Clerk, Elections Official

**RESOLUTION NO. 24-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS, MATERIALS SUBMITTED TO THE ELECTORATE AND THE COST THEREOF, REGARDING AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024**

**WHEREAS**, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement.

**NOW, THEREFORE, THE CITY COUNCIL DOES RESOLVE, DECLARE, DETERMINE, AND REQUEST AS FOLLOWS:**

**SECTION 1.** That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an election to be held in the City of Buellton on November 5, 2024 may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

**SECTION 2.** That the candidate shall be required to pay for the cost of printing the candidate's statement in English and any other language requested by the candidate.


**SECTION 3.** That the City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time nominating petitions are issued.

**SECTION 4.** That all previous resolutions establishing council policy of payment for candidate's statements are repealed.

**SECTION 5.** That this resolution shall apply only to the election to be held on November 5, 2024 and shall then be repealed.

**SECTION 6.** That the City Clerk shall certify to the passage and adoption of this resolution.

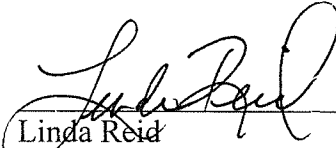
**PASSED, APPROVED, and ADOPTED** this 23<sup>rd</sup> day of May 2024.



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Dave King  
Mayor

ATTEST:



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Linda Reid  
City Clerk, Elections Official

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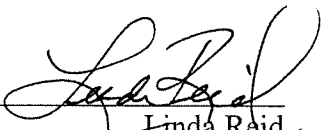
I, Linda Reid, City Clerk of the City of Buellton, do hereby certify that the foregoing Resolution No. 24-15 was duly adopted by the City Council of the City of Buellton at a regular meeting held on the 23<sup>rd</sup> day of May 2024 by the following vote of the Council:

AYES:           5       Council Members Hornick, Lewis, and Silva, Vice Mayor Sanchez and Mayor King

NOES:           0

ABSENT:        0

ABSTAIN:       0

  
\_\_\_\_\_  
Linda Reid  
City Clerk, Elections Official

**RESOLUTION NO. 24-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF AN ELECTION THAT IS REQUESTED TO BE CONSOLIDATED WITH THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024 FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF THE QUESTION: SHOULD THE BUELLTON GENERAL PLAN BE AMENDED UNTIL DECEMBER 31, 2036, TO EXPAND THE AREA WITHIN THE EXISTING URBAN GROWTH BOUNDARY BY APPROXIMATELY 123 ACRES (ALLOWING FOR POTENTIAL EXPANSION OF CITY LIMITS WITHIN THE EXPANDED AREA) BUT PROHIBIT OTHER CHANGES TO THE CITY LIMITS OR THE PROVISION OF MUNICIPAL SERVICES BEYOND THE AMENDED URBAN GROWTH BOUNDARY LINE EXCEPT BY ANOTHER INITIATIVE ELECTION?**

**WHEREAS**, under the provisions of the law relating to General Law cities in the State of California, a General Election shall be held on November 5, 2024; and

**WHEREAS**, it is the desire of the City Council to place before the voters of the City of Buellton an ordinance amending the Buellton General Plan to establish, until 2036, an amended policy entitled the City of Buellton's "Urban Growth Boundary of 2024" to limit changes to the current boundary of the City of Buellton beyond an amended Urban Growth Boundary line with designated exceptions laid out fully in the ordinance; and

**WHEREAS**, pursuant to California Elections Code Section 9222, the City Council may submit to the voters an ordinance to allow the voters to decide if the ordinance should be enacted; and

**WHEREAS**, pursuant to California Elections Code Sections 10400 et seq., the City Council desires that the special election be consolidated with the November 5, 2024 General Election.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Buellton as follows:

**SECTION 1.** That pursuant to the requirements of the laws of the State of California relating to General Law cities there is called and ordered to be held in the City of Buellton, California on Tuesday, November 5, 2024 for the purpose of submitting to the voters the following Measure:

**SHOULD THE BUELLTON GENERAL PLAN BE AMENDED UNTIL DECEMBER 31, 2036, TO EXPAND THE AREA WITHIN THE EXISTING URBAN GROWTH BOUNDARY BY APPROXIMATELY 123 ACRES (ALLOWING FOR POTENTIAL EXPANSION OF CITY LIMITS WITHIN THE EXPANDED AREA) BUT PROHIBIT OTHER CHANGES TO THE CITY LIMITS OR THE PROVISION OF MUNICIPAL SERVICES BEYOND THE AMENDED URBAN GROWTH BOUNDARY LINE EXCEPT BY ANOTHER INITIATIVE ELECTION?**

**SECTION 2.** That the text of the ordinance submitted to the voters is attached as Exhibit “A”.

**SECTION 3.** That the ballots to be used at the election shall be in form and content as required by law.

**SECTION 4.** The City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election. Pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Santa Barbara is requested to place the “Urban Growth Boundary of 2024” on the ballot of the Special Election to be consolidated with the Presidential General Election scheduled for November 5, 2024.

**SECTION 5.** That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed except as provided in Section 14301 of the Elections Code of the State of California.

**SECTION 6.** That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 7.** That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

**SECTION 8.** The City Clerk shall certify the passage and adoption of this Resolution.

**PASSED, APPROVED and ADOPTED** this 13<sup>th</sup> day of June, 2024.



\_\_\_\_\_  
Dave King  
Mayor


ATTEST:

  
\_\_\_\_\_  
Linda Reid  
City Clerk, Elections Official

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I, Linda Reid, City Clerk of the City of Buellton, do hereby certify that the foregoing Resolution No. 24-16 was duly adopted by the City Council of the City of Buellton at a regular meeting held on the 13<sup>th</sup> day of June 2024 by the following vote of the Council:

AYES: 4 Council Members Lewis, Sanchez, and Vice Mayor Silva and Mayor King  
NOES: 0  
ABSENT: 1 Council Member Hornick  
ABSTAIN: 0

  
Linda Reid  
City Clerk, Elections Official

# EXHIBIT A

THE FULL TEXT OF THE PROPOSED INITIATIVE IS AS FOLLOWS:

## CITY OF BUELLTON URBAN GROWTH BOUNDARY OF 2024 FULL TEXT OF INITIATIVE

The people of the City of Buellton do ordain as follows:

### **Section 1. Title.**

This initiative measure shall be known as the Buellton Urban Growth Boundary Initiative of 2024.

### **Section 2. Purpose and Findings.**

*A, Purpose.* The purpose of this initiative is to amend the Urban Growth Boundary (UGB) line of the City of Buellton which shall include within it areas shown on the accompanying map (Exhibit 1). The Buellton UGB will achieve the following objectives:

1. Ensure that transitory short term political decisions do not harm the City of Buellton's quality of life, and ensure that agricultural, watershed, viewshed or open space uses which contribute to that quality of life are not prematurely or unnecessarily converted to non-agricultural or non-open space uses without public debate and a vote of the people;
2. Manage the City of Buellton's growth in a manner that fosters and protects the small town character of Buellton while encouraging appropriate economic development in and/or near the downtown Revitalization Area, as described in the 2025 General Plan Land Use Element Avenue of Flags/Highway 246 Urban Design Plan, and in accordance with the City's unique local conditions;
3. Encourage efficient growth patterns and protect the City of Buellton's quality of life by concentrating future development largely within existing developed areas consistent with the availability of infrastructure and services;
4. Promote stability in, and guidance for, the long-term planning for the City of Buellton by establishing a policy within the General Plan designating the geographic limits of long-term urban development, largely consistent with the existing City Limits, and allowing sufficient flexibility within those limits to respond to the City's changing needs over time;
5. Allow the City of Buellton to continue to meet its reasonable housing needs for all economic segments of the population, especially low and moderate income households, by encouraging the development of housing in areas where services and infrastructure are more efficiently available; and
6. Promote on lands outside the Buellton UGB ongoing agricultural and open space uses, such as productive investment for farming enterprises, preservation of natural resources, and uses that foster public health and safety.

### *B, Findings.*

1. The unique character of the City of Buellton and the quality of life of its residents depend on the protection of a substantial amount of surrounding open space and agricultural lands. The protection of such lands not only ensures the continued viability of agriculture, but protects the



available water supply and also contributes to flood control and the protection of wildlife, environmentally sensitive areas and irreplaceable natural resources. As importantly, maintaining a UGB around the City of Buellton would promote the formation and continuation of a cohesive community by defining the boundaries, by encouraging economic development of the Buellton Revitalization Area and by helping to prevent urban sprawl. Such a UGB promotes efficient municipal services and facilities by confining urban development to defined development areas.

2. As recognized by the City of Buellton General Plan:

"Many of the properties in the commercial core of the City, bisected by Avenue of Flags and Highway 246 near Highway 101, are underutilized."

"[R]esidential development should take advantage of existing infrastructure, as well as be located in the core area of Buellton."

"Compact contiguous development within the City boundaries is preferred over annexation and sprawling development."

3. Uncontrolled urban encroachment onto agricultural and watershed and open space areas will impair agricultural production and threaten the public health, safety and welfare by reducing beneficial production, causing increased traffic congestion, associated air pollution, and potentially serious water problems such as pollution, depletion and sedimentation of available water resources. Such urban encroachment would eventually result in both the unnecessary, expensive extension of public services and facilities and inevitable conflicts between urban and agricultural uses.

4. This Initiative ensures that the agricultural and open space uses outside of the Buellton UGB are inviolable against transitory short-term political decisions and that agricultural, watershed and open space lands as set forth in Government Code section 65560(b) as of November 5, 2024, outside the UGB are not prematurely or unnecessarily converted to non-agricultural or non-open space uses without public debate and a vote of the people. Accordingly, the initiative requires that until December 31, 2036, the City of Buellton may not allow the provision of urban services or the creation of urban uses, other than in certain limited circumstances and according to specific procedures set forth in the initiative, outside the UGB.

5. The UGB is not intended to and shall in no way inhibit the Local Agency Formation Commission from changing or altering the Sphere of Influence line in accordance with state law. The two lines, although coterminous in places, are independent one from the other in legal significance and purpose. While the Sphere of Influence line may be altered by the Local Agency Formation Commission in accordance with the provisions of state law, the UGB is a local land use policy of the City and shall not be changed except as provided herein.

### **Section 3. General Plan Amendment.**

Upon the effective date of this initiative, the provisions in Section 3. General Plan Amendment, below, are hereby inserted into the City of Buellton 2025 General Plan, adopted November 17, 1993, and as amended through November 5, 2024, beginning at page LU-2 of the General Plan Land Use Element, to replace the existing section of the same title":

#### **"CITY OF BUELLTON URBAN GROWTH BOUNDARY**

##### **Introduction**

The voters of the City of Buellton have, through the initiative process, established and adopted an urban growth boundary line denominated the Buellton Urban Growth Boundary (UGB). Its purpose, principles, implementation procedures and methodologies for amendment are set forth in this subsection.

##### **1. PURPOSE**

The purpose of this UGB is to ensure that the development policies and underlying goals, objectives and principles set forth in the Buellton 2025 General Plan relating to Land Use are inviolable against transitory short term political decisions and that agricultural, watershed and open space lands are not prematurely or unnecessarily converted to other non-agricultural or non-open space uses without public debate and a vote of the people.

## **2. PRINCIPLES**

Continued urban encroachment into agricultural and watershed areas will impair agriculture and threaten the public health, safety and welfare by causing increased traffic congestion, associated air pollution, and potentially serious water problems such as pollution, depletion and sedimentation of available water resources. Such urban encroachment would eventually result in both the unnecessary, expensive extension of public services and facilities and inevitable conflicts between urban and open space/agricultural uses.

The unique character of the City of Buellton and the quality of life of its residents depend on the protection of a substantial amount or surrounding open space, natural resources and agricultural lands. The protection of such lands not only ensures the continued viability of agriculture, but also contributes to flood control and the protection of wildlife, environmentally sensitive areas, and irreplaceable natural resources. As importantly, adopting a UGB will promote the formation and continuation of a cohesive community by defining the boundaries, by encouraging economic development of the Buellton Revitalization Area and by helping to prevent urban sprawl. Such a UGB will promote efficient municipal services and facilities by confining urban development to defined development areas.

## **3. IMPLEMENTATION**

a) The City of Buellton hereby amends the UGB of the City of Buellton which shall include within its areas shown on the accompanying map (Figure LU-1), The City Limits and the UGB line are illustrated in Figure LU-I.

b) Until December 31, 2036, the City of Buellton shall restrict urban services (except temporary mutual assistance with other jurisdictions) to within the UGB, and only uses consistent with agriculture and the preservation of open space lands as set forth in Government Code section 65560(b) as of November 5, 2024, shall be allowed beyond the UGB, except as provided herein. Other than the exceptions provided herein, upon the effective date of this General Plan amendment, the City and its departments, boards, commissions, officers and employees shall not grant, or by inaction allow to be approved by operation of law, any General Plan amendment, rezoning, specific plan, tentative subdivision map, special use permit, building permit or any other discretionary entitlement which is inconsistent with the UGB, unless in accordance with the amendment procedures of this General Plan amendment.

c) "Urban services" shall include, but not be limited to, water and sewer services.

## **4. AMENDMENT PROCEDURES**

Until December 31, 2036, the foregoing Purposes, Principles and Implementation provisions may be amended only by a vote of the people commenced pursuant to Article I of Chapter 3 of Division 9 of the Elections Code, or pursuant to the procedures set forth below:

a) The City Council may amend the UGB described herein if it deems it to be in the public interest, provided that the amended boundary is within the limits of the UGB established by the Buellton Urban Growth Boundary Initiative of 2024.

b) The City Council, following at least one public hearing, may amend the UGB to comply with state law regarding the provision of housing for all economic segments of the community. For that purpose the City Council may amend the UGB as described herein and as designated on Figure LU-I in order to include lands to be designated for residential uses. Such amendment may be adopted

only if the City Council makes each of the following findings based on substantial evidence:

i) That the land is immediately adjacent to the existing UGB and to serviceable water and sewer connections; and

ii) That the proposed development is necessary to comply with a state law imposing a mandatory housing obligation (e.g., the provision of affordable housing), and the area of land within the proposed development will not exceed the minimum necessary to comply with the mandatory housing obligation; and

iii) That there is no existing land available within the UGB to accommodate development that will address the housing need identified in the analysis by which the City has determined that it is not in compliance with State law.

c) The City Council, following at least one public hearing, may amend the UGB if the City Council makes each of the following findings:

i) Application of the provisions of subsections 1 or 2 of these amendment procedures are unworkable as applied to a specific parcel, and failure to amend the UGB would constitute an unconstitutional taking of a landowner's property for which compensation would be required; and

ii) The amendment and associated land use designations will allow new land uses only to the minimum extent necessary to avoid an unconstitutional taking of the landowner's property.

d) The City Council, following at least one public hearing, may place any amendment to the UGB or provisions of this initiative on the ballot in the manner provided by state law.

e) The City Council may, following at least one public hearing, amend the UGB to include land contemplated for construction of public schools or public parks. Such amendment may be adopted only if the City Council makes each of the following findings:

i) The land is immediately adjacent to existing compatibly developed areas and there is evidence that the Fire Department, Police Department, Department of Public Works, the Community Services Department, and the applicable water and sewer districts with jurisdiction over such land have or will provide adequate capacity to accommodate the proposed development and provide it with adequate public services; and

ii) That there is no existing land available within the UGB to accommodate the proposed development.

f) The City Council may reorganize, reorder and renumber General Plan provisions, including the provisions of this General Plan amendment."

#### **Section 4. Conforming Amendments.**

In light of the General Plan amendments set forth above, the City of Buellton 2025 General Plan adopted November 17, 1993, and as amended through November 5, 2024, is hereby further amended as set forth below in order to promote internal consistency among the various elements of the General Plan. Text to be inserted into the General Plan is indicated in *bold italic* type. Text to be deleted is presented in ~~strike through~~ type. Text in standard, bold or italic type currently appears in that fashion in the General Plan and remains unchanged by this amendment.

The following amendments may be further amended by the City Council without a vote of the people, provided that no inconsistencies with the UGB or with the balance of the 2025 General Plan are created thereby.

a) Page LU-I, Introduction, amended to read:

"The City Limits, the Buellton Urban Growth Boundary line, and the boundaries of

the City's Sphere of Influence and Planning Area are depicted on Figure LU-1. This Land Use Element provides for the opportunity for infill development within ~~the City limits and the Buellton Urban Growth Boundary line~~. The City's Sphere of Influence is currently coterminous with the City limits ~~and the Buellton Urban Growth Boundary line~~, and the Land Use Element does not currently project growth outside of the existing City limits and the Buellton Urban Growth Boundary line. However, the Land Use Element contains policies and programs that *may* call for a Sphere of Influence study to identify planned growth areas in the future. The City also has a "Comment Area" that consists of County lands for which the City will review future development applications for consistency with City goals and policies and present comments to the County as appropriate.

The Land Use Element goals, policies, and programs, particularly as they relate to the Buellton Urban Growth Boundary, are intended to preserve the small town character of Buellton."

b) Figure LU-1 text amended to read:

"City Limits, Buellton Urban Growth Boundary and Sphere of Influence  
Existing City Limits, Buellton Urban Growth Boundary, and Sphere of Influence"

c) Page LU-1 8, General Policies, amended to read:

"L-1 The Buellton Urban Growth Boundary, sphere of influence, planning area, and land use designations are shown on Figures LU-1 and LU-3. The land use designations and policies of this General Plan apply to the sphere of influence. Public improvements and significant new private development proposed in the planning area shall be reviewed by the City.

L-2 Further annexations to the City may occur when:

- a. Substantial public benefit may be realized through the annexations, such as the provision of open space, additional parkland, or the protection of scenic vistas, or natural resources; or special type of use is proposed that cannot be practically accommodated in the existing city limits.
- b. The annexations constitute fiscally sound additions to the City, as documented in a Fiscal Impact Report;
- c. Consistency with State law and Local Agency Formation Commission standards and criteria can be assured;
- d. Neighborhood identities are not compromised by the annexations;
- e. Adequate municipal services can be provided to the annexed area;
- f. Annexations are complimentary to ongoing redevelopment efforts regarding infill housing and the vitality of the City's downtown commercial center.
- g. Annexations support optimal return from public investment on existing and new roads and bridges, schools, utilities and drainage facilities, transit systems, or other public services and facilities.
- h. Ample park land is provided for residential annexations, especially on the ~~east~~ **north** end of the City.
- i. For sites A and C on Figure LU-1, a City-approved specific plan must be adopted for each site prior to annexation.***
- j. Site B must have pre-zoning and a City-approved Final Development Plan prior to annexation.***

The Planning Commission shall review the merits of a request for annexation based on these criteria, and make a recommendation to the City Council. City Council shall review the merits of a request for annexation, based on the above criteria, and make a presentation to the people of Buellton, as required by this General Plan."

## **Section 5. Implementation**

A. At such time as Section 3. General Plan Amendment, and Section 4. Conforming Amendments, above, are inserted in the City of Buellton 2025 General Plan, any provisions of the General Plan that are inconsistent with Section 3. General Plan Amendment, and Section 4. Conforming Amendments, above, shall not be enforced.

B. The City of Buellton is hereby authorized and directed to amend the Buellton 2025 General Plan, all specific plans, the City Zoning Ordinance, the City Zoning Map, and other ordinances and policies affected by this initiative as soon as possible and in the manner and time required by any applicable state law, to ensure consistency between the policies adopted in this initiative and other elements of the Buellton 2025 General Plan, all specific plans, the City Zoning Ordinance, the City Zoning Map, and other City ordinances and policies.

## **Section 6. Exemptions for Certain Projects.**

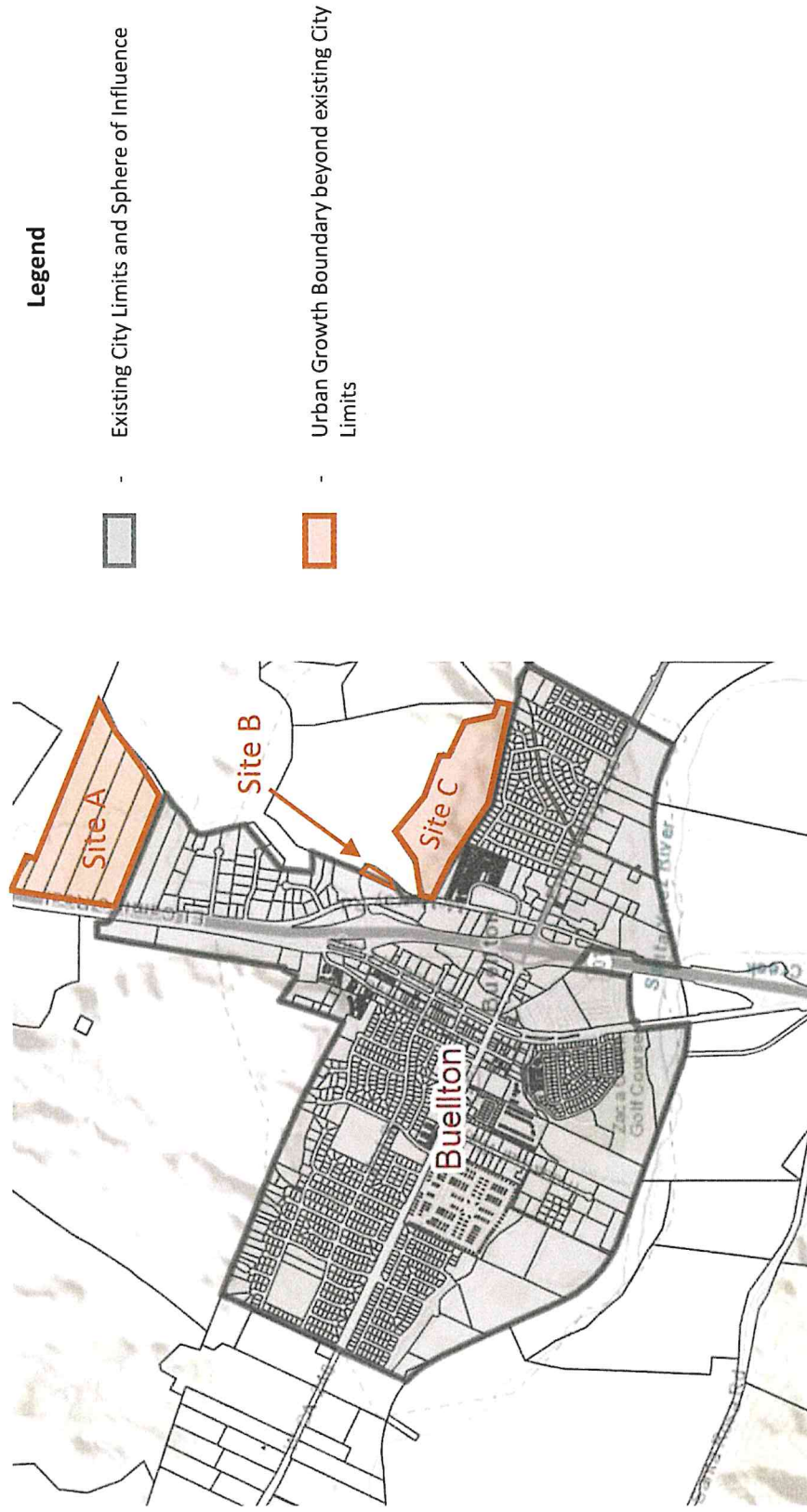
A. This initiative shall not apply to any development project or ongoing activity that has obtained, as of the effective date of this initiative, a vested right pursuant to state or local law.

B. This initiative shall not be interpreted to apply to any land use that, under state or federal law, is beyond the power of the local voters to affect by the initiative power reserved to the people via the California Constitution.

## **Section 7. Severability and Interpretation.**

This initiative shall be interpreted so as to be consistent with all federal and state laws, rules and regulations. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, part or portion of this initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this initiative. The voters hereby declare that this initiative, and each section, subsection, paragraph, subparagraph, sentence, clause, phrase, part or portion thereof would have been adopted or passed even if one or more sections, paragraphs, subparagraphs, sentences, clauses, phrases, parts or portions are declared invalid or unconstitutional. If any provision of this initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this initiative that can be given effect without the invalid application. This initiative shall be broadly construed in order to achieve the purposes stated in this initiative.

**Figure LU-1**  
(Exhibit 1 - Urban Growth Boundary of 2024)



**RESOLUTION NO. 24-17**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF AN ELECTION TO BE CONSOLIDATED WITH THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024 FOR THE PURPOSE OF SUBMITTING A MEASURE TO THE QUALIFIED VOTERS OF BUELLTON REGARDING RAISING THE TRANSIENT OCCUPANCY TAX RATE**

**WHEREAS**, Chapter 3.28 of the Buellton Municipal Code provides the provisions for the Buellton Transient Occupancy Tax (TOT), a charge for transient occupancy in hotels, motels, etc. (as defined in Section 3.28.020); and

**WHEREAS**, Section 3.28.030 sets the TOT rate to be charged at twelve percent (12%); and

**WHEREAS**, it is the desire of the City Council to place before the voters of the City of Buellton an amendment to the Buellton Municipal Code to increase the amount of the TOT rate from twelve percent (12%) to a maximum fourteen percent (14%) for a period of 25 years after which it shall revert to twelve percent (12%) unless extended by the voters; and

**WHEREAS**, it is the further desire and intent of the City Council that all fees and revenues collected through the TOT increase shall be used as the Council shall find will contribute and promote to the growth, enlargement, and prosperity of the City and will forward, encourage, advance, help, aid assist in the growth, enlargement and prosperity of the City; and

**WHEREAS**, pursuant to existing California Law, the establishment or increase of general or special municipal taxes must be submitted to the voters for approval; and

**WHEREAS**, under the provisions of the law relating to General Law cities in the State of California, a General Municipal Election shall be held on November 5, 2024; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Buellton as follows:

**SECTION 1.** That pursuant to the requirements of the laws of the State of California there is called and ordered to be held in the City of Buellton, California on Tuesday, November 5, 2024 an Election for the purpose of submitting to the voters the following Measure:

Shall Section 3.28.030 of the Buellton Municipal Code be amended to increase the Transient Occupancy Tax rate, which applies only to transient occupants of hotels (as defined in Section 3.28.020), from twelve percent (12%) to fourteen percent (14%) for a period of 25 years, after which it shall revert to twelve percent (12%) unless extended by the voters?	<b>YES</b>
	<b>NO</b>

**SECTION 2.** That the text of the ordinance submitted to the voters is attached as Exhibit “A”.

**SECTION 3.** That the ballots to be used at the election shall be in form and content as required by law.

**SECTION 4.** The City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election. Pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Santa Barbara is requested to place the Buellton Transient Occupancy Tax Measure on the ballot to be consolidated with the General Election scheduled for November 5, 2024.


**SECTION 5.** That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed except as provided in Section 14301 of the Elections Code of the State of California.

**SECTION 6.** That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

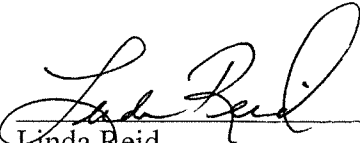
**SECTION 7.** That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

**SECTION 8.** The City Clerk shall certify the passage and adoption of this Resolution.

**PASSED, APPROVED and ADOPTED** this 23<sup>rd</sup> day of May, 2024.

  
\_\_\_\_\_  
Daye King  
Mayor

ATTEST:

  
\_\_\_\_\_  
Linda Reid  
City Clerk, Elections Official



**EXHIBIT A****The Full Text of the Measure is as Follows:****TRANSIENT OCCUPANCY TAX RATE INCREASE****To Be Submitted to the Voters of the City of Buellton****THE PEOPLE OF THE CITY OF BUELLTON DO ORDAIN AS FOLLOWS:**

Section 3.28.030 of Chapter 3.28 of the Buellton Municipal Code is hereby amended to read, as follows:

**“3.28.030 Rate.**

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of fourteen percent (14%) of the rent actually charged or customarily charged by the operator for the rooms and/or facilities occupied by the transient. This tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator of the hotel at the time the rent is paid. The unpaid tax is due upon the transient’s ceasing to occupy space in the hotel. If, for any reason, the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax be paid directly to the tax administrator. The amount of the tax shall automatically revert to twelve percent (12%), the previous amount of the tax, on the twenty-fifth anniversary of the effective date of this ordinance unless extended by a then-qualifying vote of the electorate.”

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I, Linda Reid, City Clerk of the City of Buellton, do hereby certify that the foregoing Resolution No. 24-17 was duly adopted by the City Council of the City of Buellton at a regular meeting held on the 23<sup>rd</sup> day of May 2024 by the following vote of the Council:


AYES: 4 Council Members Hornick and Sanchez, Vice Mayor Silva and Mayor King

NOES: 0

ABSENT: 1 Council Member Lewis

ABSTAIN: 0

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Linda Reid  
City Clerk, Elections Official