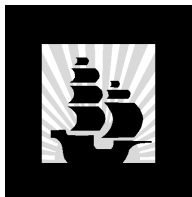


MEMORANDUM



Community Development Department

July 16, 2025

TO: Planning Commission
FROM: Carol Ziesenhenn, Senior Planner
SUBJECT: Response to draft conditions of approval comment letter from The Vernon Group for the Perlman Apartments Project (DT2025-0003)

The following is a summary of and responses to the items raised in the letter to the City of Santa Maria Planning Commission and staff from the Vernon Group (Applicant) received on Friday, July 11, 2025 (see attached). Please note the numeration of conditions of approval listed in the letter corresponds with a previous working draft of the conditions of approval. This memorandum identifies the condition heading and identifies the condition number listed in the Downtown Permit that is publicly posted as Attachment B of Item 6a on the July 16, 2025, Planning Commission Agenda:

1. **Condition no. 2 – Incentives:**

Applicant Request: Revise Condition No. 2 to propose an additional incentive to authorize future Downtown Permits on the site to be administrative when otherwise a public hearing is required. Second, identify a further reduction in fees that are outlined in the Sales & Disposition Agreement (SDA) which Applicants state should be recognized.

Staff Response: As this project is 100-percent residential, and the proposed leasing office and residential amenities are the only proposed uses on the ground floor, no subsequent Downtown Permit Applications for tenant improvements are expected. Any major revisions to the project would require a public hearing per the Downtown Specific Plan. The Downtown Specific Plan has a limited number of incentives available for projects through the Downtown Permit process. The fees proposed to be reduced as incentives for the project are the only fees authorized to be granted according to the Downtown Specific Plan, pages 92 and 93. The additional fees identified in the SDA are in addition to the Downtown Specific Plan incentives package and cannot be granted through this Downtown Permit. No modifications to this condition are proposed.

2. **Condition no. 7 – Parking Area:**

Applicant Request: Revise Condition No. 7 to remove the requirement for the Applicant to obtain a contractual agreement with the City to enter into a property-based business improvement district and/or other mechanism for the collection of fees

to pay for parking improvement and maintenance. The Applicant asserts that the City owned parking structure should be allowed for parking use “at no cost” and that the Town Center Request for Proposal (RFP) and SDA between the City and Developer granted this as an incentive. The Applicant also makes a new request for a concession or waiver to be provided with no-cost off-site parking to offset the cost to the project under the State Density Bonus Law.

Staff Response: The SDA does not state that parking in the City-owned parking structure is to be provided “at no cost”. The SDA includes the Applicant’s Representation and Project Description for each project. Exhibit A-6 of the SDA addresses those items for this project (Lot 2). In the Parking Concession section of Exhibit A-6, the project is to provide a minimum of 75 on-site parking spaces, and the city is to provide the remaining parking spaces in Santa Maria Town Center at a rate consistent with the Downtown Specific Plan minus the 75 on-site spaces. Included in the SDA are provisions requiring the Vernon Group to participate in the Town Center East Reciprocal Easement Agreement (REA) negotiations and participation in a Downtown Property and Business Improvement District. Renegotiation of the SDA would be required to grant the applicant’s request to modify the condition.

Density Bonus Law discusses reduced on-site vehicular parking ratios as concessions or incentives; however, the applicant’s request does not include a request for a reduced parking ratio beyond the parking ratio for the Downtown Specific Plan. No additional concession to reduce or offset the cost of parking has been identified nor proposed by the applicant. No modifications to this condition are proposed.

3. **Condition no. 12 – Trash Enclosure.**

Applicant Request: Revise Condition No. 12 to include two trash staging area alternatives including securing an access easement from the neighboring property to the east or redesign the project to provide on-site maneuvering options for solid waste service. The Applicant also requests to remove a provision requiring the project applicant to provide an approved solid-waste collection plan prior to permit issuance or redesign the project for approval via an Amendment to this Downtown Permit.

Staff Response: Condition No. 12 has been revised to include the option for the Applicant to obtain an access easement over the adjacent parcel to the east and to obtain City approval for maneuvering options for solid waste service. The provision requiring a redesign of the project if a suitable location for the trash staging area is not approved is necessary to ensure approval of the trash staging area and the condition has not been modified to remove this requirement.

4. **Condition no. 28 – Plancheck Requirements.**

Applicant Request: Revise Condition No. 28 to recognize project vesting in accordance with Government Code Sections 65941.1 and 65589.5(o) with regards to zoning standards, design standards, development impact fees, and objective requirements imposed by ordinance, policy, or standard.

Staff Response: Government Code Section 65941.1 describes the process for the applicability of a project's statutory vested rights or "freezing" development requirements to a point in time according to the submittal of an "SB 330 Preliminary Application." The project applicant failed to meet the statutory timelines of the preliminary application according to Government Code Section 65941.1(e) which requires a development application to be submitted 180 days following the submittal of the Preliminary Application, or October 2024. The project timelines are as follows:

- April 4, 2024 – Preliminary Application (Pre-Application) filed by Applicant
- July 11, 2024 – Pre-Application response letter sent to Applicant
- February 27, 2025 – Downtown Permit Application filed by Applicant
- March 27, 2025 – Application incompleteness letter submitted to Applicant
- June 30, 2025 – Application resubmittal to City from Applicant

The Downtown Permit Application was filed past the 180-day deadline, and therefore the SB 330 Preliminary Application has expired and has no further force or effect. No modifications to this condition are proposed.

5. **Condition No. 49 - Utilities Connection Fees.**

Applicant Request: Revise Condition No. 49 "that the Sales & Disposition Agreement fee reductions are recognized here."

Staff Response: The Sales & Disposition Agreement Exhibit B-2 did not identify Utilities Connection fees among those to be reduced or deferred. No modifications to this condition are proposed.

6. **Condition No. 56. – Caltrans Encroachment Permit.**

Applicant Request: Revise Condition No. 56 to remove "shall" from the requirement for the developer to obtain an encroachment permit from Caltrans District 5 before performing work within Caltrans Right of Way due to the timing of Caltrans approval processing.

Staff Response: Nothing in the condition precludes the applicant from completing work within the bounds of their own project site, even if there is a delay in obtaining Caltrans' approval. No modifications are proposed.

7. **Condition No. 80 – Post Construction Stormwater.**

Applicant Request: Revise Condition No. 80 to recognize "SB 330 vesting" for stormwater control requirements.

Staff Response: As outlined in item No. 4 above, the applicant's SB 330 preliminary application has expired and has no further force and effect. No modifications are proposed.

8. **Condition No. 80A and 80F.**

Applicant Request: "We have provided a structural memo already in this application and are working on Geotechnical review pending a soils report which has been processed."

Staff Response: Acknowledge receipt of structural memo and reassert the necessity of Conditions no. 80A and 80F for Downtown Permit approval. No modifications are proposed.

9. **Condition No. 80J – Structural Peer Review.**

Applicant Request: “We are fine with a structural review.”

Staff Response: Acknowledged, thank you. No modifications are proposed.

10. **Condition No. 80K – Subsurface System Verification and Foundation Protection.**

Applicant Request: “As an alternative but less-preferred option, it could be possible at the City’s discretion to utilize the city-owned lot to the north for stormwater, similar to The Crossroads SWCP, and the non-revenue generating use may not trigger the need for Surplus Lands Act.”

Staff Response: No modifications to Condition no. 80K are proposed based on applicant comment. The applicant’s proposed alternative is not included in the project application and would require several entirely separate processes including additional negotiations with the City, consultation with California Department of Housing and Community Development, and additional City Council action.

11. **Condition No. 85 – Public Pedestrian Access to Paseo.**

Applicant Request: Ensure that access is clearly defined and manageable over time. While there will be pedestrian safety lighting provided in this paseo, if limiting to daylight hours, for example, is better for public safety, the agreement could stipulate that, subject to approval.

Staff Response: Acknowledged, no modifications are proposed.

12. **Condition no. 90 – Parking Garage Rental Use Agreement.**

Applicant Request: The comment regarding parking from item No. 2 above applies to Condition No. 90 as well.

Staff Response: See staff response to Condition No. 7 above. No modifications proposed.

13. **Condition No. 93 – Development Fees.**

Applicant Request: Revise Condition No. 93 to recognize SB 330 vesting, and that the reductions in the Sales & Disposition Agreement are recognized.

Staff Response: As outlined in item No. 4 above, the SB 330 Preliminary Application has expired and has no further force and effect. The Sales & Disposition Agreement does not identify these development fees for reduction as incentives. No modifications proposed.

Attachments:

1. Draft Conditions of Approval – Response Letter, The Vernon Group
2. Revised Permit dated July 16, 2025



The Perlman

Draft Conditions of Approval - Response Letter

Re: **Draft Conditions of Approval for TVG Review - Perlman Apartments**

Attn: **Planning Commission, City Staff**

Project Name: **The Perlman**

Permit No: **DT2025-0003**

Thank you for your ongoing time and consideration of this project. We've reviewed the Conditions of Approval letter and have the following comments which we believe conform to the discussions and covenants pertinent to the project:

2. **Incentives** - Request to add a 3rd incentive available consistent with the Downtown Specific Plan (DSP) and in submitted applicant response to comments: "**C.** *Authorization for future Downtown Permits on the site to be administrative when otherwise a public hearing would be required.*" Additionally, **B.** further reduction in fees are outlined in the Sales & Disposition Agreement (SDA) which should be recognized.
3. **Parking Area** - Without any cost estimate or fee schedule, this condition presents a significant unquantified financial burden on the project. The original Town Center Request For Proposal (RFP) and Sales and Disposition Agreement (SDA) between the City and Developer granted parking at no cost as an incentive, and there is no which allows density of affordable housing to exist downtown. Additionally, there is no language in the Downtown Specific Plan (DSP) about a cost to use the structure. A concession or waiver could be used to reduce parking required or reduce price per parking stall required. Suggested language: *"The applicant shall coordinate with the City on use of parking spaces in the existing Town Center East parking structure at no cost to the Developer and any contractual agreement shall be to establish specific assigned parking or similar provisions. Alternatively,, the applicant may pursue a concession under Density Bonus Law to reduce or offset the cost of parking."*
4. **Trash Enclosure** - With respect to trash staging area approval, we want to ensure the alternative options are recognized. (1) a secured easement on the adjacent property, or (2) an on-site solution utilizing city-approved maneuvering options. We request the last sentence of COA **12. A.** is removed "In the event a suitable location for trash staging area and loading zone is not approved, a project redesign to accommodate City trash collection vehicles in

The Perlman

Draft Conditions of Approval

accordance with the City Standards, and an amendment to this Downtown Permit may be required.”

29. Plan Check Requirements - Request this condition be modified to recognize SB 330 vesting. Under Government Code § 65941.1 and § 65589.5(o), once a preliminary application is filed and deemed complete, the following are “frozen”: (1) Zoning standards, (2) Design standards, (3) Development impact fees (unless increased through scheduled annual inflation), (4) Any *objective* requirements imposed by ordinance, policy, or standard. Suggested language: “*Plan check submittal shall conform to the objective standards vested as of the Preliminary Application submittal date (DT2025-0001), in accordance with SB 330 (Gov. Code § 65941.1), unless health and safety code provisions apply.*”

50. Utilities Connection Fees - We request that the Sales & Disposition Agreement fee reductions are recognized here.

57. Caltrans Encroachment Permit – Given the timing of Caltrans approval processing, the language ‘shall’ is restrictive and should be revised to ‘endeavor to’ as has been done on other projects such as Elements Apartments at 3519 Mercury Drive, to not delay on-site work that is unrelated to Caltrans right of way. Requested revision: “*The developer shall make timely application to Caltrans for an encroachment permit for any proposed work within State Highway 135 and 166 right-of-way. A note to this effect shall appear on the plans during building plan check. Permit approval by Caltrans is subject to their independent review and timing and shall not delay building permit issuance for on-site improvements unrelated to work in the right-of-way.*”

81. Post-Construction Storm Water - Request this condition be modified to recognize SB 330 vesting. Suggested language: “*Final Storm Water Control Plan (SWCP) shall substantially conform to the version submitted June 2025, prepared by CLAD, and consistent with vested standards applicable at the time of preliminary application submittal (SB 330), unless health and safety standards require otherwise.*”

81. A. & F. - We have provided a structural memo already in this application, and are working on Geotechnical review pending a soils report which has been processed.

81. J. Structural Peer Review - We are fine with a structural review.

The Perlman

Draft Conditions of Approval

- 81. K. Subsurface System Verification and Foundation Protection** - As an alternative but less preferred option, it could be possible at the City's discretion to utilize the city-owned lot to the north for stormwater, similar to The Crossroads SWCP, and the non-revenue generating use may not trigger the need for Surplus Lands Act.
- 86. Public Pedestrian Access to Paseo** - We want to ensure the access is clearly defined and manageable over time. While there will be pedestrian safety lighting provided in this paseo, if limiting to daylight hours, for example, is better for public safety, the agreement could stipulate that, subject to approval.
- 91. Parking Garage Rental Use Agreement** - Comment on COA #7 applies here also.
- 94. Development Fees** - Request this condition be modified to recognize SB 330 vesting, and that the reductions in the Sales & Disposition Agreement are recognized.



CITY OF SANTA MARIA DOWNTOWN PERMIT

PLANNING DIVISION • 110 SOUTH PINE STREET ROOM 101 • SANTA MARIA, CA 93458 • 805.925.0951 X 2244

| | |
|-------------------------|---|
| PERMIT NO. | <u>DT2025 – 0003</u> |
| APPROVAL DATE | <u>July 16, 2025</u> |
| PROJECT NAME | <u>Perlman Apartments</u> |
| APPLICANT/OWNER | <u>The Vernon Group/Danco</u> |
| ADDRESS/LOCATION | <u>100 North Broadway</u> |
| DESCRIPTION | <u>Downtown Permit (DT2025-0003) for the Vernon Group and Danco to construct a six-story building consisting of 5-stories of 150 affordable apartments above a 40,000-square-foot podium with parking and residential amenities on a 1.12-acre site in the Gateway District of the Downtown Specific Plan.</u> |

FINDINGS

The Planning Commission of the City of Santa Maria hereby recommends that the City Council approves the following project in accordance with the application submitted and hereby makes the required findings in accordance with the Downtown Specific Plan, including the following:

- A. The project meets the vision and intent of the Downtown Plan and the Gateway District in which it is located by providing:
 1. A new pedestrian-oriented affordable residential building.
 2. A multi-storied building design that incorporates 360-degree architecture with articulation and detailing on all building facades including massing, roof forms, wall planes, and friendly, human-scale features such as balconies.
- B. That the site for the proposed project is adequate in size to accommodate the project. The 1.1-acre site is an infill site that is surrounded on all sides by urban development or roadways. The project is designed to comply with the Downtown Specific Plan and utilizes the nearby City-owned parking garage on Main Street for the majority of the project's parking requirement. There is adequate remaining area for the building footprint, entry drives with 78 onsite vehicle parking spaces, driveway access, site landscape, pedestrian paseos, and residential amenities such as lobby, leasing office, mail room, and bike storage.

- C. The project will not have adverse effects on abutting properties. The project conforms with the intent, purpose, and standards of the Downtown Specific Plan, and has been designed to be compatible with adjacent surrounding development. The residential use will add to the mix of downtown land uses envisioned by the Downtown Specific Plan, and help support the other office, retail and restaurant uses in the area.
- D. The project will not be detrimental to the health, safety, or public welfare of persons residing or working in the vicinity of the project, injurious to property or improvements in the vicinity of the project, or its orderly development. The project includes residential use that is consistent with the Downtown Specific Plan and the Gateway District, and the project is not of a scale or intensity that will cause significant impacts. The site and project layout have been designed to meet safety requirements, including visibility at intersections and emergency access, and the development of the project is subject to Building, Fire, and other applicable Codes. The project will not create a noise impact as any construction-related noise would be temporary and construction noise mitigation measures have been incorporated into this permit by reference.
- E. The intensity of the project and/or the intensity of the structure(s) is not detrimental to the public welfare, adjoining properties, and the orderly development of the area because the size, scale and aesthetics of the building is consistent with the intensity of development anticipated by the Downtown Specific Plan and the Gateway District. The building ceiling height conforms to the maximum 70-foot height for the district, with decorative roof and tower elements exceeding that height, up to 83 feet. The Downtown Specific Plan allows extra height to be considered for architectural elements or features on a case-by-case basis through the Downtown Permit process if superior design is achieved. According to Design Guideline G for *Building Design and Character* “Buildings on corner lots shall incorporate prominent architectural elements such as a clock tower, prominent roof lines, fountains, or public art and should have angled corners or corner walkthroughs to provide drivers visibility when turning right at intersection.” The project incorporates all of these elements, including prominent architectural tower elements and prominent roof lines, consistent with the guidelines. These features help define the “superior design” required for extra height for architectural elements.
- F. The project adheres to all applicable Special Downtown Permit findings which include:
1. The project will have an inviting, pedestrian-friendly entrance from the street, and separate Commercial and Residential pedestrian entries.
 2. The project is required to have clear, well-designed signage in keeping with the style of the building. Signage will be limited to main building entries and will reflect the vernacular of the overall architectural theme.
 3. The project will have abundant landscaping in the form of street trees, and in-ground landscape with irrigation. The project design provides approximately 6,737-square-feet of irrigated landscape area, and 1,855-square-feet of non-irrigated (artificial turf) landscape area, equating to approximately 17.5 percent of the site area, thereby exceeding the minimum 15 percent required landscape area.

4. The project consists of a new building with a cohesive Spanish/Mission architectural style and exterior colors and materials consistent with the Specific Plan.
 5. The project will have amenities for residents including laundry on each floor, elevators, outdoor courtyards, bicycle racks/storage, common area seating and amenities for pedestrians, including bicycle racks and enhanced walkways.
 6. The project adheres to the Design Guidelines and Development Standards of the Downtown Plan to the maximum extent possible. The building utilizes changes in massing, setbacks, and niches in the wall planes, and incorporates tower features to provide roof-line variations. At the ground floor, human scale has been created through use of awnings, building base projections, and decorative tile features.
 7. The project has incorporated two or more architectural features in keeping with the Mission/Spanish architectural style of the building, including:
 - a) Tile Banding
 - b) Projecting Eaves
 - c) Arched and Recessed Windows
 - d) Tower Elements
 - e) Iron Balconies
- G. The project was adequately covered in a previously certified Final Environmental Impact Report for the Santa Maria Downtown Specific Plan (SCH 2007041105) pursuant to California Environmental Quality Act State Guidelines Section 15162. None of the conditions specified in Section 15162 requiring the preparation of a subsequent EIR have occurred. No further environmental review is required.

CONDITIONS OF APPROVAL

The project is approved subject to the following Conditions of Approval:

Community Development Department

1. Project Description. The permittee shall comply with the project description, plan set entitled "100 N Broadway" consisting of 24 pages dated June 6, 2025, June 9, 2025, and June 20, 2025, and Conditions of Approval of this permit. Any changes from the project description, plan set, or conditions shall require a permit amendment. Contact the Planning Division prior to changing anything on-site. The property shall be sold, leased or financed in compliance with this project description, plan set, and Conditions of Approval.
2. Incentives. The incentives available for this project according to the Downtown Specific Plan based on the amount of existing and additional exterior improvements being made are:

- A. Allow the developer to pay growth mitigation fees over a 10-year period through this Downtown Permit, as determined by the City Council.
 - B. Waive/reduce plan check fees by 50 percent as outlined in the Sales and Disposition Agreement.
3. Income-Restriction by Deed. A covenant or deed restriction shall be executed and recorded with the deed to run with the land for a minimum period of 55 years as required by Government Code Section 54222.5. The Deed Covenant or Restriction shall include all of the following:
- A. Overall building affordability of 60 percent of Area Median Income (AMI), and may include housing units at 80, 60, 50 and 30 percent AMI.
 - B. All residential units, except for the manager's unit, shall be income-restricted by deed for a minimum of 55 years.
4. Color and Materials. A sample of all paint colors and materials to be used on the project site shall be submitted to the Planning Division for review for consistency with City Council approval prior to issuance of building permits. Paint colors shall be provided in the form of paint chips.
5. Architectural Elements. All architectural elements such as parapet walls, tower features, and architectural features shall include architectural details on all sides to provide 360-degree architecture and eliminate the appearance of a false façade.
- A. Additional architectural treatments shall be incorporated into the project's design along the north and east elevations. Examples of acceptable treatment include painted murals and greenery (green wall). The final design is subject to review and approval by the Planning Division during the plancheck process.
6. Public Art and Murals. Public art should be incorporated into the project wherever feasible and used in meaningful ways. Murals are required where identified on the plans, and additional art in the public paseos, on utility boxes, and on large expanses of blank walls is encouraged. Public art shall be selected in accordance with the City of Santa Maria Public Art Master Plan.
7. Parking Area. 133 off-street parking spaces are required, and 78 off-street parking spaces are provided on-site, and 55 off-street parking spaces are to be provided off-site in the City-owned parking structure on Main Street according to the Sales and Disposition Agreement between the City of Santa Maria and the Vernon Group.
- A. Prior to Certificate of Occupancy Issuance, the project applicant shall obtain a contractual agreement with the City for the use of parking in the City-owned parking garage to satisfy the parking required, which shall also include entering into a property-based business improvement district and/or other mechanism for the collection of fees to pay for parking improvement and maintenance.

- B. The on-site off-street parking area and access shall be paved and double-striped in accordance with City parking standards. The parking area shall be maintained and regularly resealed and restriped. Please note that a building permit is required for restriping. The striping shall be visible at all times and the parking area shall be void of potholes and depressions.
- 8. Laundry Facilities. Common Laundry facilities shall be provided on every residential floor for use by all tenants, or washer and dryer hook ups shall be provided in each residential unit.
 - A. Clothes washers shall be provided in accordance with SMMC 9-32.120 as follows: Clothes washer standpipes - A minimum of one automatic washer standpipe for each single-family dwelling or a minimum ratio of one automatic washer standpipe for each seven apartment house dwelling units or fraction thereof, with not less than two standpipes for apartment houses having five or more dwelling units. Kitchen sinks - One for each dwelling or apartment unit.
- 9. Construction Noise Attenuation. The following measures shall be incorporated to reduce the impact of construction noise:
 - A. Equip each internal combustion engine used for any purpose on the job or related to the job with a muffler of a type recommended by the manufacturer. No internal combustion engine would be operated without said muffler. All diesel equipment would be operated with closed engine doors and would be equipped with factory-recommended mufflers.
 - B. Contractors shall implement appropriate additional noise mitigation measures including, but not limited to, changing the location of stationary construction equipment, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents 24 hours in advance of construction work, and installing acoustic barriers across stationary construction noise sources.
 - C. All active construction areas located within 50 feet of adjacent sensitive receptors shall be shielded with a ½-inch plywood wall of at least seven feet in height, or other barrier that reduces noise transmission to ensure the noise levels are within the City of Santa Maria noise standards.
- 10. Acoustical Report and Design. Prior to building permit issuance, the applicant shall complete a final acoustical report and the recommendations within the report shall be incorporated into the final project design to minimize both interior and exterior noise levels to meet City standards.
- 11. Bike Racks/Storage. Bike racks and/or storage shall be installed according to the recommendations of the City of Santa Maria Active Transportation Plan Table 17. Short-term bike parking shall be provided for the leasing office. The location and design shall be approved by the Planning Division during the building permit review process.

12. Trash Enclosure. Each trash receptacle shall be stored in an enclosure. The construction documents submitted for the building permit shall specify the size and location of all trash collection areas and the enclosure shall be constructed in accordance with the approved development plan. The enclosure area shall be designed to adequately store the appropriate quantity of bins required for the service interval determined by the Utilities Department, in accordance with City standards. The trash enclosure shall meet City standards as well as be designed in keeping with the architecture and style of the project. Trash areas that are located adjacent to parking spaces shall be set back a minimum of ten feet to provide sight-distance for automobiles backing out of the parking space.
- A. The proposed exterior "Trash Staging Area/Loading Zone" in the northeast corner of the building as shown on the plans requires an access easement over the adjacent parcel to the east and would necessitate trash collection vehicles to back up, which does not meet City standards. Prior to building permit issuance, an access easement over the adjacent parcel to the east shall be secured and the trash collection vehicle pick up design approved by the Community Development Department, Public Works Department and Utilities Department. If the easement cannot be secured, an alternative staging location shall be identified in the plans during the plancheck process and approved by the Community Development Department, Public Works Department and Utilities Department. In the event a suitable location for trash staging area and loading zone is not approved by the City, a project redesign to accommodate City trash collection vehicles in accordance with City standards and an amendment to this Downtown Permit may be required.
- B. The property management shall be responsible for ensuring that all solid waste bins are accessible to service vehicles at the assigned pickup time. Specifically, property management may be required to roll bins out of the proposed trash room to a flat location accessible by solid waste vehicles. Overflowing or underserviced bins due to untimely action by property management constitutes a public nuisance and is subject to the adopted Citation Ordinance of the City of Santa Maria.
13. Ongoing Site Maintenance. The entire site shall be permanently maintained free of accumulated dirt and litter and in an otherwise neat and attractive manner and adhere to the requirements of the Santa Maria Municipal Code. Any graffiti on the property shall be promptly painted out. All landscaping areas on the property shall be permanently maintained with healthy, growing plant material, free from weeds. Dead or dying plant material shall be replaced within one month of plant deterioration. Failure to comply with this condition is a public nuisance and is subject to the adopted Citation Ordinance of the City of Santa Maria.

14. Landscape Plan. A Landscaping Plan which includes the size and species of plants, a layout of the irrigation system incorporating time clocks and/or moisture sensors, and a maintenance and watering schedule, shall be submitted to the Community Development Department for review and/or building permits. The landscape plan shall be in accordance with Chapter 44 of the Municipal Code, Landscape Standards. Backflow prevention devices shall be screened with plant material and located to maximize aesthetics. The plan will contribute to the Downtown Plan's goal of creating an aesthetically pleasing and drought-tolerant streetscape.
15. Existing On-Site Tree Removal and Replacement. The project will remove 18 mature trees from the site. The existing trees that are approved for removal shall be replaced by suitable species sized as follows:

| Size of Tree Removed | Replace With |
|---|--|
| 6" to 8" trunk diameter (at 4' 6" height) | Two 24" box size trees (3" to 5" trunk diameter) |
| 9" to 12" trunk diameter (at 4' 6" height) | Four 24" box size trees (3" to 5" trunk diameter) |
| 12"+ trunk diameter (at 4' 6" height) | Six 24" box size trees (3" to 5" trunk diameter) |

- A. The location of replacement tree planting shall be on the site or as approved by the Recreation and Parks Department and Community Development Department. For replacement trees that cannot be reasonably accommodated by the proposed project, an in-lieu fee for planting trees elsewhere in the City may be accepted by the Recreation and Parks Department.
16. Landscape and Tree Maintenance. The applicant shall develop landscape and tree maintenance standards that shall be provided to any landscape contractor hired to work on the site. The standards shall be reviewed and approved by the Planning Division prior to first occupancy. The program shall require:
- A. All on-site trees be properly maintained to retain a natural shape and size for the long-term health of the tree consistent with the natural growth pattern of its particular species and current ANSI A300 standards.
- B. Any tree topped, severely pruned, or severely thinned out, subject to the determination of the Planning Division, shall require a large-size replacement.
- C. Ground cover and shrubbery shall be regularly maintained and pruned in a manner that encourages healthy growth and flower production. Shrubs shall not be severely sheered or formed into unnatural shapes.
17. Tree Planting. The project shall provide the trees depicted on the landscape plan. The trees species selected shall be subject to Planning staff review according to City Council approval. Trees shall be a minimum of 24-inch box size.

18. Landscape Irrigation Water Meter. A separate appropriately-sized irrigation meter is required for new non-residential projects with irrigated landscape areas totaling 1,000 square feet or greater, and for new residential projects with irrigated landscape areas totaling 5,000 square feet or greater. If a sub-meter is proposed for irrigation, it shall be a privately held and maintained meter, provided by the applicant, installed after the main water meter.
19. Light Standards. All on-site lighting shall comply with the Municipal Code Performance Standards and the Downtown Specific Plan. A photometric plan is required at the building permit stage, subject to Planning Division approval. Pedestrian scale lighting is required along the north and west pedestrian paseos.
20. Utilities. All electrical, telephone, television and communication utility distribution and services wires shall be placed underground in accordance with Santa Maria Municipal Code Section 12-28.06.

The proposed locations of all transformer boxes and utility equipment shall be approved by the Planning Division prior to installation. All transformer boxes and utility equipment shall be underground wherever feasible. If undergrounding is not possible, the equipment should be painted to match the surroundings, placed in inconspicuous areas out of public view, and screened with landscape plantings or public art. Murals on above-ground utility boxes are encouraged subject to approval according to Public Art Master Plan.
21. Mechanical Equipment. Mechanical equipment located on the roof of a building shall be completely screened. The height of the screening shall be as high, or higher, than the top of the mechanical equipment. The screening may be provided by an architecturally designed screen wall of solid material surrounding the equipment, or by the building wall parapet.
22. Signs. Signs for the property, including temporary signs, must meet the requirements of the City Sign Code, and a sign permit is required.
23. Indemnification. The applicant shall agree to indemnify, defend (with counsel reasonably approved by the City), and hold harmless the City of Santa Maria and its officers, officials, employees, and agents from and against any and all claims, demands, actions, proceedings, lawsuits, losses, damages, judgments and/or liabilities by third parties arising out of, related to, or in connection with the project application or to attack, set aside, void, or annul, in whole or in part, an approval of the project application by the City and any related environmental approvals, development approvals or project conditions. The Applicant shall reimburse the City, its agents, officers, officials, or employees, for any court costs and attorney's fees that the City, its agents, officers, officials, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve Applicant of his/her obligations under this provision.

24. Agency Requirements. The applicant shall ascertain and comply with all Federal, State, County and City requirements as are applicable to this project.
25. Construction Documents. A copy of these conditions shall be incorporated into all construction documents.
26. Mitigation Monitoring and Reporting Program. The mitigation measures in the Mitigation Monitoring and Reporting Program for the Environmental Impact Report (SCH#2007041105) apply to this project and are hereby incorporated and attached for reference.
27. Business License. A City business license is required for the leasing office.
28. Plancheck Requirements.
 - A. The project shall be plan checked under the California Building Codes effective at the time of plan check application.
 - B. The cover sheet of plans shall contain a statement declaring whether the multi-family project does or does not meet the definition of CBC section 202 "Public Housing". If the project does meet this definition the provisions of CBC 11B will be applicable and shall be documented on building plans. If it does not meet this definition, then then it shall comply with CBC Chapter 11A.
 - C. The plans for each building of the project shall be the product of a registered design professional.
29. Residential parking facilities shall be designated as assigned or unassigned and shall comply with California Building Code (CBC) Chapter 11A or 11B as applicable. Electric vehicle charging stations shall be installed per California Green Building Standards Code.
30. Accessibility.
 - A. At least one of each type of parking facility provided shall be accessible.
 - B. At least one accessible route within the boundary of the site shall be provided from public transportation stops, accessible parking and accessible passenger loading and unloading zones, and public streets or sidewalks to the accessible building entrance they serve. Where more than one route of travel is provided, all routes shall be accessible.
31. Utility or customer submetering of the domestic water supply is required for each unit in multiunit (two or more) residential structures. Water Code 517
32. Common areas of the site shall comply with CBC chapter 11A Division II & III or 11B as applicable.

Fire Department

33. Key Box. A SMFD approved key box shall be provided at the main entrance to each building/tenant space. The box shall contain all keys necessary to allow Fire Department access to all portions of the building or tenant space (CFC Section 506).
- A. The box shall be installed in accordance with the manufacturer's specifications and placed so the bottom of the box is 60 inches above the adjacent grade. The proposed location of the box shall be shown, or this note placed on the plans. B.
 - B. Key box application is available online at <http://www.ci.santa-maria.ca.us/40463-KnoxBoxRequestForm.pdf>. The key box shall be ordered prior to occupancy request.
 - C. Knox Box 3200 Series is the minimum acceptable box for commercial installations. Knox boxes identified as "Residential" shall not be used for commercial applications.
34. Address Numbers. Numbers shall be clearly visible from the centerline of the roadway fronting the building and shall contrast with their background. Number height shall be a minimum of (12) twelve inches for multi-family residential and commercial buildings. The proposed location and design of address numbers shall be shown, or this note placed on the plans CFC Section 505 & SMMC Section 9-28.050).
35. Fire Flow. Fire flow shall comply with CFC, Appendix B. The minimum fire flow for this project shall be 1,500 gallons per minute (based on Type IA & IIIA Construction, with fire sprinklers, as required).
36. Fire Hydrants. Fire hydrants shall be installed per City of Santa Maria Public Works Standards.
- A. Fire hydrant spacing and distribution shall comply with CFC Section 507 and CFC Appendix C. Fire hydrants shall be spaced at an average of 500 feet and at no point shall exceed 250 feet from a fire hydrant on a fire apparatus access road. Fire hydrants shall be installed and operational prior to vertical combustible construction.
 - B. Fire hydrants shall be equipped with one (1) four and a half inch (4 ½") outlet and two (2) two and a half inch (2 ½") outlets.
 - C. The SMFD, or a designated representative, shall inspect and approve all fire hydrant installations for operational readiness prior to combustible construction (CFC Section 501.4).
37. Water Mains. Water Mains shall be installed per City of Santa Maria Public Works and NFPA standards. The minimum main size shall be 8", or as determined by hydraulic calculations CFC Section 507 & SMMC).

38. Hydrant Markers. Reflective blue dot fire hydrant location markers shall be installed (SMMC).
39. Fire Sprinkler Systems. An automatic fire sprinkler system in accordance with NFPA 13 is required for this project (CFC Section 903 & SMMC Section 9-28.060).
- A. All commercial fire sprinkler systems shall be equipped with a local water flow alarm.
 - B. Deferred submittal of fire sprinkler plans, and calculations is required. The plans and calculations shall be wet stamped, on every sheet, by a registered Fire Protection Engineer (FPE) licensed in California when required by the fire code official.
40. Standpipe System. A standpipe system is required for this project in accordance with the CFC and NFPA standards. Standpipes and associated fire department connections (FDC's) shall be located in the stairway enclosures and courtyards. The standpipe system may be included with the fire sprinkler system deferred submittal.
41. Fire Department Connection (FDC). FDCs shall be located on the front access side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the Fire Chief or his/her designee (CFC Section 912). The FDC shall:
- A. Face the public street or fire lane fronting the protected building and be installed so the center line of the connection is a minimum of 36 inches above finished grade.
 - B. Within 40 feet of an approved roadway or driveway and arranged so that hose lines can be readily attached to the inlets without interference.
 - C. Within 75 feet of an approved fire hydrant.
 - D. Be equipped with Knox Brand locking caps.
42. Fire Alarm System. A fire alarm system shall be installed in accordance with the CFC and NFPA 72 standards. The fire alarm system shall be certificated by Underwriters Laboratories or an equivalent nationally recognized organization (CFC Section 907 & SMMC 9-28.060).
- A. Deferred submittal of fire alarm plans is required. The plans shall be wet stamped, on every sheet, by a registered FPE licensed in California if required by the fire code official.
 - B. A Fire alarm system, at a minimum incorporating tamper switches on control valves and a Central Station service for the water flow alarm shall be installed for the fire sprinkler system.
43. Smoke Detectors/Alarms. Smoke detectors/alarms shall be installed in accordance with the CFC, CBC, and NFPA 72.

44. Fire Extinguishers. Fire extinguishers shall be located and sized in accordance with CFC Section 906.
45. Emergency Responder Radio Coverage. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building (CFC Section 510).
46. Directory Signs. A project directory, including a map and listing of all units on the site shall be posted at the entrance to the property and indicated on the project plans (SMFD Policy).

Public Works Department

ENGINEERING CONDITIONS

47. Public Improvement Plans: Public Improvement Plans (PIPs) are required for the development of this site. The improvement plans shall show complete plans, profiles, and details for all required improvements to be constructed, both public and private, including common areas. Reference may be made to the Standard City Engineering Specifications and Drawings in lieu of duplicating the standard drawings. All standards of agencies other than the City of Santa Maria shall appear on the plans in full and not by reference. PIPs shall be reviewed and approved by the City Engineer prior to building permit issuance and incomplete submittals may delay building permit issuance. The PIPs shall include the following:
 - A. Plan and profile drawings for all surface and underground improvements. Plans and profiles shall be drawn to the scale of one (1) inch equals forty (40) feet or larger unless otherwise approved by the City Engineer. Details shall be drawn to a scale that clearly shows the facility being constructed. The scales for various portions of the plans shall be shown on each sheet. These may include, but are not limited to:
 - a. Public Water Mains
 - b. Public Sewer Mains
 - c. Public Storm Drain Mains
 - d. Traffic Signal and/or Roundabout
 - e. Frontage Improvements
 - i. Curb
 - ii. Gutter
 - iii. Sidewalk
 - iv. Driveways
 - v. Streetlights
 - vi. Fire Hydrants

- B. Traffic signs and striping plans for all streets. These may include, but are not limited to:
 - a. Regulatory signs
 - b. Warning signs
 - c. Guide signs
 - d. Centerlines
 - e. Lane lines
 - f. Bike lanes
 - g. Pavement markings
- C. Multi-purpose trails and bicycle paths, as defined in the Circulation Element of the General Plan, shall be constructed as part of a subdivision, if applicable. The paths shall be designed pursuant to the Circulation Element of the General Plan and the Standard City Engineering Specifications and Drawings.
- D. Landscaping and irrigation plans for any area of public right-of-way where landscaping is required (such as medians or parkways) or where landscaping is to be maintained as part of a city landscape maintenance district.

The Engineer shall submit four (4) full size copies of the Public Improvement Plans to the Public Works Department for review, in addition to an electronic copy.

All public improvements shall be constructed according to City and State standards. Plan check and inspection fees per City Council Resolution 2005-101 will apply. The developer shall submit a cost estimate completed by a registered civil engineer for the proposed public improvements and make a monetary deposit with the City. Cost estimates shall include a separate item for contingencies in the amount of ten (10) percent of the estimated actual cost. The estimate submitted by the subdivider's engineer shall be subject to review and approval by the City Engineer. An approved final estimate shall be used to establish construction inspection fees, to establish the plan checking fee, and for establishing required amounts of security as required by Section 11-8.06 of the City of Santa Maria Municipal Code. The form of security shall be subject to the approval of the City Attorney.

48. Building Plans: At time of building plan submittal, the developer shall identify the following items on the site or utility plan for the subject project:
- A. Location and sizes of all existing water mains, sewer mains, water meters, water service lines, backflow prevention devices, private sewer lateral connections, and storm drainage facilities in abutting streets or on the project site.
 - i. Each unit or lot shall be served by a sanitary sewer system, adequate domestic water system, natural gas, electric, and telephone facilities. Cable television facilities shall be provided pursuant to Chapter 15 of Title 9 of Santa Maria's Municipal Code.

- B. Location and sizes of all proposed water mains, sewer mains, water meters, water service lines, backflow prevention devices, private sewer lateral connections, and storm drainage facilities in abutting streets or on the project site.
- i. Each unit or lot shall be served by a sanitary sewer system, adequate domestic water system, natural gas, electric, and telephone facilities. Cable television facilities shall be provided pursuant to Chapter 15 of Title 9 of Santa Maria's Municipal Code. If these are not existing, they shall be proposed to be installed as part of this project.
1. Location, quantity, and orientation of trash enclosures
 2. All parcel lines and easements crossing the project site.
 3. Locations and dimensions of all existing and proposed driveways and sidewalks
 4. Location of existing and proposed fire hydrants
 5. Required public improvements.
 6. Limits of frontage improvements

FEES

49. Utilities Connection Fees: For all development projects already connected to the utility system, the water and wastewater fees shall be based **solely on an increase in water meter size or a change in use** and shall be calculated and collected prior to installation of the larger meter or making a change in use. The State Water Reimbursement Fee shall be collected concurrently with the Growth Mitigation Fee. The following fees are to be paid by the applicant and will be collected at time of request for connection at the Building Division, 110 South Pine Street, Suite 101.
- A. Water Mitigation Fee: The fee is calculated based on the size of water meters (domestic, landscape, fire) serving the site. The fee shall be based upon the codes and rates in effect at the time of building permit issuance (Santa Maria Municipal Code (S.M.M.C.) Sections 8-15.01 through 8-15.15 and 8-15.19).
- B. Wastewater Mitigation Fee: The fee is calculated based on the size of water meters (domestic) serving the site. The fee shall be based on the codes and rates in effect at the time of building permit issuance (S.M.M.C. Sections 8-15.01 through 8-15.15 and 8-15.20).
- C. State Water Reimbursement Fee: The fee is calculated based on the size of water meters (domestic, landscape, fire) serving the site. The fee shall be based on the codes and rates in effect at the time of building permit issuance (S.M.M.C. Section 8-10.05.01).

50. Traffic Mitigation Fee: The traffic mitigation fee shall be paid by the applicant at time of occupancy. The fee is based on the size and proposed use of the project. The final fee calculation is based on the fee schedule in effect at the time of building permit issuance (S.M.M.C. Sections 8-15).

Except as provided in the Downtown Specific Plan, the City Council may consider allowing qualifying commercial and industrial development the ability to pay growth mitigation fees as outlined in the current fee schedule over a period of time. The maximum amount of time for payback shall be five (5) years. The payments shall be made yearly, and interest shall be paid. Interest calculations shall be based on the average annual interest rate for the Local Agency Investment Fund. Qualifying companies who wish to pursue this option shall sign an agreement, in a form approved by the City Attorney, and shall provide financial security guaranteeing payment.

STREET AND FRONTAGE CONDITIONS

51. Standard Driveway: Driveways shall be installed per City Standard Drawing RD-12A/RD-13A and have ADA compliant pedestrian access. Driveways shall have minimum throat width of twenty-four feet (24).

Nearest edge of driveway shall be located a minimum of five feet (5) from any above-ground utility such as streetlights or fire hydrants, and ten feet (10) from any street trees. A minimum twenty-foot (20) separation between driveways is required and the aggregate width of all driveways shall not exceed fifty (50) percent of the property's frontage along the street (S.M.M.C. Section 8-6.07).

52. ADA Compliance: The curb ramp at Main Street (SR-166) and Broadway (SR-135) shall be preserved. The curb ramp shall be replaced in kind if damaged.
53. Frontage Repair: The developer shall repair any cracked, broken, or uplifted curb, gutter, sidewalk, or alley within the project frontage. City Public Works Inspection staff will determine the extent of the frontage repair in the field prior to construction. An encroachment permit will be required prior to issuance of a building permit for these repairs.
54. Sidewalk ADA Compliance: The developer shall remove and replace any sidewalk within the project frontage that does not meet ADA cross-slope requirements.
55. Intersections: Sight distance requirements shall be maintained at the intersection of any street, alley, or driveway improved for vehicular traffic per S.M.M.C. Sections 12-27.02 and 12-27.03.
56. Caltrans Encroachment Permit: The developer shall obtain an encroachment permit before performing work within State Highway 135 and 166 right-of-way. Encroachment permits are issued by California Department of Transportation (Caltrans) at the District 5 San Luis Obispo permit office. A note to this effect shall appear on the plans during building plan check.

57. City Encroachment Permit: The developer shall obtain an encroachment permit from the Public Works Engineering Division prior to any work in public streets, alleys, or easements (S.M.M.C. Section 8-6.06).
58. City Dedicated Easements: If any easements are required to be dedicated or vacated, the developer shall submit legal descriptions, sketches (8.5" x 11" City Standard Format), closure calculations, current title report, and payment of processing fees. All paperwork shall be approved prior to issuance of building permits and recorded prior to occupancy.

WATER CONDITIONS

59. New Public Main Location: Developer shall reroute existing public water main outside of the building influence zone and within City easements. This may require work within Caltrans right-of-way, which will require an encroachment permit and approval from Caltrans. Developer shall prepare Public Improvement Plans and acquire encroachment permits from the City and Caltrans (if required) prior to issuance of any building permits.
60. Privately Owned On-site Water Lines: Water lines for fire suppression shall be separated from water lines used for domestic water.
61. Fire Suppression Line: Fire suppression lines shall be constructed with appropriate Double Check Detector Assembly (DCDA) fire service backflow prevention assemblies per Standard Detail WA-27F at connection to the public main, located at the property line. These fire service backflow prevention assemblies separate privately owned and maintained water lines from public water lines. On-site fire hydrants and fire sprinklers shall be supplied from this on-site water line and connections shall occur after the backflow prevention assembly. If multiple connections or a looped system is required to meet fire flow requirements, each connection to the Public main shall have an appropriate DCDA.
62. Fire Hydrants: The location, placement, and sizing of on-site water lines and fire hydrants shall be approved by the City Fire Department and Public Works Department.
63. Water Pipe Abandonment: Any existing water services not to be used by this development shall be abandoned by the developer at the mainline per City requirements.
64. Backflow Prevention: Reduced pressure principle (RP) type backflow prevention assemblies shall be installed on all domestic water services. The devices shall be installed near the property line before any branches by a licensed plumber according to City specifications and standard drawings. The devices shall be tested by a certified backflow prevention tester with test results submitted to the City's Regulatory Compliance Specialist prior to final occupancy.

WASTEWATER CONDITIONS

65. New Public Main Location: Developer shall reroute existing public sewer main outside of the building influence zone and within City easements. This may require work within Caltrans right-of-way, which will require an encroachment permit and approval from Caltrans. Developer shall prepare Public Improvement Plans and acquire encroachment permits from the City and Caltrans (if required) prior to issuance of any building permits.
66. Acceptance of Public Infrastructure: Prior to issuance of Certificate of Occupancy, the developer shall clean and verify the integrity of all sanitary sewer infrastructure to the satisfaction of the Public Works Inspector. Inspections at installation do not waive the requirement for re-inspection prior to acceptance by the City.
67. Municipal Code: Discharge into the City's sewer system shall comply with municipal code discharge restrictions and requirements (S.M.M.C. Section 8-12).
68. Sewer Pipe Abandonment: Any existing sewer services not to be utilized by this development shall be abandoned by the developer at the property line per City requirements.
69. New Sewer Lines: All sewer pipes crossing or parallel to public water facilities shall be constructed according to the requirements of the State Water Resources Control Board Division of Drinking Water.
70. New Sewer Lateral: All sewer laterals shall be constructed in compliance with City Standard Drawing SS-14B. Sewer laterals shall be privately maintained infrastructure and connect to City infrastructure with a wye connection. Sewer laterals shall not tie in at a Public manhole.

STORM WATER CONDITIONS

71. Acceptance of Public Infrastructure: Prior to issuance of Certificate of Occupancy, the developer shall clean and verify the integrity of all storm drain infrastructure to the satisfaction of the Public Works Inspector. Inspections at installation do not waive the requirement for re-inspection prior to acceptance by the City.
72. Construction Storm Water Requirements (Site > 1 Acre): The developer shall obtain a Storm Water Pollution Prevention Plan (SWPPP) prepared by Qualified SWPPP Developer (QSD). The SWPPP must be reviewed and approved by the Public Works Department prior to issuance of grading and encroachment permits. The developer shall submit the SWPPP and file a Notice of Intent (NOI) with the Central Coast Regional Water Quality Control Board. The submittal is typically handled online through the Regional Board's SMARTs website.

[\(https://smarts.waterboards.ca.gov/smarts/\)](https://smarts.waterboards.ca.gov/smarts/).

73. SWPPP Review Fee: The developer shall submit a hard copy and an electronic copy of the SWPPP for review and approval prior to any building permit issuance. A SWPPP review fee will be invoiced prior to approval.
74. Cost Estimate and Treasurer's Trust: A detailed cost estimate for the installation and maintenance of the Best Management Practices (BMPs) to be implemented as defined by the SWPPP will be generated from the City's SWPPP review. Prior to grading permit issuance, the developer shall submit a cash deposit in the amount of the approved cost estimate to be held as a Treasurers Trust. The Treasurer's Trust is intended to guarantee installation and maintenance of the required BMPs. The City will draw from this Treasurer's Trust in the event the developer/contractor does not install or maintain the required BMPs. The Treasurer's Trust shall be returned after Certificate of Occupancy is issued, minus any funds expended by the City to install/maintain the required BMPs on behalf of the developer/contractor.
75. SWPPP/Post-Construction Requirement Monitoring Encroachment Permit: Prior to issuance of grading permits, the developer shall obtain an encroachment permit from the Public Works Office to cover inspection of the approved SWPPP and installation of required Post-Construction Requirements. Permit and inspection fees will be due when the permit is issued and expiration of the encroachment permit will be based on the construction schedule identified in the SWPPP Notice of Intent. Time extensions will require additional funds to be provided to cover the additional inspections.

FLOOD CONTROL CONDITIONS

76. Santa Barbara County Flood Control District: Developer shall submit the hydrologic and hydraulic study (H&H study), plans, and plan check fee for Santa Barbara County Flood Control District review. Santa Barbara County Flood Control District shall approve the studies and plans prior to building permit issuance.
77. Storm Drainage: The applicant shall provide on-site retardation facilities designed and constructed to Public Works and Community Development requirements prior to occupancy. The facilities shall be designed to accommodate the increased drainage water flow of a twenty-five (25) year storm event as a result of new development. Developer shall provide hydrologic and hydraulic study detailing assumptions, calculations, and design of the on-site retardation.

The applicant shall submit a grading plan for review and approval by Public Works and Community Development prior to issuance of building permits. Refer to the "Grading Plan Information" handout distributed by Community Development for guidance. The developer shall also submit the preliminary grading plan to the Santa Barbara County Flood Control District for review and approval prior to issuance of building permits. The developer shall obtain Flood Control District certification on all new flood control facilities prior to bond release.

78. Alley Stormwater: Surface drainage from east of this project is directed to the existing park. Developer will need to account for these flows in the project design to avoid impacting historical drainage patterns.
79. See additional conditions regarding the H&H study in the Post-Construction Storm Water Conditions section.

POST-CONSTRUCTION STORM WATER CONDITIONS

80. Post-Construction Storm Water: The Central Coast Regional Water Quality Control Board requires that all new projects that create or replace 2,500 square feet or more of impervious area must follow the post-construction requirements (PCRs). The Stormwater Technical Manual and further guidance on completing an SCP are available online (<https://www.countyofsb.org/2324/New-Redevelopment>).
- A. Adequacy of Stormwater Submittals: The developer shall submit a logically consistent and technically adequate Stormwater Control Plan (SCP) and hydrologic and hydraulic (H&H) study. The Public Works Engineering Division reserves in its sole discretion the right to determine the adequacy of these documents. If the SCP and/or H&H study are found to be incomplete, contradictory, or inconsistent with site conditions or design intent, the project may be referred back to the Planning Division for redesign and Downtown Permit Amendment. All associated project approvals may be suspended until such time that satisfactory revisions are submitted and approved.
 - B. The developer shall demonstrate project compliance with the PCRs by submitting a Stormwater Control Plan (SCP) using the template provided in the Stormwater Technical Guide.
 - C. The SCP shall include a site plan, Stormwater Control Measure (SCM) sizing calculations, details of bioretention design, and dimensions of drainage management areas.
 - D. The SCP shall include an Operation and Maintenance (O&M) plan, detailing how the site and required post-construction improvements shall be maintained into perpetuity by the owner.
 - E. A SCP is required and shall receive preliminary approval from the Public Works Department prior to discretionary approval of the Planning Permit. The developer shall resubmit the SCP with the Building Plan submittal for final review and approval. The resubmittal is to account for any necessary changes to the site plan between entitlement and construction.

- F. Underground Chambers: For developments proposing to utilize underground chamber systems for the basis of stormwater management, the inlets, chambers, and any infrastructure that drains to the underground chamber system shall be cleaned, and video inspection provided to verify the performance of the underground chamber system wasn't compromised during project construction activities. Cleaning and maintenance of this infrastructure shall be followed as per the manufacturer's specifications and the approved stormwater operations and maintenance plan. All cleaning and maintenance activities shall be documented and provided to the Utilities Department, Regulatory Compliance Division on an annual basis.
- i. Provide turning template of stormwater chamber maintenance vehicles (vactor trucks, etc.) with building permit submittal. Ensure building podium provides adequate clearance for maintenance vehicles to access inspection ports, manholes, and any other appurtenances that would require access to maintain or clean the underground chambers.
- G. As required by *Section D, Field Verification of Post-Construction Stormwater Measures, of the California Central Coast Regional Water Board Resolution R3-2013-0032, Post-Construction Stormwater Management Requirements for Developments Projects in the Central Coast Region*, the Developer shall secure a qualified third-party (registered professional engineer, geologist, architect and/or landscape architect) for purposes of inspection, verification, and certification of all Stormwater Control Measures (SCMs) to ensure site design, water quality treatment, runoff retention, and/or peak management controls have been implemented in accordance with the Regional Water Board's Post-Construction Requirements.
- H. Grading plans shall include the following language:
- i. Provide installation elevation by licensed surveyor to Public Works Department, Engineering Division within 7 calendar days of installation.
 - ii. Provide basin dimension and depth, including outlet structure cross section with elevations, signed and stamped by the Engineer of Record who prepared the Stormwater Control Plan to the Public Works Department, Engineering Division, within 7 calendar days of installation.
 - iii. Provide copy of invoice of installed gravel and bioretention soil media, along with photo-documentation of complete structure cross sections to Public Works Department, Engineering Division, within 7 calendar days of installation.

- I. The following shall occur prior to final SCP approval:
 - i. Engineer of Record that prepares the SCP shall provide documentation of critical design elements in structures that are underground, buried, or otherwise hard to verify after installation. Critical elements include elevations of the bottom of bioretention, top of gravel, and overflow structures.
 - ii. The property owner shall sign a Post-Construction Stormwater Control Measures Maintenance Agreement form with the City of Santa Maria. The form will be provided by Public Works after the final review of the SCP. The agreements shall be approved, signed, and attached to the property address prior to issuing the Certificate of Occupancy.
- J. Structural Peer Review of Stormwater Systems: Due to the proposed location of stormwater capture and storage systems beneath the at-grade parking level, the Public Works Engineering Division reserves the right to require an independent structural peer review of the following documents:
 - i. The Stormwater Control Plan (SCP)
 - ii. The Hydrologic and Hydraulic (H&H) study
 - iii. Structural calculations and plans related to foundation design, shoring, and subsurface water retention systems

This peer review shall be conducted by a City-approved licensed structural engineering consultant at the developer's expense. The purpose of this review is to ensure that the building's foundation integrity is not compromised by the design and placement of stormwater management facilities. If the structural design cannot accommodate the underground stormwater system and the site needs to be redesigned, the project may be referred back to the Planning Division for redesign and Downtown Permit Amendment. All associated project approvals may be suspended until such time that satisfactory revisions are submitted and approved

- K. Subsurface System Verification and Foundation Protection: In addition to standard SCP review, the developer shall provide:
 - i. A geotechnical report prepared and stamped by a Registered Geotechnical Engineer (RGE).
 - ii. A comprehensive geotechnical and structural impact analysis demonstrating that subsurface stormwater systems do not interfere with foundation integrity, soil stability, or long-term structural performance. The analysis shall be sealed by both a licensed Geotechnical Engineer and a Structural Engineer and must be submitted prior to final SCP approval.

SOLID WASTE CONDITIONS

81. Multi-family and Commercial/Industrial Facilities: As mandated by State law, this development is required to comply with all applicable laws and regulations pertaining to solid waste disposal and recycling, the City of Santa Maria Mandatory Organic Waste Disposal Reduction Ordinance No. 2021-10, Chapter 8-21, and Title 8, Chapter 8-11 of the City of Santa Maria Municipal Code.
- A. The developer shall submit a site plan identifying location(s) of refuse and recycling (including single stream recycling and organics) bin(s)/container(s). The proposed location of the containers shall enable tenants to dispose of their refuse and recyclable materials safely and efficiently. The site plan shall be reviewed and approved by the City prior to issuance of building permits.
 - B. The site plan shall also identify a location where the containers will be transported to by on-site management on collection days. This location shall be identified on the building plans and approved by the Public Works and Utilities Departments prior to approval of the building plans. If the proposed location requires access to another property, developer shall provide easements for access and solid waste collection purposes.
 - C. The service frequency of each bin/container shall be determined by the City.
 - D. When oriented for collection, solid waste containers shall be oriented to provide vehicle fork-in access.
 - E. In cases where Enclosure(s) are proposed to be installed abutting structures, the common wall shall be of a non-combustible masonry-type material with no openings for vents or windows.
 - F. Enclosure(s) shall be reserved exclusively for solid waste bin(s)/container(s) storage. Miscellaneous boxes, bins, racks, grease containers, etc., is not permitted within the enclosure.
 - G. The developer shall design site travel ways, entrance, and exit areas with sufficient space, free of obstructions (trees, oversized islands, etc.) to allow for Collection Vehicles to safely enter/exit the subject site to avoid damage to site property or Collection Vehicles. See City standard drawing MS-16B for guidance.
 - H. The developer shall design all site vehicle travel ways to withstand loads imposed by Collection Vehicles.
 - I. The developer shall submit a truck turning template route for solid waste service area. The Collection Vehicles must be able to enter and exit the site to gain access to the Enclosure(s) without backing. Collection Vehicles have an inside turning radius of thirty-eight (38) feet and an outside turning radius of fifty-five (55) feet. See City standard drawing MS-16B for guidance.

MODIFICATION OF CONDITIONS

82. The Director of Public Works, Planning Commission, and Council reserve the right to modify these conditions if they deem it necessary to ensure compliance of the project with Chapter 8-6 of the S.M.M.C. (S.M.M.C. Section 8-6.09).

Recreation and Parks Department

83. Tree Species. Up to four street trees are required along each of the street frontages of Main Street and Broadway, for a total of up to eight street trees. Existing to-remain or newly planted street trees are to be protected in place across the entire span of sitework construction.
84. Preservation and Relocation of Existing Memorials. Prior to the issuance of grading permits, a plan for the preservation and relocation of the existing memorial plaques and boulders shall be coordinated with the Recreation and Parks Department. No site work shall occur on site until the memorials are relocated to an approved temporary storage location.
85. Public Pedestrian Access to Paseo. The proposed paseos shall be conditioned as privately maintained and afford access by the Fire Department and pedestrians.
86. Public Irrigation Modification. The developer shall be responsible for modifying the existing irrigation including abandonment/stubbing of piping to external site(s) and the installation of new controls to the medians of both street frontages.
87. Public Landscaping. All street trees shall be planted within a ten-foot parkway or shall have a four-foot by four-foot metal surface grate, attached trunk protection cage, ten-foot by ten-foot under-pavement root area using a 'silva cell' structure and amended topsoil per City detail. These areas will be City owned and maintained through the landscape districts.
88. Tree Specifications. The street trees shall be 24-inch box in size and have a minimum caliper of 1.5 inches. The trees shall be centered and planted in a 10-foot-wide parkway by a licensed landscape contractor in accordance with the plans and specifications of the Recreation and Parks Department. An irrigation system shall be provided for the trees.
89. Tree Bonding. Street tree bonding shall be for eight tree plantings at \$275 each totaling \$2,200.00. Tree bonds are to cover a one-year establishment starting at issuance of the Occupancy Permit or to cover the in-lieu cost of planting trees off site. Street tree requirements and bond amount are the maximum subject to change during building permit review. The street tree bond is due at submittal of building permit application as a cash or surety bond delivered to Community Development Building Division at 110 South Pine Street, Room 101, Santa Maria, CA 93458.
90. Parking Garage Rental Use Agreement. The property owner will enter into a contractual agreement with the City of Santa Maria in pursuance of use, refurbishment, and ongoing maintenance of the existing parking structure that is to be used for this project. Parking will be permitted on City lots, and the parking spaces will be non-exclusive; and will not be on a reserved or permit basis. The signed and notarized "Parking Use Agreement" is due at time of issuance of occupancy.

91. Tree Planting. Any nursery stock tree planted without inspection and approval by the Recreation and Parks Department shall be deemed defective and be removed by the person(s) responsible for the planting at their own expense. All plant material shall not be root bound or contain girdling roots. Street tree location(s) shall be approved onsite by the Special Districts Supervisor prior to installation.
92. Landscape Plans. The following shall be noted on the landscape plan: “the final locations of street trees shall be determined on-site by the Special Districts Supervisor. Twenty-four-hour notice is required for inspection prior to planting, (805) 925-0951 ext. 2346. Installation shall be in accordance with Recreation and Parks Department specifications.”
93. Development Fees. Per the Municipal Code, several Recreation and Parks Development Fees may apply to this project.
- A. Subdivision in Lieu \$2,764.00
 - B. Residential Development Tax \$185.00
 - C. Commercial Growth Mitigation \$0.01/square foot
 - D. Multi-family/Senior Growth Mitigation \$3.27/square foot
- Note: fees are reviewed annually and are subject to change.
94. Landscape District. This project will be included in the Northeast Landscape Maintenance District. The signed and notarized “Petition Requesting Annexation” form is due at time of building permit issuance. It can be returned to the Recreation and Parks Department, 615 S. McClelland, Santa Maria, CA 93454.

NOTES:

In accordance with Section 12-35.109 of the Municipal Code, this permit is not valid until the 15th calendar day following the issuance of the permit, providing no appeal is filed; or if an appeal is filed, this permit is not valid until the effective date of the final action on the appeal.

In accordance with Section 12-35.501 of the Municipal Code, the City may modify conditions of approval of the permit, or may revoke the permit for non-compliance with any of the conditions of approval, or if any operations under the approved permit result in detriment to the public health, safety or welfare.

This permit will not be valid until the applicant and property owner have submitted signed acknowledgment of their consent to the conditions, in accordance with Section 12-35.109 of the Santa Maria Municipal Code, to the Planning Division of the Community Development Department.

Failure to comply with any of the conditions stated above may be cause for revocation or modification of this permit, in addition to any other penalties provided by law.

All conditions of approval are to be completed prior to occupancy unless otherwise stated, and are to be maintained in perpetuity.