



APPLICATION COMPLETENESS REVIEW, SUBMITTAL # 2

September 26, 2025

Dave Eadie
Kennedy Wilson
deadie@kennedywilson.com

SUBJECT: 3845 State Street, PLN2025-00238, APN: 051-010-007 & -008

STATUS: APPLICATION INCOMPLETE

Dear Mr. Eadie:

The City accepted this Planning Application submittal for review on August 28, 2025. The Land Development Team has reviewed your submittal and has the following comments.

I. PROJECT DESCRIPTION

Your project application proposes a new multi-unit development and Tentative Parcel Map. Per the application materials, the scope of work includes demolition of 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 construction of a 443-unit rental housing development under the City's Average Unit-Size Density (AUD) Incentive Program and SB 330. Existing wireless facilities on the site are proposed to be removed and uses discontinued. A Tentative Parcel Map is proposed to divide the 14.19 net acre legal lot into two parcels, creating a 9.94 net acre site for the new development while the existing shopping mall development would remain on the other parcel. The project would include 31 studio, 189 one-bedroom, 200 two-bedroom, and 23 three-bedroom units in two four-story buildings. A total of 478 vehicle parking spaces in a combination of surface, tuck under, and structured parking would be provided; 11 spaces would be provided to serve existing La Cumbre Plaza commercial uses; and 443 bicycle parking spaces would be provided. The project also includes an approximately 10,000 square foot, one-story leasing and amenities building and courtyards and other common outdoor areas provide open yard areas for residents. Sidewalks and improvements to existing access points and a multiuse path on the eastern side of the property along Arroyo Burro Creek are proposed. Site grading in the amount of approximately 50,900 cubic yards of cut and approximately 5,100 cubic yards of fill are proposed, with 45,800 cubic yards of export. The project is proposed to be constructed in two phases.

The project site is zoned C-G/USS (Commercial General/Upper State Street Area Overlay). The project site has a General Plan Land Use Plan designation of Commercial/High Density Residential (28-36 du/ac) and Priority Housing Overlay (37-63 du/ac) on a majority of the site,

and Commercial/Medium High Density Residential (15-27 du/ac) on the portion of the site within the 250-foot buffer of Highway 101.

II. STAFF FEEDBACK

The proposed project is a multi-family residential development that includes resident and public amenities, such as outdoor spaces, and a multi-use path along Arroyo Burro Creek. It would contribute significantly to the City's housing supply in an area designated by the General Plan for the highest residential densities.

City staff supports the proposed land use and overall direction of the project. However, a few outstanding items are still needed to complete the application. These items are necessary to confirm consistency with applicable standards and to ensure the submitted plans are clear, internally consistent, and accurate.

We anticipate these issues will be relatively straightforward to address and will coordinate closely with your team to help move the project through the next review phase as efficiently as possible so the application can be deemed complete.

III. MEETING DATES

Applicant Meeting. A 30-minute virtual meeting has been scheduled via Microsoft Teams with the Land Development Team staff who reviewed your application on **Wednesday, October 1, 2025 at 10:30 a.m.** This meeting offers an opportunity to discuss and clarify any comments provided. If you do not feel the meeting is necessary, please inform me. Otherwise, we will assume you plan to attend the virtual meeting. ([Click Here to Join the Meeting](#))

IV. PLANNING ENTITLEMENTS REQUIRED

Below are the Planning entitlements needed for your project as it is currently designed. Fees for each entitlement will be due with your next submittal. If you choose to redesign the project to remove any of these entitlements, please make sure to mention that on your Resubmittal Form.

1. **Tentative Subdivision Map.** Review by Planning Commission (PC)¹ for a Tentative Subdivision Map pursuant to SBMC Title 27 is required to allow the division of one parcel into two lots.
2. **Design Review.** Review by the Architectural Board of Review (ABR) is required per SBMC §22.68.020.

V. FINDINGS REQUIRED

To approve the requested Planning entitlements, the decision-maker(s) must be able to make the required findings of approval. To support this, your application's plans, figures, technical

¹ Note that the prior review letter incorrectly stated that the Tentative Map would be reviewed by the Staff Hearing Officer. Because Arroyo Burro Creek traverses a portion of the proposed subdivision, the Tentative Map must be approved by the Planning Commission pursuant to SBMC §27.30.010.B.2.c.

studies, and narrative should clearly demonstrate how the project satisfies each of the findings. For your reference, the full text of the required findings is provided in Appendix A of this letter.

VI. REQUIRED ADDITIONAL INFORMATION

At this time, your application is considered “incomplete.”² To move forward with reviewing your proposed project, we’ll need the information listed below. The items listed as “REQUIRED” must be provided to complete your application. The application will be placed on hold until we receive the required information. Items listed as “ADVISORY” are not required at this time; however, they may be needed later in the process or could influence the level of staff support for your project. For this reason, we strongly recommend addressing advisory items as early as possible to help prevent potential delays or complications. If you have any questions about what’s needed, feel free to reach out to me or the relevant City staff listed.

A. Planning Review – Planning Division

Staff Contact: Patsy Price, PPrice@SantaBarbaraCA.gov ; (805) 564 - 5470 Ext. 4582

REQUIRED ITEMS:

1. **Average Unit-Size Density Calculations.**

- a. The average unit size of units in the Medium-High Density (i.e., 250’ Setback) area exceeds the maximum average unit size allowed by the AUD program. The following information is derived from the project plans:

Unit Type	Net Floor Area	Number of Units	Total Area
A1	715	8	5,720
A2	771	8	6,168
A3	621	2	1,242
A5	885	3	2,655
B1	972	21	20,412
B2	1,104	10	11,040
C1	1,196	4	4,784
S1	546	3	1,638
		59	53,659

The average unit size of 909 sf (53,659 total sf / 59 units) exceeds the maximum average unit size of 905 sf allowed per Exhibit B in SBMC §30.150.160.

2. **Visual Aids.** Thank you for providing expanded elevations, sections, and 3D renderings. Per the Planning Commission minutes from the April 3, 2025 pre-application review, the plans should include a section view that includes the surrounding area, including La Cumbre Road. Expand the section on Sheet A48

² You may appeal the decision to require additional information. An appeal must be filed at the Community Development Department’s Planning Counter within 10 calendar days of the date of this letter. The appeal must consist of written notification indicating your grievance with the determination that your application is “incomplete” and the appropriate appeal fee. The appeal will be scheduled for review by the Planning Commission, and you will receive notice of the hearing date.

or provide an additional site section that shows the project as well as La Cumbre Road. Also see comment in advisory section regarding additional visual aids we anticipate ABR will ask for.

3. **Plan Edits.** The project plans are insufficient. All plans must be complete, accurate, legible, and to scale. The following edits to the project plans are required. See the [Project Plan Submittal Guide](#) for additional guidance.
 - a. The number of units indicated in the project description and project statistics on the plans do not match the number of units shown on the floor plans.
 - i. The project description and statistics indicate there are 46 units in the North Building. However, the floor plans depict 48 units. Clarify the number of units proposed and update the plans accordingly.
 - ii. The project description and statistics indicate there are 397 units in the South Building. However, the floor plans depict 398 units. Specifically, there are 13 type A1 units shown on the floor plans on Sheet A29 but the South Building - Building Summary table on Sheet A27 lists 12 type A1 units. Clarify the number of units proposed and update the plans accordingly.
 - b. **Height.**
 - i. The warped plane exhibits do not comply with the requirements of SBMC §30.15.090. The warped plane must be tied to the existing or finished grade, whichever is lower. Building height is measured from that warped plane and may not exceed 45 feet for compliance with the zoning ordinance height limitation, notwithstanding exceptions for architectural projections. The exhibit provided appears to impose a three-dimensional box on top of the site that has no relationship to the existing or finished grades and the measurements shown do not demonstrate compliance with the 45-foot building height limit. As indicated in prior letters, to determine the theoretical existing grade within the existing building footprint, 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 for 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, including architectural projections.
 - ii. The height measurements on elevation plans (Sheets A25 and A37-A40) must be shown to the top of all portions of the roof and roof parapet to demonstrate compliance with height requirements. The plans currently show height to the roof sheathing rather than the roof

parapet or roof ridge. The maximum allowed height is 45 feet. Architectural elements that do not add floor area to a structure such as chimneys, vents, antennae, open trellises, rooftop equipment and associated screening, solar panels, roof decks that do not exceed 10 inches in height above the roof, guard rails for roof decks, and towers including stairways or elevator towers with minimum landings for egress are not considered a part of the height of a structure, but all portions of the roof and roof parapet are included (SBMC §§30.15.090 and 30.140.100).³

- a. The height to the top of the roof on the south elevation on Sheet A25 is 47 feet, which exceeds the 45-foot height limit.
- b. Stairways and elevator towers exceeding the height limit are limited to the minimum required area for egress per the building code. Provide dimensioned floor plans for stairway and elevator towers and landings.
- iii. Advisory: Given the complexity of the site and the scale of the proposed development, staff is willing to work with your project team on an alternative means of demonstrating compliance with height limits. If you are interested in this, please contact me to schedule a meeting to discuss.
- c. **Site Plan.**
 - i. Depict the pool restroom and equipment structure included on the landscape plans on the site plan (Sheet A17) and provide a floor plan and elevations for this structure. Also, update the Utility Plan to show proposed water and sewer lines to serve this structure.
 - ii. Provide roadway dimensions and right-of-way limits for Calle Real and South La Cumbre Road and for access drives on the project site on the site plan in addition to on civil plans.
- d. **Floor Plans & Elevations.** Show the doors, windows, and balconies on the south and west elevations of the North Building lobby on the Levels 2-4 floor plan.

ADVISORY ITEMS:

1. **Nonresidential Growth Management Program (GMP).** Thank you for providing existing nonresidential floor area information for the floor area to be removed. City staff will verify the square footage amounts based on City records. The “demo credit” will be assigned to APN 051-010-008.
2. **Preliminary Housing Application (SB 330).** A Preliminary Housing Application was submitted to the City on November 19, 2024, and was accepted on

³ SBMC Chapter 30.15 was amended on February 25, 2025. However, the amendments are not applicable to your application pursuant to SB 330. A copy of the version of SBMC Chapter 30.15 applicable to your project is attached to this letter.

November 20, 2024. The Planning (PLN) Application was submitted within 180 days of the Preliminary Housing Application, on May 14, 2025. The PLN application was reviewed and determined to be incomplete on June 19, 2025. You resubmitted the PLN Application on August 28, 2025 and it was determined to be incomplete on September 26, 2025. Be advised, you have 90 days, i.e., until December 25, 2025, to resubmit your PLN Application materials, or the Preliminary Application will expire. The application will also expire if the number of residential units or the floor area of the project changes by 20% or more. If the application expires, a new Preliminary Housing Application and fee will be required, and the project will be subject to the rules and fees in effect at that time. Projects must commence construction within 2 ½ years of Final Approval.

3. **Access Easements.** In addition to a public easement for the access drive and multi-use path along Arroyo Burro Creek (see Transportation comments), the City will require a public access easement for access from La Cumbre Road to the remaining portions of the shopping center as a condition of the Tentative Map. This is necessary to ensure public access from La Cumbre Road to the remainder of the shopping center and make the required findings for approval of the Tentative Map.
4. **La Cumbre Plaza Parking.** Thank you for the La Cumbre Plaza Remaining Commercial Parking Supply report provided with your prior submittal. Staff completed a survey of existing parking conditions for the whole of La Cumbre Plaza. While we are still evaluating the existing parking conditions relative to the changes proposed by your project and the project at 3805 State Street, we anticipate the parking left at the remainder of the shopping center to serve the remaining shopping center uses will be slightly less than what is currently required by the zoning ordinance.

Staff will calculate the portion of the deficit each project will be responsible for, which will be based on the difference between the number of vehicle parking spaces required for the existing retail square footage on your respective sites and the number of spaces that will be removed by your respective projects. We will inform you of the number of spaces your project will be responsible for. To address the deficit, you have two options:

- a. As is currently proposed, you may provide parking spaces on APN 051-010-008 to meet the proportion of the parking deficit. Since parking will be located on a separate parcel from the uses it serves, pursuant to SBMC §30.175.060.A, a recorded off-site parking agreement would be required as a condition of the Tentative Map.
- b. You may request a modification to reduce the number of parking spaces required for the remaining shopping center so that no off-site spaces would be required. This would require a parking demand analysis to demonstrate the parking demand is less than current zoning ordinance requirement for the existing uses. A modification could be processed after the Tentative Map is approved and would require authorization from

all property owners who own the parcels within the remaining shopping center.

In either case, pursuant to SBMC §30.175.060.A, a shared parking agreement that covers all parcels that make up the remainder of the shopping center will be required as a condition of approval to document the existing parking conditions in City records and ensure parking to serve the remaining shopping center uses is maintained for the life of the shopping center. This shared parking agreement will require authorization from all property owners who own parcels within the remaining shopping center.

5. **Visual Aids.** Staff recommends including additional visual aids such as photo simulations from aerial vantage points that show the proposed project in context with surrounding development in the area.
6. **Additional Plan Edits.** While not required for application completeness, the following additional plan edits should be made for accuracy and consistency.
 - a. **Net Land Area.** Update Net Land Area in the La Cumbre South Homes table on Sheet A03 from 9.202 acres to 9.94 acres for consistency with the net lot area calculation methodology and net areas reported in the Density Summary table on the same sheet.
 - b. **Project Setback Summary.** In the table on Sheet A03, please list applicable setback, height, open yard standards as “Required” rather than “Current” as the term current implies the standards are proposed to be amended.
 - c. **Interior Setbacks.** The interior setback standards in the Project Setback Summary table on Sheet A03 are incorrect. AUD Program development incentives supersede requirements of the base zone and are 10 feet adjacent to nonresidential zones and 6 feet adjacent to residential zones (i.e., the eastern property boundary) (SBMC §30.15.090.E.1). Requirements of the base zone and USS Overlay need not be listed as they do not apply to the project.
 - d. **Common Yard Area.** The AUD Program provides two options for compliance with open yard requirements: (1) providing private open yards pursuant to SBMC §30.140.140.C.2 plus and additional area with dimensions of 15 feet long by 15 feet wide for use as common open yard accessible to all residential units on the lot (SBMC §§30.150.090.G.2.b.i and 30.150.090.G.2.b.ii), or (2) providing 15% of the net lot area with at least one common yard area open to all residents with a minimum dimension of 20 feet long and 20 feet wide (SBMC §§30.150.090.G.2.b.iii). See SBMC §§30.150.090.G.2.b.iii for other standards applicable to option 2.

The Open Yard Summary table on Sheet A03 seems to indicate the project proposes to comply with option 1 above. However, the Open Space Data on Sheet L0.00 refers to option 2. Please clarify which option the project proposes to meet and update plans for internal consistency.

Staff recommend option 2 as it is much simpler given the size of the project and the project already appears to meet these requirements.

If option 2 is selected, the net lot area listed on the Open Space Data should be updated to 432,986 sf (9.94 acres) for consistency with the methodology for calculating net lot area.

- e. **SBMC References.** References to SBMC Title 28 (Coastal Zoning Ordinance) on Sheet A18 do not apply to this project and should be removed.
 - f. **Building Level References.** Plan sheets and summary tables vary in the use of terms describing the same levels for the South Building. For example, the South Building – Building Summary table on Sheet A27 lists Levels 0-4, but the floor plan sheets include Levels 1-5. Please update for consistency throughout the plan set.
7. **Site Plan – Interior Setback.** The eastern boundary of the property is an interior property line and abuts a residential zone district. The required setback is 6 feet (see comment c.3) and is measured from the property line. Please update the site plan accordingly.
8. **Parking Lot Landscape Standards.** It appears portions of the surface parking area do not comply with requirements for parking lot landscape planters with 4 feet in all interior dimensions at each end of an interior row of parking stalls and between every 8 consecutive parking stalls. In addition, 3-foot wide interior planters are required between parking areas and internal walkways. (SBMC Table 30.175.080.A).
- In addition to the landscape sheets showing the dimensioned surface parking areas, please provide an architectural site plan showing surface parking area dimensions at a minimum scale of 1"=20". (Also see Transportation comment regarding vehicle maneuvering.)
9. **Solar Energy.** Per General Plan Policy ER6, installation of solar photo-voltaic arrays as part of new construction, redevelopment, and significant remodel projects should be provided. Multi-family residential projects of three or more units require provision of a minimum 2 kW system per unit if physically feasible.
- Provide a preliminary photovoltaic roof plan showing the potential location(s) and size(s) of proposed solar photovoltaic arrays and an estimate of the amount of energy production so staff can evaluate the project's consistency with this policy. Layout and energy production may be estimated based on similar recent development projects and/or online estimators.

The applicant has acknowledged the following advisory comments from the prior review letter. They are included here for continuity.

10. **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. The following requirements apply to the project:

- a. **Required Interior Air Filtration.** Show a central ventilation system with high efficiency air filtration and submit equipment specifications on plans for building permit submittal.
 - b. **Design Elements.** Show one or more of the required design elements identified in SBMC §22.65.040 on plans. The plans show the non-sensitive parking structure use located in the portion of the project within 250 feet of Highway 101, doors and outdoor living areas oriented away from the highway, and proposed landscaping to provide vegetative screening along the property frontage facing the highway. As currently proposed, the project appears consistent with this requirement.
11. **Average Unit Density Incentive Program Supplemental On-Site Notice.** For AUD projects with five or more units, in addition to the City's Notice of Development sign, you are responsible for designing, fabricating, and installing extra on-site notice signs. One sign should be located on each public street frontage. Instructions are found in the Planning (PLN) Application. Provide evidence (photos) that this additional sign is posted 10 days prior to each public hearing.
 12. **Moderate-Income Housing Plan.** Please note that a Moderate-Income Housing Plan will be required prior to issuance of a building permit. Refer to SBMC §30.150.140 for requirements. Be aware that the inclusionary units must conform to the standards in SBMC §30.150.130. We recommend submitting a draft version of the Moderate-Income Housing Plan now to avoid delays later in the process.
 13. **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 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 level. 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. The project, which proposes 44 units at the Moderate-Income level, is consistent with the inclusionary requirement. In addition, an in-lieu fee is required based on the following formula: Fractional Unit/Total Moderate-Income Unit Requirements x Per Square Foot Fee x Net Floor Area in the project. See §30.15.070 for the definition of Net Floor Area.

B. Access, Parking & Traffic – Transportation Planning Division

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

REQUIRED ITEMS:

1. **Pedestrian/Bike Access – 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. Remaining corrections include:

- a. Sheet C05, is still missing the 2'-6" of "frontage zone".
- b. Call out size of retaining wall.
- c. Advisory: Please note if the wall is within the 2'-6" of "frontage zone", the wall must be 3'- 6" or less in height.

2. **Pedestrian/Bike Access – Right of Way Improvements on Calle Real.**

Remaining corrections include:

- a. Sheet C05, is still missing the 2'-6" of "frontage zone".
- b. Call out size of retaining wall.
- c. Advisory: Please note if the wall is within the 2'-6" of "frontage zone", the wall must be 3'- 6" or less in height.
- d. Advisory: Please remove the sewer manhole to the parkway.

3. **Demonstrate Compliance with the City's Access and Parking Standards.**

The following is a list of access and parking standards and the status of compliance. Please address items as noted:

- a. **Minimum Stall Dimensions.** The detail layout detail that was provided on the initial submittal was not carried out on the second submittal plans to demonstrate compliance with the standard on every plan sheet that shows parking. Reference Page 6 of the Access and Parking Standards for 90 Degree Parking. On every parking layout sheet, please call out the stall length, stall width, aisle width, module width, overhang allowance, and "P" (depends on stall width).
- b. **Minimum Bay Dimensions.** The bay width dimensions are included in the surface parking but not in the parking garage for all parking sheets. Please include bay width dimensions in the parking garage on all parking sheets.
- c. **Clearance from Vertical Elements.** The detail layout detail that was provided on the initial submittal was not carried out on the second submittal plans to demonstrate compliance with the vertical element requirement. Please show you meet the requirement on every plan sheet that shows parking.
- d. **Standard Vehicle Maneuvering.** All hardcopy plan sheets providing parking were not submitted other than Sheet A17. On Sheet A17, the scale 1"=40' was too difficult to confirm maneuverability. Please print a minimum scale of 1"=20' for all parking sheets and provide to staff.
- e. **Driveway Widths.** Thank you for adding the City Standard Detail H.03.1 for the driveway note. Please demonstrate that the sidewalk is carried

through driveway on the La Cumbre frontage and on the driveway opposite the Habit (easement area).

- f. **Vehicle Ramps.** Please provide information to demonstrate on plans and section view that the project meets the vehicle ramp requirement below:
 - i. A vehicle ramp is a sloping connection between a street level and a parking level or between two parking levels. For multiple unit dwellings or non-residential uses, all parking plans involving ramps shall be accompanied by a profile showing the ramp, ramp transitions and overhead and adjacent wall clearances.
 - ii. The length of a ramp is defined as that portion of the ramp from the beginning of the transition at one end of the ramp to the end of the transition at the opposite end thereof.
 - iii. For ramps longer than 65', the ramp grade shall not exceed 12% with the first and last 8' of the ramp not exceeding 6%.
 - iv. For ramps 65' in length or less, the ramp grade shall not exceed 16% with the first and last 10' of the ramp not exceeding 8%.
 - v. The slopes of all parking areas shall not exceed 5%, excluding ramps. When an ADA accessible route across a vehicle ramp is required the maximum slope is regulated by the California Building Code. Please consult Building & Safety staff for more information. Please demonstrate compliance on the plans and section view for the parking garages.
 - g. **Vertical Curves.** Please provide information to demonstrate compliance on the plan and section view for the parking garages.

Minimum vertical curve lengths provide for gradual transitions between a street/sidewalk and driveway and between a driveway and parking area.

 - i. If the slope of the driveway is 0 - 10%, a 5' minimum length vertical curve is required.
 - ii. If the slope of the driveway is 10 - 16%, a 10' minimum length vertical curve is required.
 - iii. When the slope of a driveway is rising to meet the sidewalk or garage level, 5' of the driveway shall be the same slope as the sidewalk or garage level.
 - h. **EV Parking.** Please confirm on the plans that there are no equipment encroachments into the required minimum parking dimensions.
4. **Bicycle Parking.** Please provide additional details and provide manufacturer's specification sheet so staff can confirm the proposed parking meets the City Access and Parking Design Standards. 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. This is a carryover comment from the first submittal. Please note that the manufacturer's spec sheet will show parking

device/specs but the layout still must be provided on the plans to demonstrate compliance with the City's Access and Parking Standards.

There also needs to be a bike rack detail proposed for the uncovered bike parking areas. Please note that later this month, City Staff are updating the City's Access and Parking Standards to include a couple new single rack designs, Huntco Rambler and Huntco Rambler wide, that have been approved by the City's Historic Landmarks District. This rack style could work very well on the subject property.

5. **30-Foot Road Easement between Habit/Bristol Farms and Subject Property.**
Thank you for adding the 4-foot planted parkway between the 6-foot sidewalk and the curb on sheet L3.03. Please make sure the civil set, Sheet C05 is also consistent.
6. **Bus Stop/Shelter.**
 - a. Please confirm bus pad meets the 15' by 6' standards for the LNI Bus Shelter (standard MTD bus shelter spec).
 - b. Please dimension the bus pull out area on Sheet C07.
7. **Vehicle Miles Traveled.** Please update the Fehr and Peers Technical Memo dated August 15, 2025. There has been updated mapping on SBCAG's Transit and Land Use Map (April 2025). The project is entirely within the half-mile buffer within a High-Quality Transit Corridor and would be screened out of further environmental review. It would be helpful to include the total daily vehicle trips by the existing uses and then subtract the VMT for the proposed uses.

ADVISORY ITEMS:

1. **Pedestrian/Bike Access – Access Adjacent to Arroyo Burro Creek.** The Tentative Map will be conditioned to require that access extends through both parcels on the Tentative Map (Parcel 1 and 2). The project at 3805 State (Case No. PLN2024-0227) that also includes a subdivision between parcels (APNs 051-010-012, -013, and -014) will also be required to provide the remaining 165 feet of connection along Arroyo Burro Creek to Hope Avenue. It is critical for pedestrian/bike circulation around and within the La Cumbre Plaza campus (including all five parcels) so residents and community members/customers have the option to walk and bike and not rely solely on vehicle trips. Public access easements are required. Please note that the parallel "parking spaces" along Arroyo Burro, were never permitted and are not considered part of the overall parking count.
2. **Traffic Analysis.**
 - a. Please provide the trip distribution graphic depicting the analysis in Section 3.2 of the traffic analysis. This will be helpful for the project hearings to address community concerns with respect to traffic.
 - b. Minor math errors exist in Table 1 (most are off by 1). For example, $234 - (182 + 19) = 33$. Please recheck entire table. Note that minor errors would not impact results.

C. Building Code – Building & Safety Division

Staff Contact: Eric Swenumson, ESwenumson@SantaBarbaraCA.gov; (805) 560-7532

REQUIRED ITEMS:

1. **No Required Items.** No additional information is required at this time.

ADVISORY ITEMS:

The applicant has acknowledged the following advisory comments from the prior review letter. They are included here for continuity.

These comments are intended to assist in identifying potentially significant issues that may affect your project. The plans lack sufficient information to perform a review of major potential code issues. The comments below must be addressed at building permit submittal. However, staff recommends you consider them now to avoid late hits/need for redesign. A comprehensive plan review will be performed when the project is submitted 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 and Green Building Requirements.**
 - a. Project to comply with the Mandatory PV & Battery Requirements for New Construction per 170.2 (2022 CEnC).
 - b. New construction to provide electric vehicle infrastructure and facilitate electric vehicle charging shall comply with Section 4.106.4.2 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.** 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) - 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. 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 vs 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. It is not clear from the current plans whether Level 0 of the parking structure would be considered underground parking pursuant to CBC. Underground parking structures must 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.
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.

D. Wastewater Collection – Water Resources Division

Staff Contact: Mariana Cruz, MCruz@SantaBarbaraCA.gov; (805) 564-5363

REQUIRED ITEMS:

1. **No Required Items.** No additional information is required at this time.

ADVISORY ITEMS:

1. **Existing Sewer System.** Based on the fixture calculations provided by the applicant, the existing wastewater collection system has the capacity to serve this project. When applying for a building permit, please provide the current fixture calculations to determine if upgrades to the system are required at that time.

Wastewater reserves the right to determine the need for system improvements at the project's expense to ensure the wastewater system's reliability and provide

adequate capacity to handle additional flows from the project site. Wastewater reserves the right to determine the point of connection to the City's sewer main.

2. **Utility Plans.** The legend should be labeled properly. Legend does not match labeling on utility plan.

The applicant has acknowledged the following advisory comment from prior review letters. They are included here for continuity.

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.

E. Water Connection & Distribution – Water Resources Division

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

REQUIRED ITEMS:

1. **No Required Items.** No additional information is required at this time.

ADVISORY ITEMS:

1. **Water Model.** The City is awaiting the results of the water model. The results of the model will determine if improvements to the water system or alterations to your proposed service connections are required to serve the project.
2. **Water Infrastructure Advisory.** Be advised, all water infrastructure located within the mall property may be turned over to the owners as a private water system in the near future.
3. **System Improvements.** 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.
4. **Main Diameter.** The proposed diameter and material for the new main on Calle Real and South La Cumbre Road are subject to change based on City standards and results of the water model.
5. **Hazard Assessment/Cross-Connection.** 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 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.
6. **Backflow Assemblies.** Backflow assemblies are required at: private main POC, residential master meter, irrigation meter and fire line. Additional backflow protection may be required based on findings from inspections, assessments,

surveys and plan review. These must be called out on your Civil sheets during the BLD review phase.

7. **Civil Sheets.** Show all required water system valves, backflows and meters as related to the proposed water main extensions in the civil sheets.

F. Water Conservation – Water Resources Division

Staff Contact: Katie Munster KMunster@SantaBarbaraCA.gov; (805) 564-5593

REQUIRED ITEMS:

1. **No Required Items.** No additional information is required at this time.

ADVISORY ITEMS:

1. **Dedicated Private Submeters.** Thank you for noting that private submeters will be included in each residential unit. Please show the location of all submeters on the plans.
2. **Plan Requirements.** Show all water meters on plans. Label each meter with the proposed size as supported by the fixture unit calculations and what the meter will be serving.
3. **Water Use Designations.** Please note *Queen Palm* is considered to be low water use per City of Santa Barbara WUCOLS Addendum and *Tawhiwhi* is considered to be low water use per WUCOLS. Please update the planting legend to reflect the correct water use designation.
4. **Landscape Square Footage.** After updating plant water use designations, please provide updated estimated square footage of:
 - a. Total square footage of new/revised landscaped area.
 - b. Square footage of landscaped area with low-water-use plants (as per WUCOLS and the City WUCOLS Addendum, as per WUCOLS and the City WUCOLS Addendum, found at www.SantabarBarbaraCA.gov/WELS).
 - c. Square footage of landscaped area with moderate- or high-water-use plants. *Please do not include hardscape areas in any of these calc's.
5. **Hydrozones.** After updating plant water use designations, ensure that moderate and low water using plants are in separate hydrozones or, if on drip irrigation, indicate how moderate and low species will be irrigated differently.

G. Right-of-Way & Subdivision Development – Engineering Division

Staff Contact: Michael Cloonan, MCloonan@SantaBarbaraCA.gov; (805) 564-5363

REQUIRED ITEMS:

1. **Tentative Subdivision Map.** It appears Sheets C01 through C09 are most likely the proposed Tentative Map sheets, though they are not labeled as such. Additionally, some of the required Tentative Map elements for compliance with SBMC §27.07.030 need to be added.

- a. Identify all sheets in the Tentative Map with the primary title of "Tentative Map". Secondary identifications can be titled per individual sheet descriptions such as "Title Sheet," "Legal Descriptions and Exceptions," "Existing Conditions and Boundaries," "Proposed Lots and Easements," "General Notes," "Grading and Drainage Plan," "Utility Plan," "Site Details," etc.
- b. The sheet descriptions of the civil sheets in the civil plan set "Sheet Index" on Sheet C01 are not coordinated with sheet numbers or sheet descriptions. Clarify and coordinate to clearly identify the Tentative Map, Tentative Map Sheet Index, Tentative Map Sheet Titles describing the content(s) on the sheet, Tentative Map Sheet Numbers in the Sheet Index on Sheet A02 and in the Tentative Map Title Sheet – Sheet Index should include the numbers starting with TM (e.g. TM01, TM02, ..., TM09, etc.) to aid in clarifying the Tentative Map set of sheets. The Tentative Map – Existing, which currently appears to be sheet C3/C03 and the Tentative Map – Proposed, which currently appears to be sheet C3A/C03A is missing the following required elements:
 - i. Clearly show and identify the existing and proposed lot lines per SBMC §27.07.030 B.1.
 - ii. Show and identify all proposed public sidewalks on the Tentative Map with a maximum cross slope of 1.5% in compliance with City of Santa Barbara Construction Standard Detail H-06.0 per §27.07.030 B. 4.
 - iii. Clearly show and identify (E) existing, (N) new, differentiated public or private sewer infrastructure proposals, limits of work, and revised construction notes on the Utility Plan sheet per SBMC §27.07.030 B.6.
 - iv. Clearly show and identify (E) existing, (N) new, public water infrastructure proposals, limits of work, and revised construction notes on the Utility Plan sheet per SBMC §27.07.030 B.6.
 - v. City records indicate there is an existing grease control device (GCD) onsite. In the demolition phase of construction, it is critical to properly decommission the GCD. Clearly show and identify this on the Utility Plan sheet per SBMC §27.07.030 B.6.
 - vi. Clearly show and identify the (E) power poles along the Calle Real public right-of-way and the project proposal for relocation or undergrounding of services per SBMC §27.07.030 B.9.

ADVISORY ITEMS:

- 1. **SCE Plans for Construction.** Please be aware that preliminary SCE plans are required at building permit submittal and final 'for construction' plans are required prior to approval of Public Works C-1 plan.
- 2. **Public Works Permit Submittals.**
 - a. After approval of the Tentative Parcel Map, the project will need to submit a Parcel Map to Public Works for approval and recordation. This map

shall be recorded with the County of Santa Barbara prior to issuance of any building permits.

- b. A Public Works C-1 plan is needed for the extent of public improvements required for this project. This C-1 plan will be reviewed and issued concurrently with the first building permit for the project. This plan should include all work in the right-of-way proposed under this project (hardscape improvements, grading and drainage, utilities, lighting, easements, road striping and/or curb painting plan, etc.).
- c. Separate Public Works water and sewer work orders will be required for new service installations. Apply for these permits after approval of the C-1 plan. More information on these applications will be provided during C-1 plan review and approval.

H. Fire Code – Fire Department

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

REQUIRED ITEMS:

- 1. **No Required Items.** No additional information is required at this time.

ADVISORY ITEMS:

- 1. **No Required Items.** No additional information is required at this time.

I. Waste & Recycling – Environmental Services Division

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

REQUIRED ITEMS:

- 1. **No Required Items.** No additional information is required at this time.

ADVISORY ITEMS:

- 1. **Access.** Compactors are proposed. Marborg will need to verify their ability to service the proposed compactors. Consult with Environmental Services for building permit submittal.

J. Storm Water Management – Creeks Division

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

REQUIRED ITEMS:

- 1. **No Required Items.** No additional information is required before application is considered complete. The items in the Advisory section below must be addressed either before Design Review Final Approval or during the building permit review phase as indicated for each item. However, we strongly recommend you address these items with the next submittal so that we can review to confirm compliance concurrent with reviewing your application for completeness, which will streamline your overall review.

ADVISORY ITEMS:

1. **Treatment of all Impervious Surfaces.** Before Design Review Final Approval, update the storm water report and grading and drainage plan to clearly indicate how storm water from all impervious area on the entire parcel will be treated. Currently, there are many areas along the perimeter of the site that still indicate storm water from flatwork will flow off-site. For all pathways and driveways, demonstrate that storm water will not flow off the property untreated. Currently, the topographic lines, grades, and finished elevations indicate that storm water will flow off the property without treatment. Tier 4 projects must capture and treat storm water from 100% of onsite impervious surfaces.
2. **Cross-section Details.** Before Design Review Final Approval include cross-section details (e.g., permeable pavers, pre-treatment systems, underground storage chambers) of all proposed storm water improvements (BMPs) that demonstrate compliance with requirements detailed in the City's Storm Water BMP Guidance Manual. Currently, the submitted Civil sheets do not include these details.
3. **Storm Water Chambers.** Before Design Review Final Approval, for each chamber system location specify the model of chamber and the number of chambers to be installed. Also, on the civil sheets call-out the gravel storage perimeter of each chamber system. In addition, specify the invert elevation of the inlet pipe and of the subgrade soil (basin bottom) for each chamber system location. Also, identify the monitoring well location for each system. These should be installed in the isolator row and every other row.
4. **BMP Worksheets.** Before Design Review Final Approval, in the worksheets in the storm water report, demonstrate that the BMP drawdown time will be less than 72 hours. If necessary, propose alternative BMP locations with higher infiltration rates. Although the worksheets specify the chamber systems will drawdown within 72 hours, the ponding depth and thickness of gravel entries are not realistic for the proposed storm water chambers and conflict with the dimensions specified in the chamber wizard output.
5. **Infiltration Testing.** Before Design Review Final Approval, additional infiltration testing is required. The testing performed is insufficient. Infiltration rates are required – percolation rates are not acceptable. Ensure that testing is performed in accordance with the testing requirements in Chapter 4 of the City's 2020 Storm Water BMP Guidance Manual. Testing should be performed within the footprint of the proposed BMPs at the depth where stormwater is proposed to infiltrate.
6. **Curb Inlet Details.** Before Design Review Final Approval, on the grading and drainage plan sheets, provide a detail for the curb inlets proposed in the ROW. Specify the proposed pretreatment inlet filters. Also, include the placement of catch basin screens in each of the details and on the plan sheets, per City standard detail Note 19, D-01.0.

7. **Drainage System.** 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.
8. **Scope of Work.** 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.
9. **Plumbing Plan.** For the building permit submittal, include plumbing plan sheets that clearly indicate that all roof runoff will be directed to proposed BMPs.
10. **Site Plan.** 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.
11. **Maintenance Statement.** 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.
12. **Inspections.** 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. Creek Protection & Restoration – Creeks Division

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

REQUIRED ITEMS:

1. **No Required Items.** No additional information is required before application is considered complete.

ADVISORY ITEMS:

1. **No Required Items.** No additional information is required before application is considered complete.

L. Affordable Housing – Housing and Human Services Division

Staff Contact: Maria Schroeder, MSchroeder@SantaBarbaraCA.gov; (805) 564-5491

REQUIRED ITEMS:

1. **No Required Items.** No additional information is required at this time.

ADVISORY ITEMS:

The applicant has acknowledged the following advisory comment from the prior review letter. It is included here for continuity.

1. **Affordable Housing Supplemental Application and Plan Required.** Prior to building permit issuance, an Affordable Housing Plan Supplemental Application and Affordable Housing Plan are required to be uploaded into Accela and must be approved by the Community Development Department Housing and Human Services Division, and an affordability covenant must be recorded on the property title. We recommend submitting the Affordable Housing Plan Supplemental Application and Affordable Housing Plan as soon as feasible to ensure adequate time for City review and preparation of the covenant for recording to avoid project delays. Details on plan requirements and a template are available on the City's Affordable Housing [webpage](#). Contact the Housing and Human Services with specific questions.

VII. FEES

Planning Application fees are based on staff time to review two submittals and complete the entitlement process through decision-maker approvals. If your project requires more than two submittals before it is considered complete, a fee of one-fourth ($\frac{1}{4}$) of the current application fees will apply for each additional review. Please note that fees are typically updated annually, usually on September 1.

VIII. NEXT STEPS

When you're ready to submit the required information, please upload the following into the Planning (PLN) Record in the [Permit Portal](#). Once we receive everything, we'll invoice the fees. After payment is made, we can continue processing your application.

- **Resubmittal Form.** Indicate on the [Resubmittal Form](#) that you are providing materials to complete your application. Note any changes to the Planning entitlements requested.
- **Written Responses.** Provide written responses to each of the REQUIRED and ADVISORY items identified in the Additional Information Required list (Section VI), indicating how each has been or will be addressed.
- **New or Updated Application Materials.** Provide new or updated materials addressing the items identified in the Additional Information Required list (Section VI).
- **Fees.** Pay any additional fees that apply.

If the requested information is not submitted within 120 days from the date of this letter, it will be considered an *unreasonable delay* of the project. During this period, you may request a one-time extension of up to 60 days, if needed. If the information is still not provided by the extended deadline, the application will expire, and any processing fees paid will be forfeited. To continue the project after the application expires, you must submit a new application and repay the initial submission fees based on the current fee schedule.

3845 State Street (PLN2025-00238)

Application Completeness Review #2

September 26, 2025

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Please note for projects associated with a Preliminary Housing Application (SB-330), if the requested information is not submitted within 90 days from the date of this letter, the Preliminary Housing Application will expire.

Sincerely,

A handwritten signature in cursive script that reads "Patsy Price".

Patsy Price
Contract Planner

Attachments: SBMC Chapter 30.15, applicable on November 20, 2024 (SB330 preliminary application submittal date)

cc: (sent via e-mail)

Riviera Dairy Property, LLC, rivieradairy1968@gmail.com

Record ID #PLN2025-00238

APPENDIX A: FINDINGS REQUIRED FOR APPROVAL

To approve the requested entitlements, the decision-maker(s) must be able to make the required findings of approval. To support this, your application's project plans, figures, technical studies, and narrative should clearly demonstrate how the project satisfies each of the findings.

DESIGN REVIEW

ABR PROJECT COMPATIBILITY

In addition to any other considerations and requirements specified in the municipal code, the following findings shall be considered by the Architectural Board of Review when it reviews and approves or disapproves the design of a proposed development project in a noticed public hearing pursuant to the requirements of Chapter 22.68.

1. Consistency with Design Guidelines. The design of the project is consistent with design guidelines applicable to the location of the project within the City.
2. Compatible with Architectural Character of City and Neighborhood. The design of the project is compatible with the desirable architectural qualities and characteristics which are distinctive of Santa Barbara and of the particular neighborhood surrounding the project.
3. Appropriate size, mass, bulk, height, and scale. The size, mass, bulk, height, and scale of the project is appropriate for its location and its neighborhood.
4. Sensitivity to Adjacent Landmarks and Historic Resources. The design of the project is appropriately sensitive to adjacent Federal, State, and City Landmarks and other nearby designated historic resources, including City structures of merit, sites, or natural features.
5. Public Views of the Ocean and Mountains. The design of the project responds appropriately to established scenic public vistas.
6. Use of Open Space and Landscaping. The project includes an appropriate amount of open space and landscaping.

FINDINGS FOR REMOVAL OF TREES

Before approving or conditionally approving an application for the removal of a tree pursuant to Chapter 15.24, the Architectural Board of Review shall make one or more of the following findings:

1. That principles of good forest management will best be served by the proposed removal;
2. That a reasonable and practical development of the property on which the tree is located requires removal of the tree or trees whose removal is sought;
3. That the character of the immediate neighborhood with respect to forestation will not be materially affected by the proposed removal;
4. That topography of the building site renders removal desirable;
5. That regard for the safety of persons or property dictates the removal.

TITLE 27

TENTATIVE SUBDIVISION MAP (SBMC §27.07.100)

The Staff Hearing Officer or Planning Commission shall not approve an application for a Tentative Subdivision Map per the following:

1. Compliance with state and local requirements and conditions. Approval shall be denied to any map for failure to meet or comply with any requirement or condition imposed by the Subdivision Map Act or this code. Approval shall be denied to any map for which the required information, reports, plans or agreement has not been submitted.
2. Consistency with general and specific plans. Approval shall be denied to any map which is not consistent with the General Plan or a specific plan adopted thereunder or which depicts a land division or land use which is not compatible with the objectives, policies, general land uses and programs specified in the General Plan.
3. Denial on specific finding; exceptions. Approval or recommendation thereof shall be denied to any map by the Advisory Agency and, in the event of an appeal, by the Appeal Board, if said body finds:
 - a. The proposed map is not consistent with applicable general and specific plans.
 - b. The design or improvement of the proposed development is not consistent with applicable general and specific plans.
 - c. The site is not physically suitable for the type of development.
 - d. The site is not physically suitable for the proposed density of development.
 - e. The design of the development or the proposed improvements are likely to cause substantial environmental damage or to substantially and avoidably injure fish or wildlife or their habitat.
 - f. The design of the development or the type of improvement is likely to cause serious public health problems.
 - g. The design of the development or the type of improvement will conflict with easements, acquired by the public at large, for access through or use of property within the proposed development; provided however, approval may be granted if it is found that alternative easements, for access of or use, will be provided, and that these will be substantially equivalent to the ones previously acquired by the public.
4. Access to public resources. Approval shall be denied to any map which does not provide for, have available, or offer dedication of reasonable public access to public natural resources as required by Article 3.5 of Chapter 4 of the Subdivision Map Act.
5. Water quality requirements. Approval may be denied to any map if discharge of waste from the proposed development into an existing community sewer system would result in violation of existing requirements prescribed by a California regional water quality control board. The determination of water quality control requirements relating to every subdivision shall be made at the time of map approval consideration.

Title 30. Zoning—Inland

Division I. Introductory Provisions

Chapter 30.15. RULES OF MEASUREMENT

§ 30.15.010. Purpose.

The purpose of this chapter is to explain how various measurements referred to in this title are to be calculated.

§ 30.15.020. General Provisions.

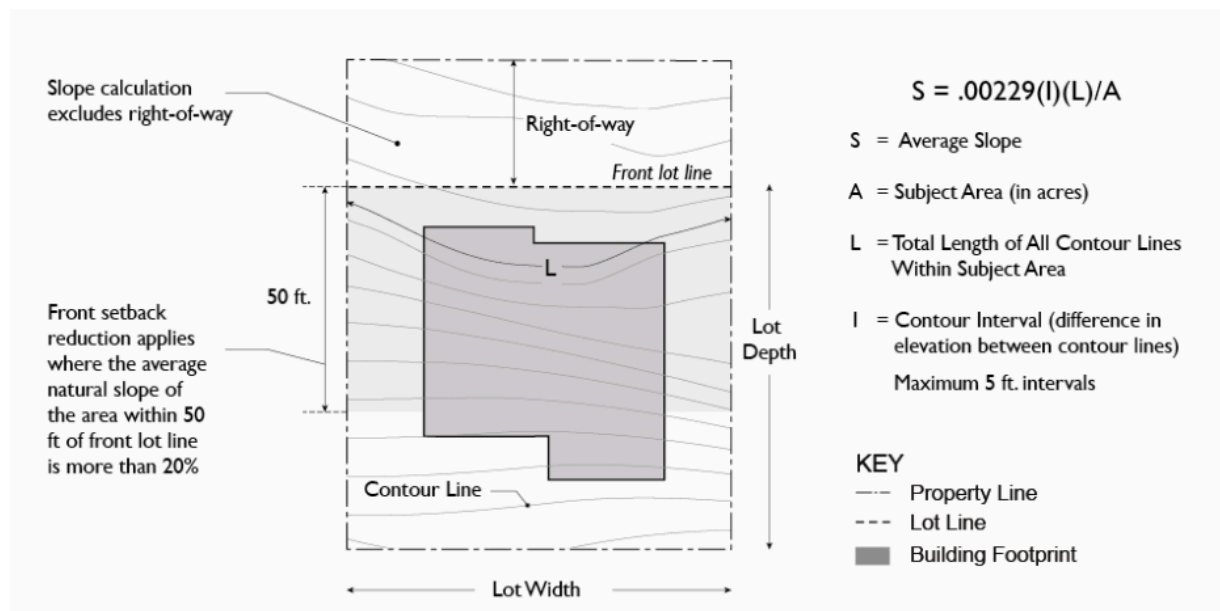
For all calculations, the applicant is responsible for supplying drawings illustrating the measurements that apply to a project. These drawings must be drawn to scale and of sufficient detail to allow easy verification upon inspection by the Community Development Director.

§ 30.15.030. Determining Average Slope.

The average slope of a parcel of land, or any portion thereof, is calculated using a topographic map conforming to National Mapping Standards and having a scale of not less than one inch equals 200 feet and a contour interval of not more than five feet), and the following formula: $S = 0.00229(I)(L)/A$, where:

- A. S = Average slope (in percent)
- B. I = Contour interval (in feet)
- C. L = Total length of all contour lines on the parcel (in feet), excluding the length of contours in drainage channels and in natural water courses below the 25-year flood level
- D. A = Area of subject area for which the slope is to be determined (in square feet)

FIGURE 30.15.030: DETERMINING AVERAGE SLOPE



§ 30.15.040. Determining Area of a Watercourse.

The area of a watercourse includes all land within the top of either bank of any watercourse within the City of Santa Barbara.

A. Mission Creek.

1. "Top of bank" for Mission Creek means the line formed by the intersection of the general plane of the sloping side of the watercourse with the general plane of the upper generally level ground along the watercourse; or, if the existing sloping side of the watercourse is steeper than the angle of repose (critical slope) of the soil or geologic structure involved, "top of bank" shall mean the intersection of a plane beginning at the toe of the bank and sloping at the angle of repose with the generally level ground along the watercourse. The angle of repose is assumed to be 1.5 (horizontal):1 (vertical) unless otherwise specified by a geologist or soils engineer with knowledge of the soil or geologic structure involved.
2. "Toe of bank" for Mission Creek means the line formed by the intersection of the general plane of the sloping side of the watercourse with the general plane of the bed of the watercourse.

B. **Creeks other than Mission Creek.** "Top of bank" and "toe of bank" for creeks other than Mission Creek shall be determined by the Community Development Director on a case by case basis based upon conditions at the site, in consultation with the Parks and Recreation Department and Public Works Department.

§ 30.15.050. Fractions.

Whenever this title requires consideration of the following: (1) required number of parking spaces; or (2) maximum number of residential units, expressed in numerical quantities, all calculations shall use fractions no smaller than hundredths, and if the end result of a calculation contains a fraction of a whole number, the results shall be rounded as follows:

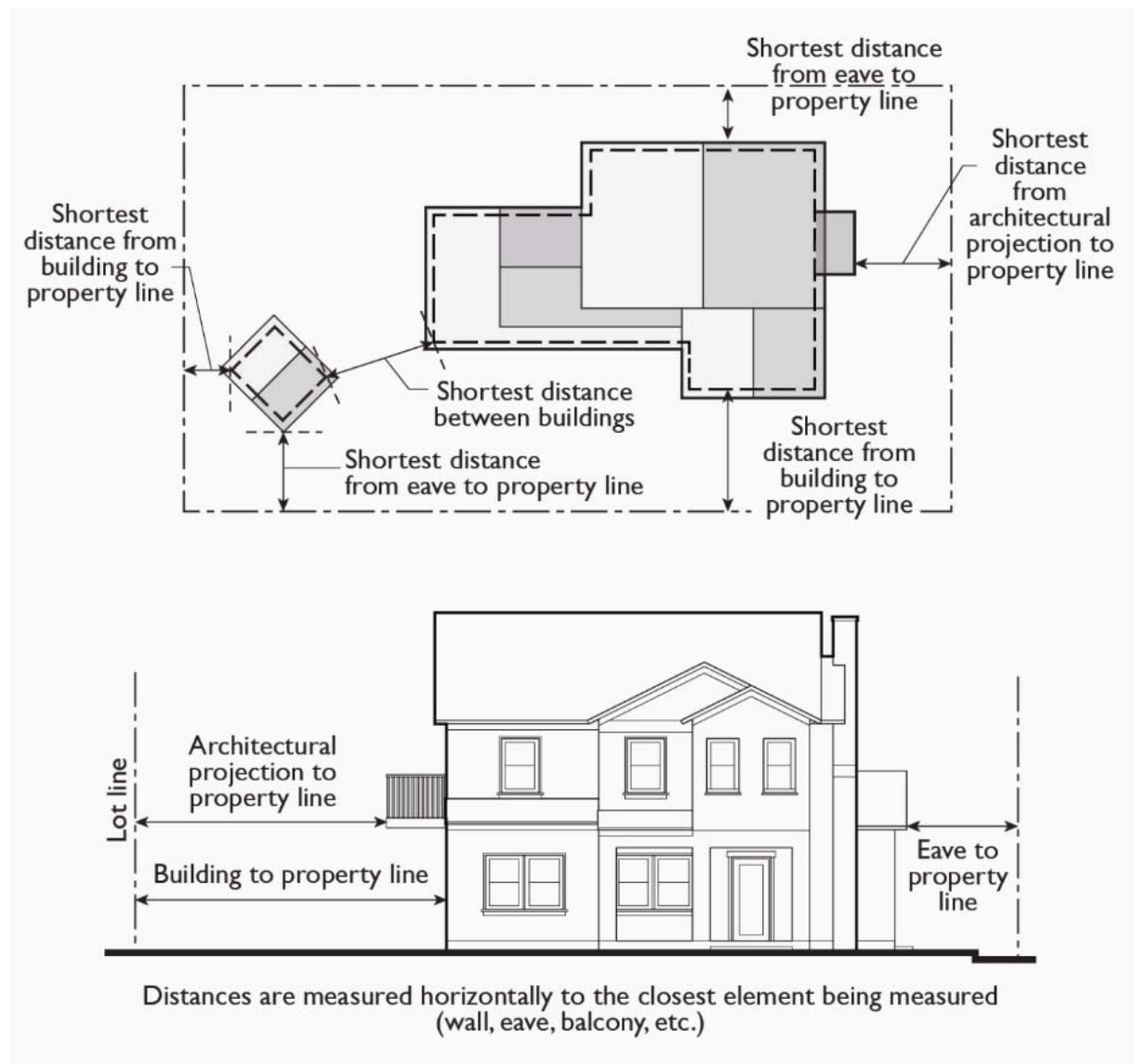
- A. **General Rounding.** Fractions are to be rounded down to the nearest whole number, except as otherwise provided.

- B. **Exception for State Affordable Housing Density Bonus.** For projects eligible for bonus density pursuant to **Government Code** Section 65915 or any successor statute, and Chapter **30.145**, Affordable Housing and Density Bonus and Development Incentives, any fractional number of units shall be rounded up to the next whole number.
- C. **Exception for Inclusionary Housing.** In determining the number of Inclusionary Units required by Chapter **30.160**, Inclusionary Housing, any decimal fraction less than 0.5 shall be rounded down to the nearest whole number, and any decimal fraction of 0.5 or more shall be rounded up to the nearest whole number.

§ 30.15.060. Measuring Distances.

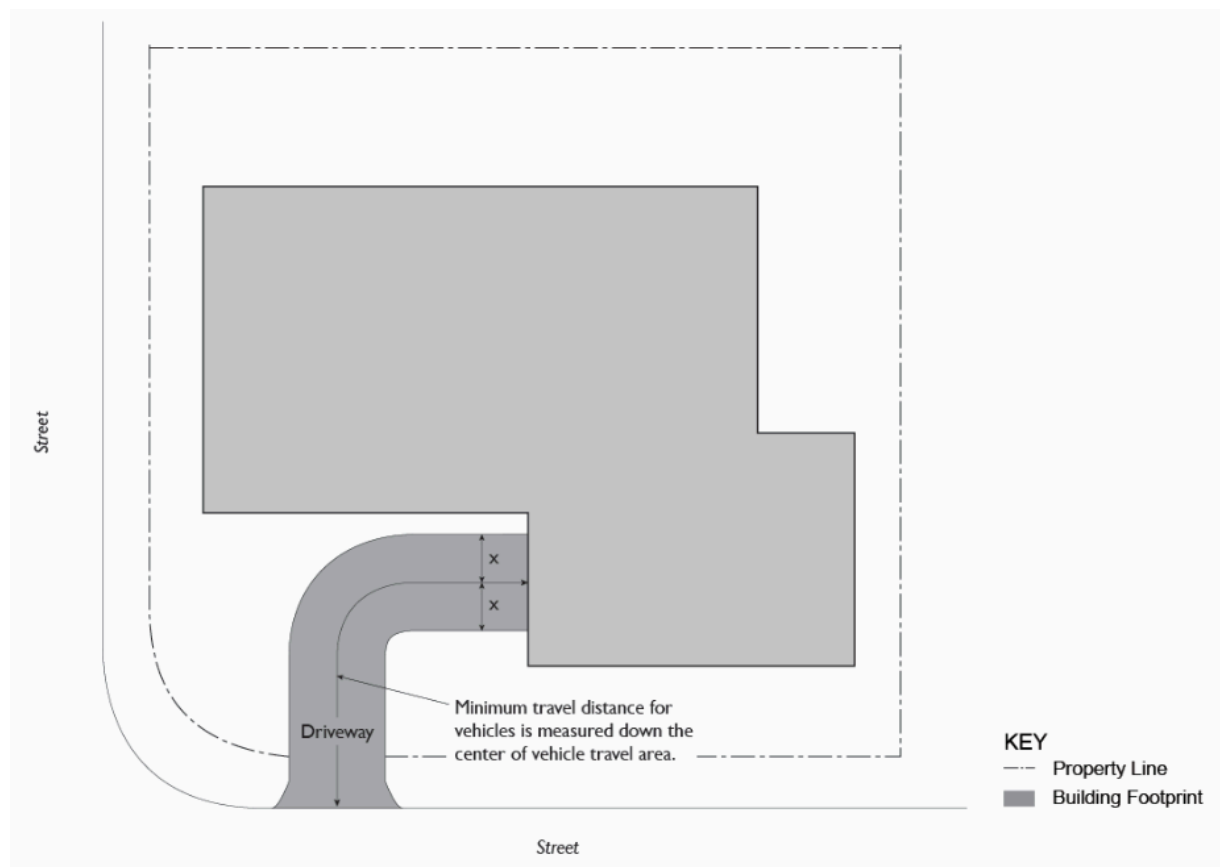
- A. **Measurements are Shortest Distance.** When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.
- B. **Distances are Measured Horizontally.** When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.
- C. **Measurements Involving a Structure.** When measuring a required distance involving a structure, the measurements are made to the closest exterior wall or exterior element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.

FIGURE 30.15.060.A, B, AND C: MEASURING DISTANCES



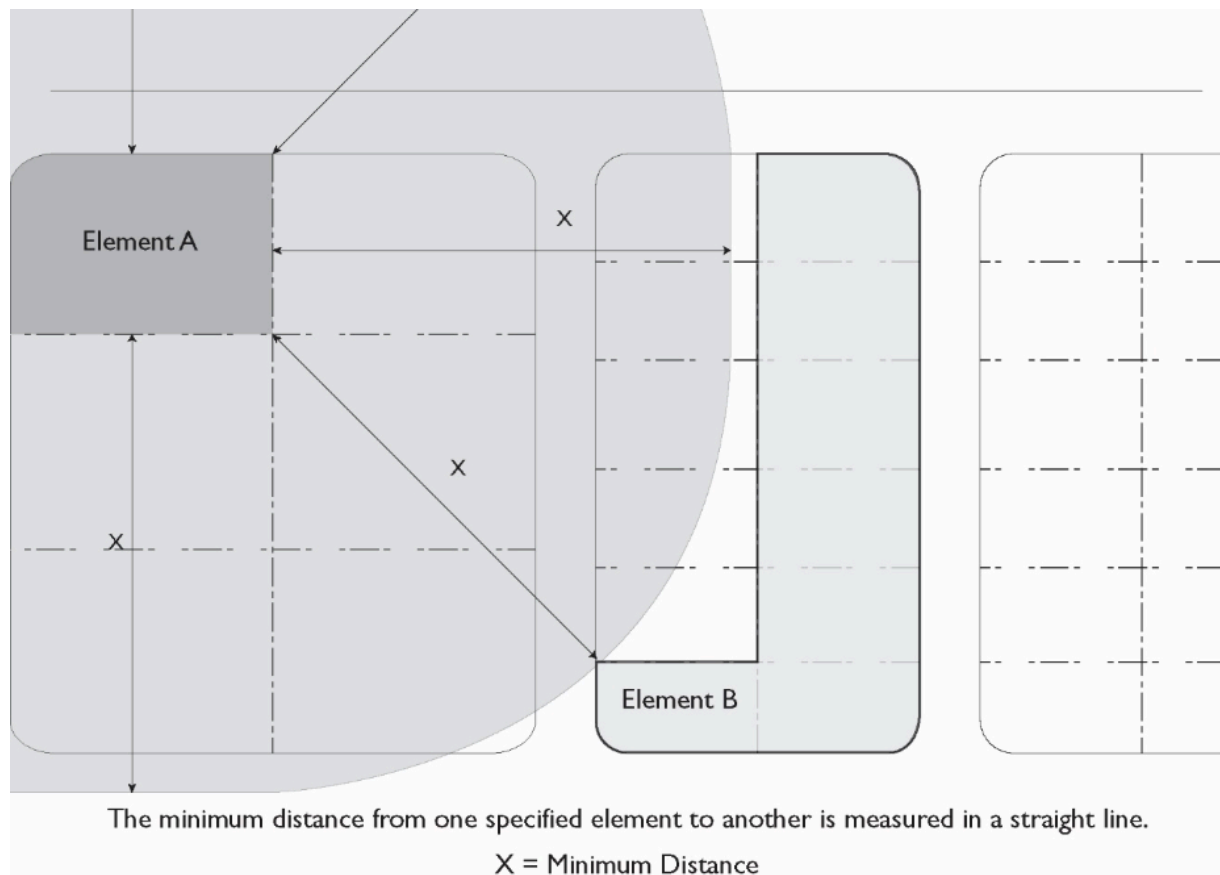
- D. **Measurement of Vehicle Stacking or Travel Areas.** Measurement of a minimum travel distance for vehicles, such as vehicle backup distance, are measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.

FIGURE 30.15.060.D: MEASURING TRAVEL AREAS



- E. **Measuring Radius.** When a specified element is required to be located a minimum distance from another element, the minimum distance is measured in a straight line from all points along the lot line of the subject land use, in all directions.

FIGURE 30.15.060.E: MEASURING RADIUS



§ 30.15.070. Measuring Floor Area.

The net floor area of a structure is the sum, in square feet, of the horizontal areas of all floors of a structure or other enclosed structure, or portions thereof, measured from either the interior perimeter of the exterior walls, or below the roofline, or the centerline of interior walls, as described below. All references to floor area in this title are to net floor area, unless otherwise indicated. The following are included in and excluded from floor area except as otherwise provided in this title.

A. Included in Floor Area.

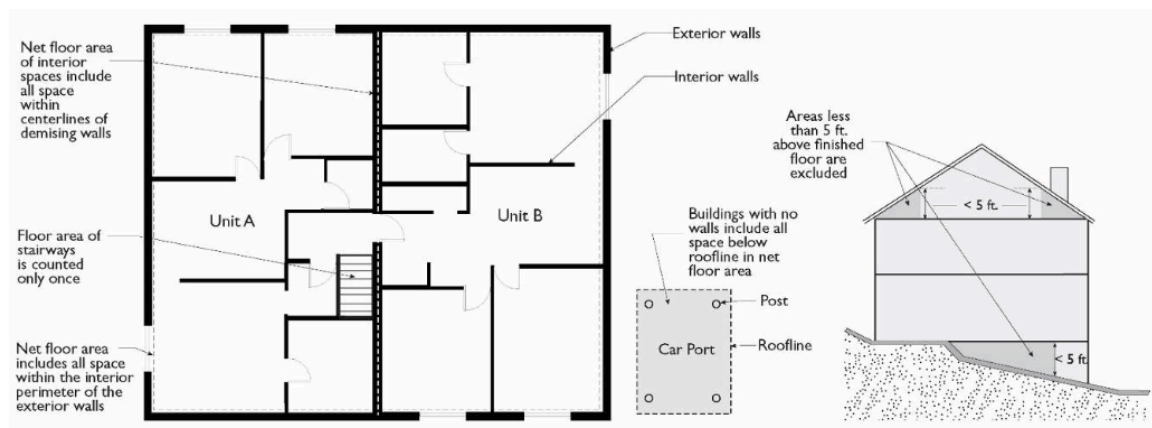
1. **Enclosed Structures.** Net floor area includes all space within a structure that is below the roof and within the interior perimeter of the exterior walls of any main or accessory structure.
2. **Interior Spaces.** Net floor area of interior spaces, such as rooms or separate tenant spaces, includes all space within the centerlines of demising walls separating such spaces or portions thereof.
3. **Stairways and Elevator Shafts.** In the case of a multistory structure that has covered or enclosed stairways, stairwells, or elevator shafts, the floor area of such features is counted only once at the floor level of their greatest area of horizontal extent.
4. **Unenclosed Structures.** The net floor area of a structure with no walls, or partial walls, such as a carport, includes all space below the roof line.

B. Excluded from Floor Area. The following areas are excluded from floor area:

1. Vent shafts or areas with a ceiling height of less than five feet above finished floor.

2. Attics, crawlspaces, or similar areas, where entry is made only for service of utilities, and not designed for use as storage or any other use whatsoever.
3. Unenclosed roofed areas such as patio covers, porches, trellises, gazebos, shade structures, or other similar unenclosed structures not used for the shelter, housing, or enclosure of persons, animals, or property.
4. Enclosed spaces in nonresidential or mixed-use structures that contain "infrastructure" (e.g., mechanical equipment enclosures, vent shafts, trash and recycling enclosures, air conditioners, forced air units, electric vaults, water heaters and softeners, cellular telephone equipment, and other similar uses) shall not count toward the calculation of floor area if such areas are designed in the minimum size necessary to screen or enclose such equipment, and the space cannot be converted to storage or another non-infrastructure use.
5. Nonlivable residential accessory structures that do not require a building permit for construction or installation.
6. Temporary structures permitted with a Temporary Use Permit.

FIGURE 30.15.070: MEASURING FLOOR AREA

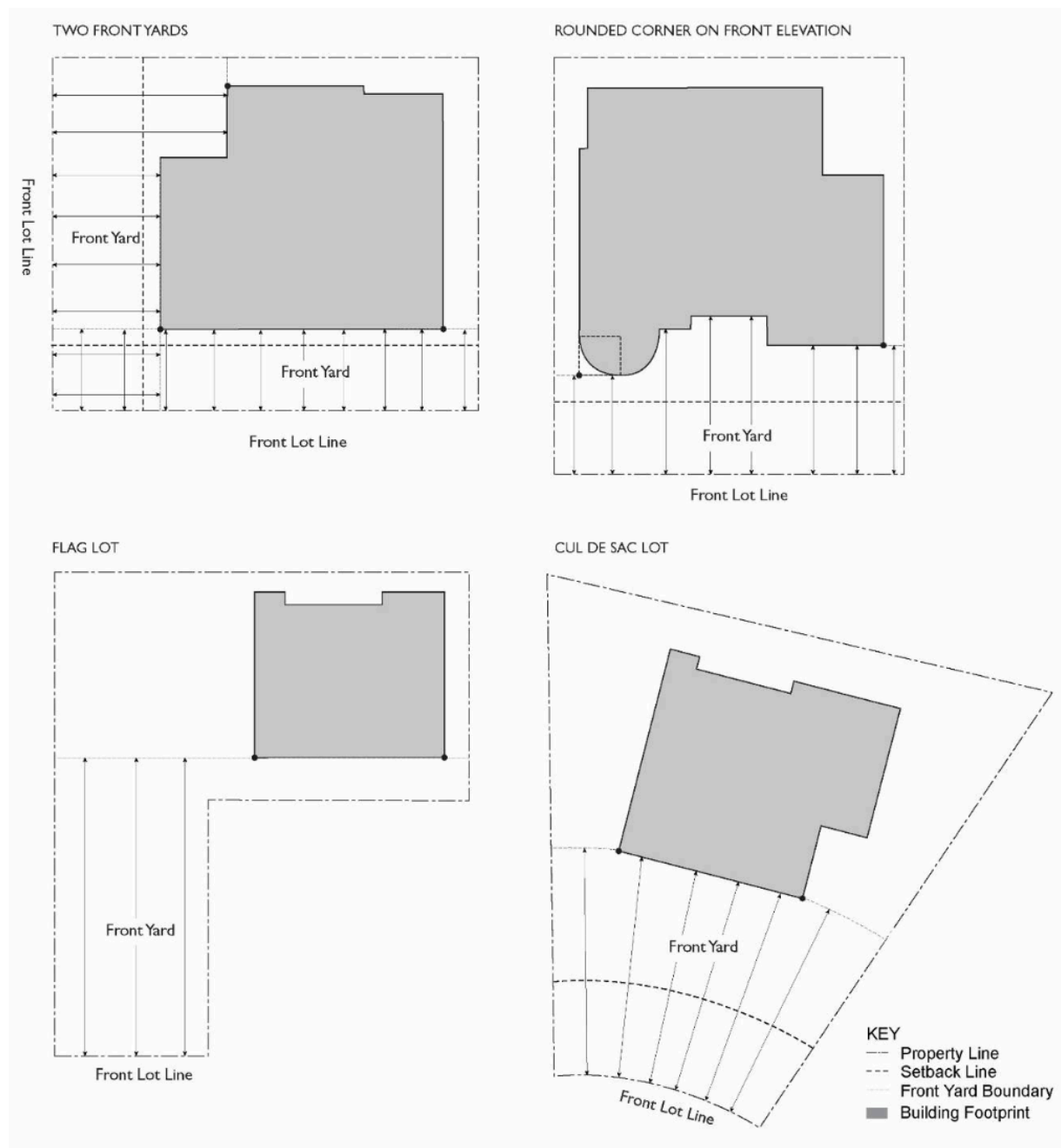


§ 30.15.080. Measuring Front Yards.

Front yards shall be measured by extending perpendicular lines from each point of a front lot line to the nearest wall of the first main building on the lot. Where there is no wall of a main building on the lot which intercepts said perpendicular lines, said yard will terminate at a point determined by extending a line parallel to the front lot line from the corner of the front elevation of the main building to the nearest lot line. The front elevation of a building is any elevation that faces a street.

- A. **Rounded Corners.** If the corner of the front elevation is rounded (i.e., a tower), the corner of the elevation shall be established by drawing the smallest square or rectangle that will enclose the round element and extend the line from the corner of the superimposed square or rectangle that is closest to the front lot line.

FIGURE 30.15.080: MEASURING FRONT YARDS

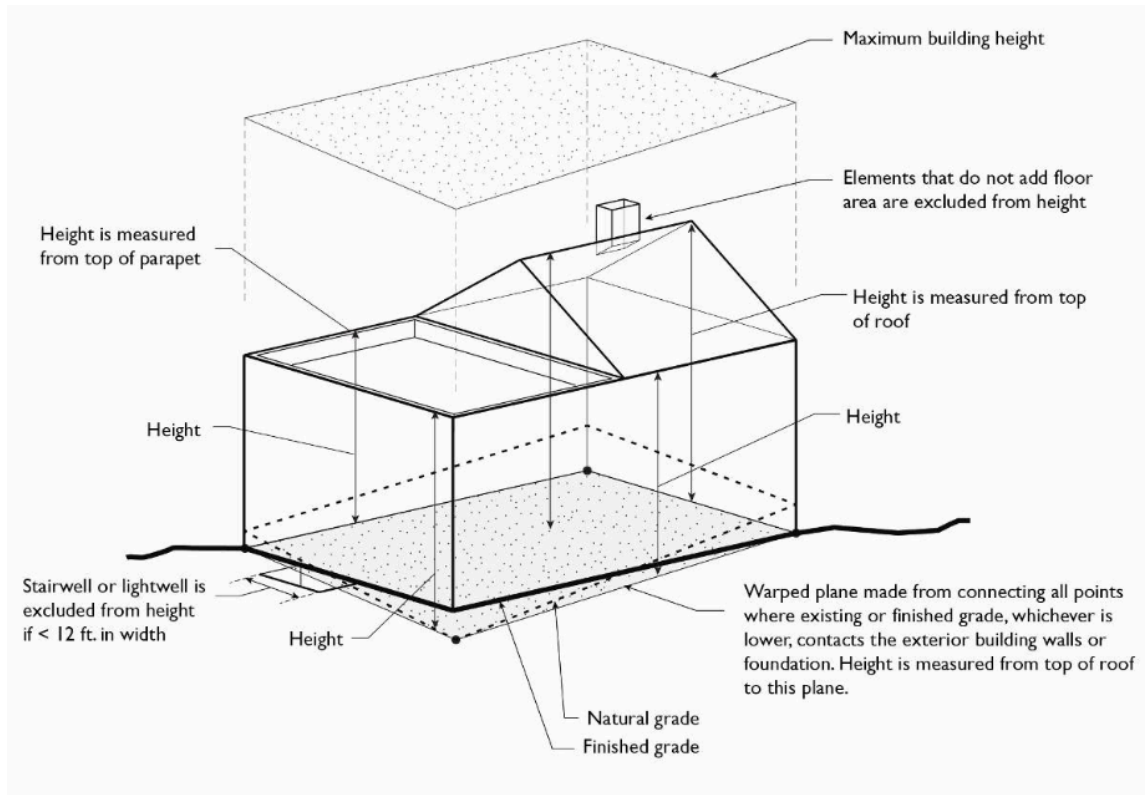


§ 30.15.090. Measuring Height.

Height is the vertical distance measured from existing or finished grade, whichever is lower, to the top of the structure directly above. Special measurement provisions are also provided below.

- A. **Measuring Building Height.** Building height is measured from every point on top of the building roof or roof parapet to a warped plane directly below connecting all points where existing or finished grade, whichever is lower, contacts the exterior building walls or foundation system.
 1. Exception: The vertical portion of exterior doors, stairway landings, or light wells on a basement elevation are excluded from the height calculation if the cumulative total width does not exceed 12 feet per elevation.

FIGURE 30.15.090.A: MEASURING BUILDING HEIGHT



- B. **Measuring the Height of Fences and Hedges.** The height of a fence or hedge is measured in a vertical line from the lowest point of contact with the ground directly adjacent to both sides of the fence or hedge to the highest point of the fence or hedge along said vertical line.
1. **Multiple Fences and Hedges.** All fences and hedges located within five feet of each other, including fences and hedges on adjoining lots, shall be considered a single fence or hedge. The height of multiple fences and hedges that are subject to the same height limitation shall be measured from the lowest point of contact with the ground of a fence or hedge to the highest point of any other fence or hedge located within five feet. The horizontal separation shall be measured from the surfaces of the fences or hedges that face each other.

FIGURE 30.15.090.B: MEASURING THE HEIGHT OF FENCES AND HEDGES

- C. **Determining Prescribed Landscaping Height.** The prescribed heights of landscaping are the heights to be attained within five years after planting.
- D. **Measuring the Height of Decks and Patios.** Deck and patio height is determined by measuring from the ground below to the top of the surface of the deck or patio directly above. Guardrails, the minimum height required by the Building Code, are exempt from the height measurement.

FIGURE 30.15.090.D: MEASURING HEIGHT OF DECKS AND PATIOS

- E. **Determining the Number of Stories in a Building.** In determining the number of stories in a building or structure, the following rules apply:

1. The number of stories in a building or structure shall be construed to be the maximum number of stories through which any one of an unlimited number of possible vertical lines can pass, without passing through a wall.
2. An interior balcony or mezzanine is counted as a story if its floor area exceeds one-third of the total area of the nearest full floor directly below it.
3. Any floor which is partly below and partly above grade, such as a basement, cellar, or understory, shall be counted as a story if more than a cumulative total width of 12 feet per elevation has a distance from finished grade to ceiling greater than four feet.

FIGURE 30.15.090.E: DETERMINING THE NUMBER OF STORIES

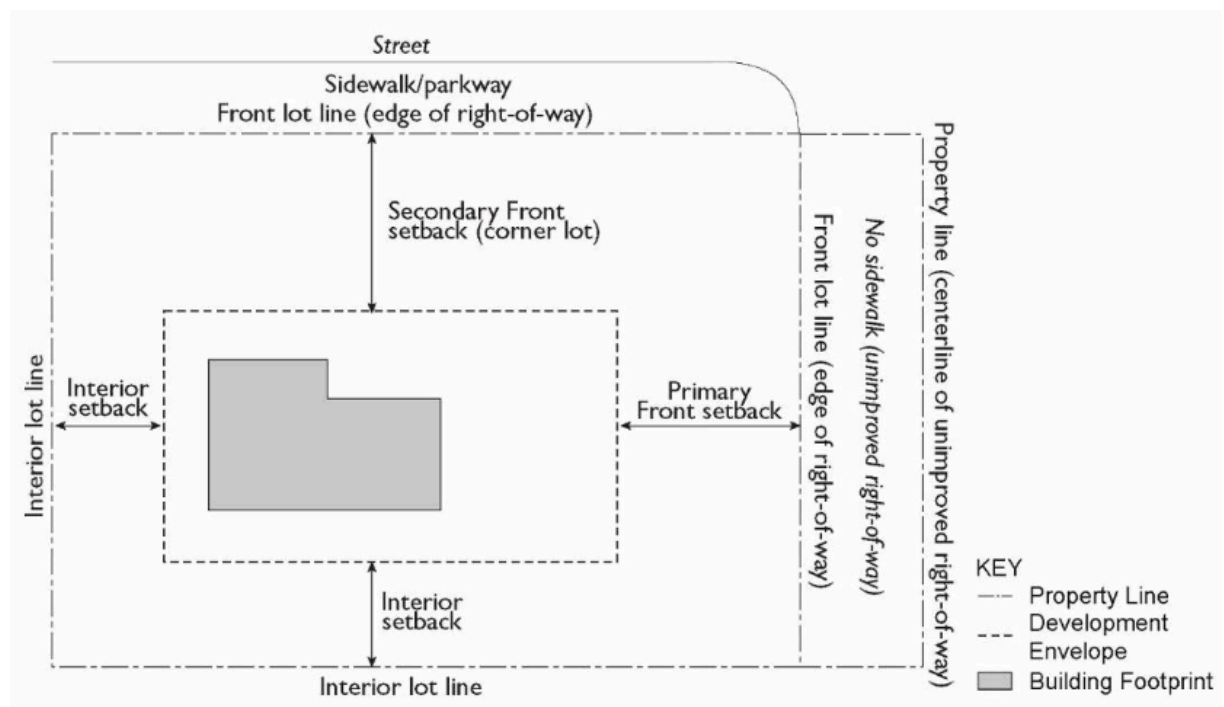


§ 30.15.100. Measuring Setbacks.

Setbacks are measured as the distance between any lot line and a line parallel to the lot line the depth of such area being the distance required by this title.

- Front Setbacks.** If a portion of the property is located within a street dedication, the setback is measured from the boundary of the street dedication.
- Upper Story Setbacks.** Upper story setbacks shall apply to all portions of any upper story except as provided in Section **30.140.090**, Encroachments into Setbacks and Open Yards.
- Multiple Required Setbacks.** If there are multiple required setbacks, the more restrictive applies.

FIGURE 30.15.100: MEASURING SETBACKS



§ 30.15.110. Measuring Street Frontage.

Street frontage is measured along the front lot line.

§ 30.15.120. Screening.

When required by this title, screening shall minimize the visual impact of an object or land use to the extent appropriate, through means of placement, barrier, or camouflage. Screening shall be designed to blend into the surrounding architecture or landscape so that the object or land use is not apparent to the casual observer. Screening shall be measured as follows:

- A. **Uncovered Parking.** Uncovered parking shall be screened when viewed from the adjacent street or alley.
- B. **Other Objects.** Other than uncovered parking, the object or land use shall be screened from any public view, including public parking lots, or adjacent residential properties.
- C. **Design Review Required.** All screening shall be reviewed and approved by the appropriate Design Review body.
- D. **Exceptions.** Where an applicant can demonstrate to the satisfaction of the appropriate Design Review body that variations in the requirements of this section are warranted in order to provide relief for existing site constraints, or to achieve a superior aesthetic or environmental design, screening may be reduced or waived by the Design Review body.

FIGURE 30.15.120: SCREENING

