



## PRE-APPLICATION REVIEW TEAM (PRT) COMMENTS #1

December 20, 2024

Dave Eadie  
Kennedy Wilson

Sent Via E-mail: [deadie@kennedywilson.com](mailto:deadie@kennedywilson.com)

**SUBJECT: 3485 STATE STREET, PRE2024-00182, APN: 051-010-008**

<b>PRT Meeting Date:</b> January 8, 2025 10:30 A.M. – 11:30 A.M. Via Video Conferencing ( <a href="#">Join the meeting now</a> )
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Dear Mr. Eadie:

### I. INTRODUCTION / PROJECT DESCRIPTION

The purpose of this PRT review is to assist you with the City's review process, including Planning Application submittal requirements, and to identify significant issues relevant to the project. This review does not include a detailed analysis of building code compliance, which would be completed at time of building permit submittal should an application proceed. This letter will outline our preliminary comments on your proposal. Please review this letter carefully prior to our scheduled meeting date; we will answer your questions at that time. The specificity of our comments varies depending on the amount of information available at this time. In many cases, more issues arise at later steps in the process. However, our intent is to provide you with as much feedback and direction as possible at this pre-application step in the process. More information on the review process is available here: [Planning \(PLN\) Application Guide](#).

The project proposes to demolish two existing commercial structures (former Sears store and auto center) and surrounding parking areas located at 3845 State Street (a portion of La Cumbre Plaza) and construct a 443-unit rental housing development including 36 studio, 183 one-bedroom, 201 two-bedroom, and 23 three-bedroom units in two buildings under the Average Unit-Size Density Incentive Program. The project also includes a 10,000 square foot leasing and amenities building, courtyards and other outdoor common areas providing open yard areas for residents, and a pedestrian path along Arroyo Burro Creek on the eastern side of the property. The project would be constructed in two phases.

The 9.45-acre project site is zone C-G/USS (Commercial General/Upper State Street Area Overlay) and has General Plan designations of Commercial/High Density Residential (28-36

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du/ac) with a Priority Housing Overlay (37-63 du/ac) and Commercial/Medium High Density Residential (15-27 du/ac) on the portion of the site within a 250-foot buffer of Highway 101.

Staff from various City Departments/Divisions have reviewed your conceptual plans, consistency analyses, and correspondence for the subject project.

## **II. APPROVALS REQUIRED**

Based on the information submitted, the required approvals/applications would be:

**A. Planning Division**

1. Planning Commission Concept Review of the proposed Average Unit-Size Density Program project (Santa Barbara Municipal Code (SBMC) Section 30.150.060.A)
2. Design Review by the Architectural Board of Review (SBMC Chapter 30.220).

**B. Building & Safety Division**

1. Building Permit

**C. Engineering Division**

1. Public Improvement Plan (C-1)
2. Sidewalk Dedication (possibly needed to comply with SBMC §22.44)

**D. Wastewater**

1. New Sewer Service Connection

**E. Water Supply/Distribution**

1. New Water Service Connection

**F. Transportation Division**

1. Public Works Permit for work in right-of-way
2. Waiver (To be determined once project scope is finalized)

**G. Fire Department**

1. Fire Sprinkler Permit per building

**H. Environmental Services Division**

1. Building Permit

**I. Creeks Division**

1. Compliance with Tier 4 SWMP requirements

**J. Parks and Recreation**

1. Tree Removal Permit

### III. COMMENTS, ISSUES AND REQUIRED INFORMATION

*This section includes comments from the City's Land Development Team and explains the reasons the City may consider the project to be inconsistent or not in compliance with any applicable plan, policy, ordinance, standard, or requirement.*

#### A. Planning Division

**Staff Contact:** Patsy Price; (805) 564-5470 Ext. 4582

1. **Staff Supportability.** The project proposes a multi-family residential development that includes amenities, including outdoor areas, for residents and a walking path along Arroyo Burro Creek. The project would add a substantial amount of needed housing to the City's housing stock at a location identified by the City's General Plan for the highest residential densities in the City. While staff finds the overall use appropriate, additional information is needed to demonstrate how the project will integrate with the surrounding area as part of the commercial and residential village envisioned for the redevelopment of La Cumbre Plaza in the General Plan and address circulation and open space needs identified in the Upper State Street Area Design Guidelines.
2. **Design Review.** The project requires Design Review by the Architectural Board of Review (ABR).
  - a. **Pre-Application Concept Review.** An initial Pre-Application Concept Review by ABR shall occur prior to Concept Review by the Planning Commission pursuant to SBMC §30.150.060.C. The project will be scheduled for an ABR hearing date in early 2025.
  - b. **Applicable Design Guidelines.** To approve the project, the ABR must make findings that the project is consistent with applicable design guidelines; in this case, the Upper State Street Design Guidelines and Architectural Board of Review Guidelines apply to the project.
  - c. **Compatibility Analysis.** In addition to other considerations and requirements, in the course of the ABR's review of the project, it will consider project compatibility findings pursuant to SBMC §22.68.045.
3. **Concept Planning Commission Review.** Projects developed with the Average Unit-Size Density Incentive (AUD) Priority Housing Overlay density allowances on lots that exceed 15,000 square feet require Concept Review by the Planning Commission pursuant to SBMC §30.150.060. Following pre-application concept review by ABR, the Planning Commission will provide comment and recommendation by majority vote regarding the proposed design and improvement of the project and the project's consistency with the City's General Plan. The Planning Commission's comments and recommendations are intended for use by the ABR during their deliberations.
4. **General Plan Policies.** Several policies in the City's General Plan address redevelopment of La Cumbre Plaza.

Land Use Element policy LG15 (Sustainable Neighborhood Planning) includes implementation action LG15.2 (La Cumbre Plaza Specific Plan) which calls for preparing an initial framework for a future La Cumbre Plaza Specific Plan for eventual redevelopment of the site based on the analysis in the Upper State Street Study, including consideration of a mixed commercial and residential village and possible public improvements such as a transit center, open space/public park, pedestrian connections, east/west vehicle circulation connections, and parking structures.

Housing Element program HE-2 (La Cumbre Plaza Planning Area) addresses substantial redevelopment of the 31-acre La Cumbre Plaza, including the project site, and notes the need to consider effects on Arroyo Burro Creek, provision of new public open space, multi-modal circulation improvements, impacts to nearby schools, new affordable housing, and increased height limits in redevelopment of this area.

While no specific plan has been prepared, these policies identify factors that should be considered in designing the proposed project to ensure it is integrated within the larger La Cumbre Plaza, both under existing conditions and with future redevelopment of the remainder of the shopping center.

5. **Upper State Street Area Design Guidelines.** As discussed above, the Upper State Street Area Design Guidelines (Guidelines) apply to the project site. The purpose of the Guidelines is to provide direction for how property owners, both public and private, can make improvements to their properties to collectively improve the visual character and circulation of the Upper State Street area. The project application should incorporate elements identified in the Guidelines.
  - a. **Pedestrian Paseos and Connections.** The Guidelines encourage the incorporation of pedestrian-oriented paseos to facilitate connections between commercial and residential uses. The pedestrian circulation exhibit included with the pre-application (Sheet A9) provides conceptual information about the pedestrian circulation within and surrounding the site. Additional details are needed on the project plans to demonstrate high quality pedestrian corridors and connections between the project and adjacent areas.
  - b. **Bicycle Paths.** The Upper State Street corridor serves as a major bicycle corridor and route to and from Downtown and the adjacent residential communities. Per Guideline 64, "Where bicycle paths are near proposed major development, opportunities to connect the parcel to the paths should be pursued." See Transportation comments for additional comments on bicycle connection requirements.
  - c. **Parking.** The Guidelines encourage underground parking because it provides space for high quality, attractive projects above-ground because it provides additional room for open space and can preserve views. Consider whether some parking could be provided underground.

- d. **Arroyo Burro Creek.** The Guidelines call for restoring creek areas, increasing creek buffers and building setbacks from creeks, and establishing creekside pedestrian paths to improve circulation, increase connectivity, and increase public awareness of creeks. The conceptual plans include a proposed pedestrian path along the creek, consistent with the off-street pedestrian trail identified on the Transportation Improvements exhibit in the Guidelines (p. 48). The design for this pedestrian path should also address Guidelines 36-38, including increasing creek buffers and restoration.
  - e. **Open/Park Space.** The project site is in the “West Sub Area” of the Upper State Street area. Currently there are no public open spaces/parks in the West Sub Area to serve a residential community. The only open space/public park in the Upper State Street area is MacKenzie Park, which is a mile away. While the project includes outdoor amenities for residents, this open yard area is intended to supplement, not replace open space/parks in a residential community. The proposed pedestrian path provides an opportunity for enhanced open space on the project site. Consider whether the path could include seating or other amenities to expand its function as an open space. See Guidelines 30-35.
6. **Inclusionary Requirements for AUD Rental Housing.** The project is subject to the City’s rental housing Inclusionary requirements (SBMC §30.150.110), which implements policies of the Housing Element.

For residential projects with 10 or more rental housing residential units developed in accordance with the AUD Program, at least 10% of the total residential units on site shall be constructed and offered at a Moderate-Income affordable unit. In determining the number of Moderate-Income units, any decimal fraction of 0.5 or more shall be rounded up to the nearest whole number, and any decimal fraction less than 0.5 shall require payment of an in-lieu fee. In this case, based on the information included in the pre-application, 44 units must be provided at the Moderate-Income level. In addition, an in-lieu fee is required based on the following formula: Fractional Unit/Total Moderate-Income Unit Requirement x Per Square Foot Fee x Net Floor Area in the Project. See SBMC §30.15.070 for the definition of Net Floor Area.
7. **AUD Program Inclusionary Moderate Income Housing Plan Requirement.** Every AUD rental housing development subject to SBMC §30.150.110.A shall include a Moderate Income Housing Plan that meets the standards of §30.150.140 as part of the building permit application submittal. No application for a building permit may be issued until a Moderate Income Housing Plan is submitted to and approved by the Community Development Director as being complete. The Community Development Director may require additional information reasonably necessary to clarify and supplement the application or determine the consistency of the proposed Moderate Income Housing Plan with the requirements of SBMC Chapter 30.150.
8. **AUD Calculations.** As noted in the submitted materials, the project site has a split land use designation, with a portion of the site designated Commercial/High

Density Residential (28-36 du/ac) with a Priority Housing Overlay (37-63 du/ac) and the portion of the site within a 250-foot buffer of Highway 101 designated Commercial/Medium High Density Residential (15-27 du/ac).

Please provide separate average unit size density calculations for each of these areas. You may use the format provided in the [AUD Calculator](#) as a template or provide the information in a similar format.

- 9. Nonresidential Growth Management Program (GMP).** To temper the overproduction of nonresidential development, the City's Nonresidential Growth Management Program caps nonresidential development citywide, and allows for transfer (sale) of nonresidential square footage within the three geographic Development Areas (i.e., Downtown, Outlying and Airport). SBMC Chapter 30.170 provides details on the cap, existing nonresidential square footage rights, rules for additions, annual allocation of new nonresidential square footage, and transfer requirements. Because existing nonresidential development that is demolished can be used for future development ("demo credit"), on the same site or transferred for development elsewhere, it is important for all applications to accurately track existing nonresidential square footage to remain, to be demolished, and to be constructed.

Please review the City's street files and archived plans and your records for the property to determine the existing permitted nonresidential floor area on the site and include this information on existing nonresidential square footage to remain, to be demolished, and to be constructed in the project data on the project plan title sheet.

- 10. Alternative Energy.** The City of Santa Barbara supports the use of alternate energy sources to conserve energy resources and reduce carbon emissions that contribute to climate change. Please explain how your project complies with the following:
- a. **Solar Energy.** Installation of solar photo-voltaic arrays as part of new construction, redevelopment, and significant remodel projects should be provided in accordance with General Plan Policy ER6.  
  
Multi-family residential projects of three or more units require provision of a minimum 2 kW system per unit if physically feasible.
  - b. **Electric Vehicle Charging.** Project applicants are required to pre-wire developments to facilitate electric vehicle charging. This may be accomplished in a variety of ways depending on the scope of the project. Refer to the Central Coast Plug-In Electric Vehicle Readiness Plan and the City Climate Action Plan Policy 20, and the 2019 CGBSC Sections 303.3 and 5.106, and CBC Section 11B-228.3.
- 11. Air Quality Highway 101.** A portion of the project is located within 250 feet of Highway 101 and is subject to the Air Quality Design Standards listed in SBMC Chapter 22.65. Show both of the following items on the Site Plan and Floor Plans and/or Mechanical Plans:

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- a. **Required Interior Air Filtration.** Show on plans a central ventilation system with high efficiency air filtration and submit equipment specifications; and
  - b. **Design Elements.** Show one or more of the required design elements identified in SBMC §22.65.040 on plans including Site Layout, Building, and Landscape Design.
12. **Wireless Facilities.** Please specify in the project description whether the existing wireless facilities on the site are proposed to be removed and the uses discontinued. If wireless facilities are proposed to be incorporated into the project, provide details regarding the proposed scope and location of those uses.
13. **Title Report.** The title report submitted with the pre-application includes both the project site (APN 051-010-008) and an adjacent parcel (APN 051-010-007). Please provide a title report that covers only the project site.
14. **Zoning Plan Check.** The project plans are not at the level of detail to demonstrate compliance with applicable zoning development standards. Consider the following when preparing plans for the formal planning application. Also see the [Project Plan Submittal Guide](#) for additional details on plan requirements.
- a. **Height.** Per SBMC § 30.15.090.A, building height is measured from every point on top of the proposed building roof or roof parapet to a warped plane directly below connecting all points where the existing or finished grade, whichever is lower, contacts the proposed exterior building walls or foundation system. To determine the theoretical existing grade within the existing building footprint, the same methodology should be applied. That is, the warped plane created by connecting all points where the existing exterior building walls or foundation system contact the existing grade represents the theoretical existing grade within the building footprint for purposes of determining allowable building height. This means that areas of the Sears building that are contiguous with the existing mall, where the existing grade is lower, the maximum height of structures would be lower than on areas of the site where the existing grade adjacent to the Sears building is higher. Plans should show the height of all proposed buildings and walls.
  - b. **Fences and Walls.** There is no height limit for fences and walls outside of front setbacks. However, they are subject to design review by ABR. See SBMC § 30.15.090.B for rules of measurement for fences and walls.
  - c. **Open Yard.** Indicate the method by which open yard requirements are proposed to be met (i.e., common vs. private) and provide an exhibit and calculations showing the areas of the site proposed to meet this requirement.
  - d. **Setbacks.** Show all proposed building and wall setbacks. Setbacks along street frontages should be measured from the back of the existing or proposed street dedication, whichever is greater.

- e. **Parking.** The La Cumbre Plaza shopping center relies on shared parking across parcels. In addition to parking information for the project site, the plans should depict how the project will ensure continued compliance with applicable zoning requirements for parking for the remainder of La Cumbre Plaza.
  - i. **Existing Parking Information.** For your reference, during the review and approval process for the tenant improvement at 3855 State Street (Bristol Farms), a comprehensive analysis of the parking for La Cumbre Plaza was completed. This analysis was based on a survey performed on February 28, 2019, by PSOMAS. A copy of the survey summary, including parking spaces totaled by parcel, is available in the archive plans for BLD2019-05853, sheet pages 16-19, 3855 State Street, which can be viewed at the planning counter at 630 Garden Street. Please also contact Planning staff for information on permits issued since the 2019 survey that further modified existing parking.
  - ii. **Electric Vehicle Parking.** Be advised that the proposed change in use may result in a change in the ratio of electric vehicle parking requirements for the shared La Cumbre Plaza parking lots, which would need to be addressed if applicable.
  - iii. **Accessible Parking for Residential Units.** Where one or fewer automobile parking spaces are required per residential unit for any new development, if signed, accessible automobile parking spaces are required by the Building Code, then the signed, accessible automobile parking spaces must be provided in addition to the minimum number of automobile parking spaces required per residential units. See SBMC §30.175.030.I.1.
  - iv. **Bicycle Parking.** The project requires one long-term bicycle parking space per residential unit. See SBMC §30.175 and Transportation comments below for additional details. The plans should show all proposed bicycle parking in both the statistics and on the site and/or floor plans.
- 15. **Hotel Units Advisory.** Although hotels are permitted in this zone, residential units approved, permitted, or constructed under the Average Unit-Size Density Incentive Program cannot be converted to a hotel or other similar use in the future (SBMC Section 30.150.100). Units rented for 30 days or less (e.g. “vacation rentals”) qualify as a hotel use. Should you wish to incorporate any hotel units in the scope of the project, you may do so prior to the application being deemed complete; however, any units permitted as residential units cannot be converted at a later time. Commercial Zoning Code requirements (e.g. parking) and Building Code requirements (e.g. accessibility) apply accordingly.
- 16. **Technical Studies.** While housing at La Cumbre Plaza was identified in the City’s 2023 Housing Element, the Housing Element Implementation Program is a programmatic document and does not consider the impacts of individual



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housing sites. The City's General Plan also identified housing at La Cumbre Plaza; however, project-specific impacts were also not analyzed in the General Plan Environmental Impact Report (EIR). Given the scope of the project, there are project-specific impacts that must be analyzed, such as project-specific construction impacts and impacts to public services including fire protection, police protection, schools, parks and other public facilities. The following technical studies will be required. Please ensure all technical reports include analysis of all phases of construction and operation and offsite improvements, including improvements in the right-of-way.

- a. **Archaeology.** Based on a review of the City's Master Environmental Assessment, the project site is located within the Prehistoric Watercourse Archaeological/Cultural Resource Sensitivity Zone.

As a result, a Phase I Archaeology Report is required to be prepared and submitted for review and acceptance by the Historic Landmarks Commission as part of California Environmental Quality Act (CEQA) mandated environmental review. A copy of the submittal requirements for the required report and a copy of the [List of City Approved Archaeological Consultants](#) are available on the City website. Once the Report is submitted, its content will be reviewed and you will be notified of the next step(s) in the review process for your project.

- b. **Air Quality and Greenhouse Gas Report.** Please provide an air quality and greenhouse gas technical analysis with emissions calculations for construction and operational criteria air pollutant emissions. This should include all emissions directly and indirectly associated with the project including stationary, energy, mobile, solid waste, water and wastewater source emissions. Please quantify greenhouse gases associated with the project. Include an analysis of project consistency with Santa Barbara County Air Pollution Control District (APCD) Rules and applicable air quality management plans. Include an analysis of effects on sensitive receptors. Also see the attached letter from APCD for additional information regarding report requirements.
- c. **Arborist Report.** The removal of trees in a commercial parking lot requires approval from the Community Development Department and the Architectural Board of Review (SBMC Chapter 15.24 Preservation of Trees). Both the visual and biological impacts of their removal need to be considered. Please provide an arborist report that identifies the species, size, and health, as well as a recommended replacement ratio. The City's Environmental Resources Element policies (ER 4.0, 4.1, 4.2, 4.3, 4.4) require the preservation and protection of mature trees. Where preservation is not feasible, major trees removed as a result of development or other property improvements shall be replaced by specimen trees on a minimum one for one basis. Your application materials should demonstrate compliance with these policies.

- d. **Biological Resources Report.** Arroyo Burro Creek runs along the eastern side of the project site. Please provide a biological report evaluating potential impacts of the project on the creek and associated biological resources. Measures may be needed to protect biological and creek resources during construction and project operation. Also see comments below for the Creeks Division related to creek buffers and restoration.
  - e. **Geotechnical.** According to the City's Geology and Geohazards Master Environmental Assessment Potential Fault Hazard Zone Map, an apparently active fault hazard zone bisects the project site. The City requires a screening level fault investigation analysis for multi-family residential projects in this zone. See the [Technical Report and Evaluation Guidelines for Geology and Geohazards](#) for report guidelines. Depending on the results of this analysis, a more detailed site investigation may be required.
  - f. **Hazardous Waste Sites.** California Government Code §65962.5 requires all applicants to submit a signed statement indicating whether the project site is located on a list of hazardous waste sites prior to a completeness determination. Please include this with the formal application.  
  
A Phase I Environmental Site Assessment is also required to confirm. See additional information regarding the requirements and review process for the Phase I under County Environmental Health Services comments below.
  - g. **Noise.** Please include a noise assessment that analyzes construction related and operational noise levels and any effects on sensitive receptors. See the City's [Noise Guide](#) for information on noise regulations and study requirements.
  - h. **Land Use/Public Services.** Staff will determine if special studies or additional information pertaining to the analysis of public services and facilities (including fire protection, police, schools, and parks) is needed once additional project information is provided.
  - i. **Visual Aids.** In addition to story poles (see comment below), visual aids may be needed to aid in evaluating size, bulk, scale, and neighborhood compatibility. Staff will provide direction on visual aids once detailed project plans have been submitted. The [Visual Aid Submittal Packet](#) provides information on visual aids that may be requested.
17. **County Environmental Health (EHS) Comments.** The following comments were provided by staff at the LUFT and Site Mitigation Unit, Santa Barbara County Public Health Department:
- a. Based upon data on GeoTracker there are LUFT or SMU sites nearby that would be expected to impact the subject site. The site is a former LUFT Site (Sears Service Center 3845 State Street, GeoTracker Global

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ID T0608300740). This case involved the removal of a 550-gallon waste oil tank at the site's auto service center. According to the case closure summary, petroleum impacted soil was left in place at a depth of 10 feet below ground service. Additionally, auto service centers may have had underground hoists and used chlorinated solvents to clean parts. Underground hoists that operated prior to 1978 may have used PCBs in their hydraulic oil. EHS recommends contacting the Central Coast Regional Water Quality Control Board regarding this site as they are now the lead agency for LUFT sites in the County. We have also notified Greg Bishop ([Greg.Bishop@waterboards.ca.gov](mailto:Greg.Bishop@waterboards.ca.gov)) with the Regional Board to inform him of your pre-application. A review of the City's street file indicates:

- i. A 550-gallon above ground waste oil tank was installed in 1990 and replaced in 2002; and
  - ii. A transformer was installed in the 1960s. If the cooling oil was used in the transformer, it may have contained PCBs.
- b. Based upon the former use, a Phase I Environmental Site Assessment (ESA) should be performed on the site and submitted to EHS for review. Based upon results of the Phase I, Phase II sampling may be warranted.

As part of the formal application review process, EHS must review and accept the Phase I ESA. Please coordinate with EHS to determine the next steps and submit any EHS correspondence to the City. See the [EHS application](#) for review of environmental documents not enrolled in the EHS voluntary remedial oversight program.

- c. Based upon data on the Cal-GEM website, there aren't historic oil drilling wells in proximity to the site. The nearest well to the property appears to be more than 6,000 feet away.

18. **County Air Pollution Control District (APCD) Comments.** Please see the attached letter from APCD regarding the proposed project.
19. **School Facilities.** Hope Elementary School District recently completed a study of projected facility needs based on anticipated residential development within district boundaries. Project specific and cumulative impacts on public services, including school facilities, will be analyzed as part of the environmental review of the project. We recommend coordinating with Hope Elementary School District and Santa Barbara Unified School District to share information regarding the proposed project so to aid the districts' gathering of information that will be necessary to inform environmental review of the project.
20. **Project Construction Phasing.** The project application indicates the project would be constructed in two phases. In order to evaluate short-term construction-related traffic, parking, air quality, and noise impacts, provide a construction plan for each phase of construction (e.g., demolition, grading, construction, landscaping) that delineates the following:
  - a. the estimated number of truck trips,

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- b. an estimate of the length of construction time for each phase of construction, including hours per day and total days,
  - c. the types of equipment necessary for each phase and how long they would be used, including hours per day and total days,
  - d. the number of construction workers on site daily during each phase, and
  - e. the location(s) of construction staging and construction worker parking.
21. **Story Poles.** Story poles will be required for this project, as outlined in the [Visual Aid Submittal Packet](#), prior to the Planning Commission/Staff Hearing Officer hearing. Staff will provide additional information on this requirement later in the process.
22. **Formal Submittal.** The following items are required when you formally submit the project:
- a. **Planning Application Submittal Packet.** Submit all required information identified in the [Planning Application](#), including applicable information identified in the [Project Plan Submittal Guide](#) (both available on City website).
  - b. **PRT Letter.** Submit a copy of this letter, indicating how each of the comments contained in Section III of the letter have been addressed. If, when you submit a formal application, the project has changed significantly, please identify those changes.
  - c. **Application Letter.** Include a detailed description of the proposed project in a letter addressed to the Planning Commission / Staff Hearing Officer. Describe the project phasing and its relationship to a larger project or series of projects, if applicable. Include any data or other evidence in support of the applicable findings for the project.

**B. Building & Safety Division**

Staff Contact: James Martinez, [JWMartinez@SantaBarbaraCA.gov](mailto:JWMartinez@SantaBarbaraCA.gov); (805) 564-5485

The following comments are intended to be advisory in nature to identify any potential deal breakers; this is not a comprehensive plan review. A comprehensive plan review will be performed when the project is submitted for a building permit.

The submitted plans lack sufficient information to perform a review of major potential code issues; at minimum provide the following when submitting for a building permit:

- 1. **Building Codes.** Applicable building codes will be based on the date the project is submitted to Building & Safety for a building permit. Currently, the 2022 California Codes are in effect.
- 2. **Energy & Green Requirements.**
  - a. Project to comply with the Mandatory PV & Battery Requirements for New Construction per 140.10(a) & (b) (2022 CEnC).

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- b. Considerable changes have occurred to the 2022 California Green Building Code in regard to infrastructure requirements for Electric Vehicle Charging Stations per Section 5.106.5.3 (2022 CGBSC): New construction to provide electric vehicle infrastructure and facilitate electric vehicle charging shall comply with Section 5.106.5.3.1 and shall be provided in accordance with regulations in the California Building Code and the California Electrical Code. It is highly recommended that the design team review applicable code sections prior to submitting construction documents.
    - c. Please provide a commissioning plan per Section 120.8 (2022 CEnC) & Section 5.410.2 (2022 CGBSC)
3. **Undergrounding of Utilities.** All utility conductors including electrical service, telephone service and cable television must be placed underground from their point of origin at the utility pole to the service meter or termination point at the structure per the City of Santa Barbara's Municipal Code Chapter 22.38.
4. **Building Permit Application Advisories.** The submitted plans lack sufficient information to perform a review of major potential code issues; at minimum provide the following when submitting for a building permit:
  - a. Indicate on plan how pedestrians will be protected (walkways, barricades, signage, etc.) during demolition, and construction as required by the applicable Sections of 3306 (2022 CBC) including Table 3306.1.
  - b. Provide a construction waste management plan to show compliance with Section 5.408 (2022 CGBSC) and all applicable subsections. Public Works to address weight limitations, routing, and traffic controls for the removal of material from the site.
  - c. Provide approval of State Storm Water Permit prior to commencement of project. Plans to show compliance with Section 5.106.2 (2022 CGBSC).
  - d. Please include a grading plan including sectional views showing fill and removal of soil for each building. Indicate staging areas for soil components: rock, sand, B-base, etc. Indicate staging areas for spoils to be removed per Section 5.408.3 (2022 CGBSC). Indicate erosion control measures per Section 5.106.1.2 (2022 CGBSC) to be utilized for onsite storage of spoils and soils (straw waddles, silt fencing, chevrons, covering(s), etc..).
  - e. Indicate on plan the process for the handling of any contaminated liquids (water/sand/dirt) extracted from the site. Indicate the organization/facility engaged for the transportation of contaminated liquids. Public works to address routing and traffic controls for the removal of spoils from the site.
  - f. Soils report to be included in plan.
  - g. A shoring plan to be submitted concurrently with grading plan. Shoring plan to indicate how project will adhere to Section 3307 (2022 CBC) -

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Protection of Adjoining Property and all subsections. Written notice shall be provided to the owners of the adjoining buildings advising them that the excavation is to be made and that the adjoining building should be protected. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation. Provide letter from soils engineer for substantial conformity for shoring plan.

- h. Provide in plan a schedule of all required soils inspections or requirements per any geological studies / soils reports to be conducted by soils technician(s), Geologist(s), or Engineer(s).
- i. Grading survey and report will be required before foundations are poured or inspections are requested.
- j. Temporary Power Plan to be contained within Electrical Sheets. Utility clearance and locations of temporary poles, transformers, equipment (job trailers) to be provided.
- k. Job trailers require a separate permit. Provide mounting, and seismic restraint details (Require separate permit). Trailers utilized for sales / advertising are required to comply with the applicable sections of Chapter 11B (2022 CBC).
- l. Provide type of construction.
- m. Provide actual versus allowable square footage per CBC Chapter 5.
- n. Please provide a reference to the grade plane utilized to obtain the allowable height and stories above grade. Civil sheets to correspond.
- o. Please clarify the height of the building(s) above the grade plan to allow verification of compliance with Table 504.3.
- p. Please clarify the number of stories above grade plane to allow verification of compliance with Table 504.4.
- q. Ensure maximum travel distance. Delineate and annotate any rated corridors, interior egress stairs and/or, exterior egress stairs.
- r. Underground parking structures to comply with applicable Sections of Chapters 4 & 5 (2022 CBC) as well as Section 120.6(c) (2022 CEnC).
- s. Project to provide full compliance with Chapter 11B (2022 CBC).
- t. Clearly note if the project will be part of the California Tax Credit Allocation Committee ("Committee" or "CTCAC") which administers low-income housing tax credit programs in affordable rental housing.
- u. Provide total accessible vs adaptable dwellings units per CBC 11A or 11B as applicable depending on funding.
- v. If privately funded; all adaptable units must comply with CBC 1128A which includes requirements for door widths, accessible routes, bathroom and kitchen designs.

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**5. Pre-Construction Requirements.**

- a. Either before or after permit issuance a required onsite pre-construction meeting shall be scheduled. Representatives from the following City Departments shall be present: Building & Safety, Public Works, Planning, Creeks, Transportation.
- b. Prior to the start of the project an address must be visible from South La Cumbre Road and Calle Real for emergency vehicles as well as City staff.
- c. Provide a prominent note on cover sheet containing work hours for project.

**C. Engineering Division**

Staff Contact: Raina French, RFrench@SantaBarbaraCA.gov (805) 564-5383

1. **Utility Plan.** As noted below in Water and Wastewater comments, please provide a utility plan for the proposed project, and include both existing and proposed services and connections.
2. **Utility Conflicts.** Please be aware that there are existing City water and sewer mains within easements running through the parking lot areas on this parcel that conflict with the proposed structure. Should your concept move forward, at minimum the mains would need to be protected in place with no structures within the 10-foot-wide easement.
3. **Public Improvements.**
  - a. As noted below in Transportation comments, improvements to South La Cumbre Road are likely required as part of this project. Please dimension existing sidewalk, curb, and gutter on plans. If existing dimensions do not comply with SBMC §22.44, project will be required to dedicate sidewalk and construct per [City Standard Details](#).
  - b. As noted below in Transportation comments, there is partially funded City Capital Project identified in the City's Capital Improvement Plan to construct a separated multiuse path along Calle Real from Oak Park to La Cumbre Road. Please depict this multiuse path along the entire Calle Real Property frontage. The path corridor shall be 17 feet, comprised of a five-foot buffer from the road and path that is landscaped with trees, a 10-foot wide path, and a two-foot buffer between the path and the new property line.
  - c. Driveways shall be constructed per City Standard Detail H-03.1 Commercial driveway. Please dimension driveway widths on plans.
  - d. Include a bus shelter at the existing bus stop at Calle Real. Work with MTD on bus stop location and shelter design standards. If the bus stop is relocated, additional dedication may be required to meet ADA requirements.
  - e. New street lighting will be required as part of this project on South La Cumbre Road and Calle Real. Please propose locations for new street lighting per [City Standard Details](#).

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**D. Wastewater**

Staff Contact: Mariana Cruz, MCruz@SantaBarbaraCA.gov; (805) 568-1086

1. **Existing Sewer System.** In order for the City to evaluate potential downstream impacts on the collection system, please provide the estimated wastewater flow (in gallons per minute) that will be discharged from the proposed project to the sewer main.
2. **Utility Plan.** Identify all existing and new sewer service laterals along with identification of service lateral size, abandon or protect in place, and connection to the City's sewer main.
3. **Sewer Lateral Inspection Program (SLIP).** Please note the City's SLIP Program for Commercial Properties applies to this property. A SLIP inspection through the commercial program is required on a 15-year cycle. The inspection must be completed by a City Certified CCTV inspector; details will be provided in the notice mailed to the address on file.
4. **Fats, Oils, and Grease (FOG) Program.** If any use of the property falls within the definition of a Food Service Establishment as defined in SBMC Title 16.02.040 definitions, the occupant will need to comply with the City's FOG Program. For reference or questions, see section 16.04.080B of SBMC or contact the City's Wastewater Resources Compliance Specialist at (805) 568-1005.
5. **Grease Control Device.** Grease Control Device must be installed per City of Santa Barbara standard details. For more information, contact the City's Wastewater Resources Compliance Specialist at (805) 568-1005.

**E. Water Distribution**

Staff Contact: Jeffrey Becker, JBecker@SantaBarbaraCA.gov; (805) 564-5406

1. **Utility Plan and Civil Sheets.** Please provide comprehensive Utility Plans and Civil Sheets with the formal planning application. Please be aware that the project site has an existing City water main running through the current parking lot. The City will not support any structure being built over or within an easement.
2. **Water Model.** Water system upgrades may be required to adequately serve this project. Please provide fixture counts and estimated fire flow needs, and indicate whether any additional hydrants are proposed. The City will run a hydraulic model to determine the impact of the project on City infrastructure. The results of the water model could impact the project as well as infrastructure serving the project. The study results include water supply, flow, pressure for the project and other affected customers served in that zone and by the City's system.
3. **Water Distribution Design.** The following comments are for consideration during the design and permitting process:
  - a. Be advised that a hazard assessment or cross-connection survey shall be required to comply with new State regulations. The inspection type shall depend upon your project's complexity and shall determine the need for backflow protection. The timing for these inspections shall be left up



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to the applicant but must be done prior to closing in the walls and after the rough plumbing inspection. The ideal time would be after all plumbing and fixtures have been installed.

- b. Backflow assemblies are required at residential master meter(s), irrigation meter(s) and fire line(s). Additional backflow protection may be required based on findings from inspections, assessments, surveys and plan review.
- c. There is not adequate space for all the required residential meters in the public right of way, a residential master meter shall be required to be installed in the public right of way.
- d. If fire hydrants are required inside the property, they must be served by a separate, dedicated water line which shall include a meter and backflow assembly.
- e. Please detail your intentions for the site's existing water meters/services.
- f. Water Distribution reserves the right to determine the need for system improvements, at the project's expense, to ensure the water system's reliability and will determine all points of connection (POC) for water services to the project. This may include establishing multiple POCs to the City's water distribution system.

**F. Water Services**

Staff Contact: Sara Brittain, SBrittain@SantaBarbaraCA.gov; (805) 897-2540

1. **Metering.** The following are advisory comments for consideration during the design and permitting process:
  - a. Each residential unit must be served by a dedicated private water submeter. The submeters must be located on private property. All water to each unit must be metered (not just hot or cold). Property owner must read and bill tenants for water service based on actual water usage. Refer to State law for regulations including but not limited to submeter installation requirements, billing requirements, submeter location requirements, and tenant access requirements. Fixture count will be required to determine correct meter size for the residential master water meter.
  - b. A fixture count will be required to support the meter size requested for the residential master water meter.
  - c. A City master meter in the public right-of-way is required to serve the private submeters. It may only serve residential uses. Separately metering the residential amenities, although not required, is an option especially for high water demand spaces.
  - d. A dedicated irrigation meter in the public right-of-way is required if the irrigated area exceeds 1,000 square feet.

- e. Show all meters on plans. Label each meter with the proposed size and what it will be serving. Note if existing meters will be abandoned or retained. If retained, note what they will be serving.
2. **Landscape Water Conservation.** The following are advisory comments for consideration during the design and permitting process:
- a. Be advised that all new/revised landscape areas shall comply with the City of Santa Barbara's Water Efficient Landscape Standards, SBMC §14.23.005. As a mixed use or residential project, 80% of plant material will need to be low water using with <30% ETo.
  - b. An irrigation plan will also be required during the building permit phase. Find more details at [www.santabarbaraca.gov/WELS](http://www.santabarbaraca.gov/WELS).
  - c. Per SBMC § 22.04.060, all residential fountains and other decorative bodies of water of any depth directly plumbed by potable water, on a single parcel of land, shall not exceed a total water surface area of twenty-five square feet.

**G. Transportation Division**

Staff Contact: Jessica Grant, JGrant@SantaBarbaraCA.gov; (805) 564-5385

**1. Pedestrian/Bicycle Access.**

- a. **Right of Way Improvements on South La Cumbre Road (SBMC §22.44).** The 80-foot right-of-way on South La Cumbre Road requires a 6" curb, 4' parkway or tree well area, 8' sidewalk and 2'-6" of "frontage zone", which is usually a buffer on the private property between the back of sidewalk and the closest vertical obstruction. Low walls of 3'- 6" or less may be within the frontage zone. The driveways on La Cumbre Road are required to be commercial style driveways per city standard detail H-03.1. Required sight lines include a 10' x 10' triangle (behind property line), and 250' looking both north and south on La Cumbre Road from 15' back of the La Cumbre Road curbline.
- b. **Right of Way Improvements on Calle Real.** There is no existing pedestrian path of travel on Calle Real as shown in the plans. There is partially funded City Capital Project identified in the City's Capital Improvement Plan to construct a separated multiuse path along Calle Real from Oak Park to La Cumbre Road. The portion that is funded and in design is from Oak Park to Las Positas Road. Please provide the multiuse path along the entire Calle Real Property frontage. The path corridor shall be 17 feet, comprised of a five-foot buffer from the road and path that is landscaped with trees, a 10-foot wide path, and a two-foot buffer between the path and the new property line. Required sight lines include a 10' x 10' triangle (behind property line), and 305' looking both directions on Calle Real from 15' back of the Calle Real curbline.

The driveways on Calle Real are required to be commercial style driveways per city standard detail H-03.1.

- c. **Accommodate pedestrian and bicycle access along the perimeter of the site.** This can be a mix of multiuse paths (required on Calle Real) or a mix of sidewalk and protected bike lanes. This includes pedestrian and bicycle access from the north side of North Building on La Cumbre Lane and along Arroyo Burro Creek. One opportunity may be to reduce the driveway width from 26' to 20', and increase the pathway width from 6' to 12' (parallel to Arroyo Burro Creek). Provide sidewalk along driveway north of the north building.
  - d. **Connection to public streets and adjacent uses.** Show bicycle circulation on the property and to adjacent uses and public streets. Due to the skew in the eastern driveway on Calle Real, either redesign the driveway to intersect Calle Real perpendicular, or demonstrate how access to this driveway will be minimized.
  - e. **Crosswalk.** Provide a crosswalk between the project site and Bristol Farms.
2. **Stronger Connections with Transit Needed.** Given the proposed project scope, a high-quality bus stop is needed with a bus shelter adjacent to the project site. Bus stop location and project site access points should be coordinated. Include a bus shelter at the existing bus stop at Calle Real. Work with MTD on bus stop location and shelter design standards. If the bus stop is relocated, additional dedication may be required to meet ADA requirements.
  3. **Lighting.** Add roadway and pedestrian level lighting along the project frontages. We will work with your team on lighting spacing and City street lighting specifications. Additional lighting along project sidewalks, paseos and bike paths will also be required to minimize conflicts between drivers, pedestrians and cyclists.
  4. **Demonstrate Compliance with the City's Access and Parking Standards.** The project plans are not at the level of detail to demonstrate compliance with the Access and Parking Standards. With your formal submittal, please demonstrate compliance with the following below. Please go directly to the standards for the details and note additional details below for some of the compliance requirements.
    - a. Minimum Stall Dimensions
    - b. Minimum Bay Dimensions
    - c. Clearance from vertical elements

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- d. On Site Loading. Please show auto-turn with a delivery vehicle (WB40) in proposed and existing areas that may now conflict with project.
  - e. Maneuvering
  - f. Driveway Widths
  - g. Driveway Aprons
  - h. Driveway Lengths
  - i. Driveway Throats
  - j. Vehicle Ramps
  - k. Vertical Curves
  - l. Sight Visibility at Driveways
5. **Bicycle Parking.** The areas for short-term and long-term bicycle parking are not clear on the plans. Please clarify locations. It is highly recommended that all bicycle parking locations are at the ground level so bicyclists are not having to conflict with pedestrians and drivers in the vehicle parking areas. It is also highly recommended that the bike racks meet a wide variety of bike types (youth bikes, cargo bikes, e-bikes) for both short- and long-term parking. Do not locate any bike parking next to trash areas and make sure all areas are well lit.
6. **Technical Review.**
- a. **Parking Demand Study.** Provide a parking demand analysis. This development also has a shared parking agreement with the rest of La Cumbre Plaza campus. Please confirm how the parking demand is met for the project site and remainder of La Cumbre Plaza.
  - b. **Traffic Generation Analysis.** The project is in Area 4 for the City's traffic model rates and the rates are based on land use type. We understand that the project is currently proposed as residential. Please note that if you choose to incorporate nonresidential uses that the land uses are not exhaustive, and the following nonresidential uses have a higher traffic generation than your typical retail/office type uses: gym, gas station, coffee/donut shop, fast food restaurant (including fast casual), grocery store, drugstore/pharmacy or medical office. Please clarify if any of the proposed nonresidential uses are intended to be any of those uses. Please include square footage of all existing uses and proposed uses to determine what level of traffic generation analysis is needed.
- It is anticipated that a traffic model run may be required. The City has a contract with Iteris for on-call services to perform higher level traffic generation analysis. Staff will need a final scope of work from the

applicant to perform the traffic analysis. It is okay for the applicant to provide a few development scenarios given the project size.

- c. **Vehicle Miles Traveled (VMT).** Per the City's Master Environmental Assessment Guidelines for Transportation Analysis, the Project cannot be screened out and will require further analysis using the Council adopted Santa Barbara Travel-Demand Forecasting Model. The City has a contract with Iteris for on-call services to perform this review. Staff will need a final scope of work from the applicant for this analysis.

#### H. **Fire Department**

Staff Contact: Aaron Lynn, ALynn@SantaBarbaraCA.gov; (805) 564-5702

1. **Access.** Access requirements appear to be met based on the conceptual plans provided.
2. **Water Supply.** Provide a plan for fire water including estimated flow requirements. This plan must show required fire pressure calculations can be met with the new infrastructure.

#### I. **Environmental Services Division**

Staff Contact: Daniela Rosales, DRosales@SantaBarbaraCA.gov; (805) 991-7741

1. **Capacity.**
  - a. Project requires containers for: Trash, Recycle, and Greenwaste.
  - b. Show all proposed containers to scale on the site plan and indicate the size and waste stream of each (e.g. 7 Trash 4 cubic yard dumpsters, 7 Recycle 4 cubic yard dumpsters, 2 Greenwaste 4 cubic yard dumpsters).
2. **Screening.**
  - a. Show containers in an enclosure or storage room that is adequately screened from public view.
  - b. Screening can be accomplished with an enclosure or landscaping.
  - c. For dumpsters, screening is required to be a minimum of 7 feet in height.
3. **Access.**
  - a. The dumpsters appear to be located within a parking garage. The waste hauler will not be able to empty dumpsters within parking garages unless ceiling height exceeds 20 feet.
  - b. If the dumpsters cannot be serviced within the parking garage and require being rolled out for service, indicate the path of travel of the containers from the enclosure to the location where they will be accessed by the trash truck. The enclosure should be located no more than 50 feet from the truck access point where the truck lifts the dumpsters.

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- c. Path of travel cannot exceed 2% grade for dumpsters and must be smooth pavers, i.e. concrete. This can be shown on the site plan as a simple dashed line. Path of travel cannot include stairs of any kind.
  - d. Show all pedestrian gates and hauler access gates in the open position. For swing gates, show open at 120 degrees. For sliding gates, show in the open position.
4. **Resources.** The City's [Trash and Recycling Enclosure Design Guide](#) provides information including container dimension requirements on page 18, dumpster diagrams on page 11 and 15, and cart diagrams on page 16.
5. **Recommendation.** For dumpsters, consider incorporating interior curbs on the inside of enclosure walls to reduce damage over time. Please find an interior curb diagram on page 10 of the Design Guide.

**J. Creeks Division**

Staff Contact: James Rumbley, James.Rumbley@SantaBarbaraCA.gov; (805)603-1399

1. **Creek Buffer.** This project is adjacent to Arroyo Burro. The following comments must be addressed before the project is deemed complete.
- a. On the site plan identify the top of bank of Arroyo Burro as defined in SBMC §§ 28.87.250 and 30.15.04. In addition, provide a topographic survey of the creek, provide a minimum of two sections, and identify the proposed buffer from the top of bank.  
  
Please be aware that the City is currently working on a draft ordinance, that will apply standardized creek buffers to the City's creeks. The current draft ordinance would require a 50 feet buffer from the top of bank along Arroyo Burro. Although the new ordinance would not apply to this project per SB 330, staff strongly recommends that you design your project with a 50-foot buffer from the top of bank for all new development on Arroyo Burro to protect water quality and the sensitive biological resources in the creek and prevent storm damage to structures during large flood events. All development including buildings, parking, paved pathways, patios, and roads must be constructed outside the creek buffer.
  - b. If the project requires a restoration plan for the creek bank and buffer area, a qualified restoration biologist or landscape architect should develop the restoration plan. The plan should include measures for removing existing non-native vegetation and preparing the soil and creek bank for revegetation. The plan should also provide erosion control measures for the creek bank. Please provide the total planting area (in square feet) for the restoration site. Include plant numbers by species and a plant total for all native species to be installed in the restoration plan. Only native plant species of local genetic stock should be used for revegetating the creek bank and buffer area. The restoration plan should aim for a high level of diversity of species for trees and understory plants.

In addition, the restoration plan should include a section on creek restoration maintenance and monitoring. The maintenance and monitoring section should include the following: responsible parties, maintenance and monitoring frequency/schedule, maintenance methods, the monitoring success criteria and methods, and an outline for annual monitoring reports.

2. **Storm Water Management Program (SWMP).** Before Design Review Final Approval, this project must comply with Tier 4 (2020) SWMP requirements, since more than 15,000 sf of new/redeveloped impervious area is proposed. Tier 4 projects are required to construct storm water Best Management Practices (BMPs) onsite that will meet the treatment requirement (1", 24-hr. storm), peak runoff discharge rate, and volume reduction requirements for the entire project site (i.e., entire parcel). See Chapter 6 of the City's Storm Water BMP Guidance Manual for more information about meeting Tier 3 project requirements.
  - a. Before Design Review Final Approval, to precisely determine the Storm Water Management Program (SWMP) tier for your project, please include an exhibit in the plan set (separate from the site plan) that identifies all proposed new, redeveloped, and removed impervious area on the project site. Also, confirm that the scale is accurately imbedded in the plan set pdf file, so it is possible to confirm the square footage of each feature using the Adobe measuring tool within the pdf. For the new, redeveloped, and removed impervious areas identified on the exhibit, itemize each feature (i.e., provide the sq. ft. of every improvement individually) and provide totals for each category. For clarification, please refer to definitions below:
    - i. Proposed New Impervious Area – where impervious area (e.g., hardscape and roof) is proposed where there is existing pervious area (landscaping, permeable pavement, etc.)
    - ii. Proposed Redeveloped Impervious Area – where impervious area (e.g., hardscape and roof) is proposed where there is existing impervious area (e.g., hardscape and roof)
    - iii. Proposed Removed Impervious Area – where new pervious area is proposed (landscaping, permeable pavement, etc.) where there is existing impervious area (e.g., hardscape and roof)
  - b. A hydrology/storm water report that demonstrates compliance with Tier 4 SWMP is required before Design Review Final Approval. See the report template in Appendix B (page 273) of the City's Storm Water BMP Guidance Manual. The submitted report must follow the template format and address all sections described in the template.
  - c. Before Design Review Final Approval, include a grading and drainage plan sheet in the plan set that indicates where storm water from all impervious area for the entire parcel will flow (i.e. clearly show how all

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- hardscape will be treated by proposed BMPs). It must be demonstrated that no runoff requiring treatment is bypassing the proposed BMPs.
- d. Before Design Review Final Approval include cross-section details of all proposed BMPs that demonstrate compliance with requirements detailed in the City's Storm Water BMP Guidance Manual.
  - e. Before Design Review Final Approval, on the civil plan sheets identify all proposed work in the public right-of-way. Also, discuss the scope of work (including tier determination) for the public right-of-way and required storm water treatment in the right-of-way in the storm water report.
  - f. Before Design Review Final Approval, on the grading and drainage plan, add invert elevations and slopes of each pipe for the complete drainage system. Add top of grate elevations to each catch basin.
  - g. For the building permit submittal, include a description of proposed storm water BMPs in the scope of work or project description section of the plan cover sheet.
  - h. For the building permit submittal, include the locations of all BMPs on the site plan and provide a reference to the details on the Civil sheets.
  - i. For the building permit submittal, on the plan sheets (typically civil sheets) reproduce documentation signed by the property owner stating that the proposed storm water BMPs (list individually) will be maintained pursuant to SBMC 22.87.030. An example statement is available in Appendix I (page 392) of the City's Dec. 2020 Storm Water BMP Guidance Manual.
  - j. For the building permit submittal, on the first sheet of the plans, include a list of the mandatory inspections by the City Building Inspector or City QSP for all storm water post-construction improvements (BMP). List the inspections required for the different construction phases individually for each type of BMP. The list should include critical phases of the construction process when an inspection is necessary to confirm the BMPs are installed correctly. Also, include this text on the plans with the list of required inspections, "Inspections shall be scheduled online via Accela Citizens Access. The City will then route the request to the QSP Inspector or third-party Company."
  - k. Before the City Building Inspector will grant Certificate of Occupancy and finalize the building permit, the Building and Safety Division or their contracted QSP service provider must verify that all post-construction storm water BMPs were installed as approved and that they comply with the City's Tier 4 storm water requirements.
  - l. Proposed impervious area is cumulative for two years after certificate of occupancy to prevent "piecemealing" of projects to avoid storm water requirements.
2. **County Flood Control Easement.** The creek is located within a County Flood Control easement. Any work within the easement would require review by



County Flood Control. Information regarding County Flood Control review of activities within cities is available at this [website](#).

#### K. **Parks Division**

Staff Contact: Jazmin LeBlanc, [jleblanc@SantaBarbaraCA.gov](mailto:jleblanc@SantaBarbaraCA.gov); (805) 564-5513

1. **Tree Removal.** SBMC Chapter 15.24 (Preservation of Trees) regulates tree removal and the degree of pruning allowed for privately owned trees. The removal of trees in a required front setback or City right-of-way (SBMC Chapter 15.20) requires a permit from the Parks and Recreation Department. Approval from the Street Tree Advisory Committee and Parks and Recreation Commission is required prior to application completeness. The application for the [Tree Removal Permit](#) may be submitted at the same time as or following the formal planning application. Please contact Parks and Recreation staff for further information.
2. **Street Trees.** Street trees will be required to be included in right-of-way improvements. Please contact Parks and Recreation staff for information regarding the types of trees required along each street frontage.
3. **Open Space.** Consider expanding open space areas and providing a range of passive and active recreational opportunities. The Upper State Street Guidelines state, "private development should incrementally create more open space as sites redevelop." The Guidelines call for Activity Nodes such as pocket parks and recreational opportunities that create an animated pedestrian experience and provide a sense of place. Modern recreational amenities consider factors such as accessibility, diversity, inclusivity, multigenerational users, wellness, mindfulness, and community. Please consider incorporating these aspects into the project design for the benefit of users. Understanding these details will help the review team determine policy consistency and environmental impacts.

## II. ENVIRONMENTAL REVIEW

Determining the level of environmental review is dependent on a thorough project description in the applicant letter that provides information about the existing setting (e.g., size of the parcel, amount of development, use of buildings, natural habitat on site, easements, etc.) and the proposed project (e.g., demolition of structures, grading, habitat removal, uses of the site, restoration or structures and/or natural habitat, etc.).

Staff anticipates that once the necessary information is submitted and the formal planning application is deemed complete, an Initial Study will be prepared to determine the appropriate level of environmental review (i.e., Negative Declaration or Environmental Impact Report). During this period, you may be contacted to discuss measures to avoid or reduce environmental effects anticipated to result from the proposed project.

## III. FEES

Please be informed that fees are subject to change at a minimum annually (typically on September 1). Additionally, any fees required following land use approval will be assessed

during the Building Plan Check phase and shall be paid prior to issuance of the building permit. Based on the information submitted, the subject project requires the following fees for the following reasons:

**A. Planning Division**

*Prior to submitting the formal application:*

Design Review Consultation Fee .....\$539.00

Planning Commission AUD Concept Hearing Fee.....\$6,113.00

*Prior to the application being deemed complete:*

Design Review Fee (Residential, 20+ units) .....\$9,398.00

Environmental Review Fee - MEA .....\$456.00

Environmental Review Fee – Special Study Review (Per Study) .....\$777.00

Environmental Review Fees (Other) ..... TBD

Mailing List Service Fee (Per Noticed Hearing) .....\$208.00

*Following Architectural Board of Review approval:*

Plan Check Fee..... TBD

**B. Building & Safety Division**

*Following Architectural Board of Review approval:*

Plan Check Fee..... TBD

**C. Engineering Division**

*Following Architectural Board of Review approval:*

Plan Check Fee..... TBD

**D. Wastewater**

*Following Architectural Board of Review approval:*

Plan Check Fee..... TBD

Capacity and Connection Charges ..... TBD

**E. Water Supply/Distribution**

*Following Architectural Board of Review approval:*

Plan Check Fee..... TBD

Capacity and Connection Charges ..... TBD

**F. Transportation Division**

*Following Staff Hearing Officer/Planning Commission approval:*

Plan Check Fee..... TBD

Design Waivers .....TBD

**G. Fire Department**

*Following Staff Hearing Officer/Planning Commission approval:*

Plan Check Fee.....TBD

Other Fees:

- Records Management - 7% of Planning and Building fees.
- Cashier Services - \$15 per transaction, not charged against fee transactions of less than \$200. Cashier Services Fee is charged against Planning, Building, Public Works, and all other land development fees.
- Convenience Fee - All payments for Community Development permits and fees made with a credit card through the online platform will be charged a convenience fee of 2.65% of the total amounts charged on the credit card as payment of services and permits.

**IV. NEXT STEPS**

1. Pre-Application forwarded to ABR for Pre-Application Concept Review.
2. Pre-Application forwarded to Planning Commission for Concept Review.
3. Submit a Planning Application (PLN) online through Accela Citizen’s Access and contact your case planner when you have done so. Submit all of the information/applications identified herein as required for the formal application submittal and pay all required fees.
4. Planning Application reviewed for completeness by City staff.
5. Planning Application forwarded to ABR for conceptual review.
6. Determination of Environmental Review process. We anticipate this will include the preparation of an Initial Study and a determination as to whether a Mitigated Negative Declaration or an Environmental Impact Report would be required.
7. ABR Project Design and Final Approvals.

**V. CONCLUSIONS / GENERAL COMMENTS**

These comments constitute your PRT review. The project is scheduled for review at a remote meeting via Zoom, as noted on page 1 of this letter, with staff from the Planning, Engineering, Water Resources, Transportation, and Building & Safety Divisions and the Fire Department. Please review this letter carefully prior to our scheduled meeting date. We will answer your questions on the PRT comments at that time. If you do not feel it is necessary to meet with staff to discuss the contents of the letter or the project, please contact me by January 7th. If we do not hear from you by this date, we will assume that you will be participating in the scheduled meeting.

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Prior to submitting a formal Planning Application, please contact me to review the materials and ensure that all the required items are included in the application package. If you have any general or process questions, please feel free to contact me.

## **VI. EXPIRATION OF PRT COMMENTS**

Comments and recommendations from any Pre-Application Review are valid for a period of 12 months from the date of the PRT letter. Additionally, if a project is substantially revised, or if applicable policies, regulations, or procedures change that could affect the recommendations or conclusions of the Pre-Application Review, the Team may require a subsequent Pre-Application Review prior to formal application submittal or Planning Commission Concept Review. If, however, there are no substantial changes to either the project or any relevant policies, regulations, and procedures, the Team may allow the submittal of a formal application for a development project up to a maximum of 24 months after the date of the PRT letter.

Sincerely,



Patsy Price, AICP  
Contract Planner

Attachment: APCD Review Letter, dated December 17, 2024

cc: Peri Muretta (perimuretta@gmail.com)  
Record ID #PRE2024-00182

December 17, 2024

Patsy Price  
City of Santa Barbara  
Community Development  
630 Garden Street  
Santa Barbara, CA 93101

Sent Via Email: [pprice@santabarbaraca.gov](mailto:pprice@santabarbaraca.gov)

**Re: Santa Barbara County Air Pollution Control District Initial Feedback on 3845 State Street, PRE2024-00182**

Dear Patsy Price:

The Santa Barbara County Air Pollution Control District (District) has reviewed the referenced project, which consists of 443 new residential units and associated amenities proposed in two buildings. The four-story north building includes 43 two- and three-bedroom homes. The leasing/amenity buildings is also located in the northern portion of the project site. The southerly four-story building includes 400 homes with a mixture of studios, one-, two-, and three-bedroom units. A 416-space parking structure and 50 surface parking spaces are also proposed. Construction is expected to take place in two phases. An existing building and associated structures, the former Sears, would be demolished. The subject property, a 10-acre parcel zoned C-G/USS (Commercial General/Upper State Street Area Overly) and identified in the Assessor Parcel Map Book as APN 051-010-008, is located at 3845 State Street in the City of Santa Barbara.

Below the District has provided an important public health advisory for the applicant and the City's consideration during the initial design and evaluation the project. Additionally, the District has included its recommendations for information/reports the City should obtain to facilitate an evaluation of potential air quality impacts under CEQA and applicability of District permit requirements, prohibitory rules, and other regulatory programs. Please see District comments below.

**1. Public Health Advisory on Land Use Compatibility and Impacts to Sensitive Receptors:** The District is supportive of the City's efforts to provide high density residences to meet the City's growing housing needs. However, the District is concerned about potential air quality and health impacts associated with the placement of sensitive land uses, i.e. the proposed residences, proximate to two gasoline dispensing facilities that emit toxic air contaminants. The two gasoline dispensing facilities of concern are the Conserv Fuel located at 150 S La Cumbre Road approximately 100 feet from proposed residences, and the Chevron located at 115 S La Cumbre Road approximately 50 feet from proposed residences.

The California Air Resources Board (CARB)'s Air Quality and Land Use Handbook <sup>[1]</sup> includes recommendations and siting criteria for land development projects and encourages land use agencies to use their planning processes to ensure the appropriate separation from air pollution sources and sensitive land uses. The handbook includes a discussion of gasoline dispensing facilities

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[1] [ARB's Air Quality and Land Use Handbook](#)

on pages 30-32. CARB recommends avoiding the siting of new sensitive land uses (such as residential units) within 300 feet of a large gasoline dispensing facility (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50-foot separation is recommended for gas dispensing facilities with throughputs below this amount. Based on annual reporting of gasoline throughputs that the District requires of permitted gasoline dispensing facilities, the Conserv Fuel meets the definition of a large gasoline dispensing facility; thus a 300-foot minimum setback is recommended from the property line and the residential units. The Chevron is not considered a large gasoline dispensing facility; thus a 50-foot separation is recommended between the property line and the residential units.

In summary, we encourage the site to be redesigned so that the residential units are located with at least a 50-foot separation from the property line of the Chevron at 115 S La Cumbre Road, and at least a 300-foot separation from the property line of the Conserv Fuel at 150 S La Cumbre Road. Land uses such as open space, parking, the proposed office, or other amenities that do not lead to the long-term exposure of sensitive receptors to air pollutants, should be considered within the recommended setbacks of the two gasoline dispensing facilities.

- 2. Air Quality and Greenhouse Gas Analysis Technical Report:** An air quality and greenhouse gas technical report should be prepared for the project. The report should quantify criteria pollutants and greenhouse gas emissions from all project phases (construction and operational) and from all potential emission sources associated with the proposed project, including but not limited to, emissions from mobile sources, permitted and unpermitted combustion equipment (boilers and heaters etc.), and indirect greenhouse gas emissions from electricity use, water use, and waste disposal. The air quality and greenhouse gas technical report should include a summary table that compares the project's emission sources (stationary, mobile, direct and indirect, as appropriate) to the City of Santa Barbara's adopted CEQA significance thresholds. If impacts from the proposed project are anticipated to exceed the City's air quality and/or greenhouse gas thresholds, the applicant should propose project design changes and/or mitigation measures that will avoid, reduce, or mitigate those impacts.
- 3. Trip Generation:** A traffic study or trip generation study assessing the expected trip generation as a result of the proposed project should be prepared. Project-specific trip generation rates should be used in the evaluation of the project's air quality and greenhouse gas impacts.
- 4. Combustion Equipment:** A description of any proposed combustion equipment that will be installed and/or operated onsite to support the proposed project should be included with the application/project description. This could include large water heaters, boilers, and engines (e.g. emergency generators) to supply power to equipment, facilities, or operations. For all proposed combustion equipment, provide the sizing such as Btu rating or horsepower, fuel type, and manufacturer specifications. Advisories: (1) District Authority to Construct permits are required for diesel engines rated at 50 brake horsepower and greater (e.g., firewater pumps and emergency standby generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million British thermal units per hour (Btu/hr). (2) In the case of a diesel-fired emergency generator, an equipment-specific Health Risk Assessment will be required as part of District permit issuance and the District recommends this analysis be performed as part of the CEQA review for the land use permit to ensure that project-related equipment will not result in a significant impact under the City's health risk thresholds.

Please forward us responses to the items identified and the District can provide further feedback on the project as needed. Additionally, please ensure that the District is on the public noticing list if/when a CEQA document is released for public review.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 979-8334 or via email at [WaddingtonE@sbcapcd.org](mailto:WaddingtonE@sbcapcd.org).

Sincerely,

A handwritten signature in black ink that reads "Emily Waddington". The signature is written in a cursive, flowing style.

Emily Waddington,  
Air Quality Specialist  
Planning Division

cc: Planning Chron File