



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>DT2022 – 0022</u>
APPROVAL DATE	<u>August 16, 2023</u>
PROJECT NAME	<u>Alvin Newton Apartments</u>
APPLICANT/OWNER	<u>The Vernon Group</u>
ADDRESS/LOCATION	<u>Southeast Corner of Main Street and Broadway</u>
DESCRIPTION	<u>Downtown Permit (DT2022-0022) for The Vernon Group to construct a 6-story, 75,340-square-foot mixed-use building with 5,760-square-feet of ground floor commercial, 82 apartment units, a rooftop deck, outdoor plazas, parking, and a firefighters' memorial on a 1.49-acre site in the Gateway District of the Downtown Specific Plan.</u>

FINDINGS

The Planning Commission of the City of Santa Maria hereby recommends 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 mixed-use building with a ground floor commercial podium and apartments above. The building has clearly defined entrances that are easily accessible from public transit stops.
 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, street front dining patios, and a plaza open to the public that will soften the building exterior and provide an attractive street frontage.
 3. A variety of soft landscaping throughout the building exterior, interior courtyard and rooftop deck in the form of planted landscape areas, planter boxes, foundation planting and canopy trees. The roof deck provides seating and interactive features for the residents such as patio tables, benches, and portable fire pits. The Firefighter Memorial Courtyard will provide a wind-protected public space for quiet reflection among shade trees, lush landscaping and a central memorial focal point.

- B. That the site for the proposed project is adequate in size to accommodate the project because the project utilizes the adjacent City owned parking garage for the majority of the projects parking requirement, to accommodate the proposed residential use, leaving the site area for the building footprint, entry drive with four onsite parking spaces, driveway access to the adjacent parking garage, and site landscape, plaza and outdoor dining areas.
- C. The project will not have adverse effects on abutting properties, since the building setbacks are consistent with adjacent development and the commercial and residential uses 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. There are a total of 1,080 parking spaces within the adjacent parking structure, the project includes and is conditioned to provide secure bicycle parking facilities on site, and a condition of approval requires the applicant to provide improvements to the transit stop on Broadway, therefore, as conditioned by this downtown permit, the project will have no adverse parking effects on abutting properties.
- 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 because the characteristics of a residential or commercial use will not produce impacts of a scale or intensity that could cause negative impacts, the site and project layout has 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.
- 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 height conforms to the maximum 70-foot height for the district, with roof and tower elements exceeding that height, up to 85 feet.
- 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 over 4,240-square-feet of irrigated landscape area, equating to approximately 15.8% of the site area, thereby exceeding the minimum 15% required landscape area.

4. The project consists of a new building with a cohesive architectural style and exterior colors and materials consistent with a Spanish-Colonial vernacular.
 5. The project will have amenities for residents including laundry in each unit, two elevators, outdoor private patios/balconies, bicycle racks/storage, common area seating and amenities for pedestrians visiting the commercial use, including bicycle racks, enhanced walkways, outdoor dining areas (should a food use occupy the ground floor commercial area).
 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, and building base projections and decorative tile features. The building incorporates architectural elements which reference a Spanish-Colonial style, reflecting the appearance of the nearby Boot Barn building, Bank of America and Town Center East Mall.
 7. The project has incorporated two or more architectural features in keeping with the architectural style of the building, including: stone faced entry and base elements with upper levels consisting of stucco exterior, cornices and other decorative trim at multiple levels, barrel clay tile roofing, recessed Juliet and full balconies, recessed entryways, tower features with decorative finials, wrought-iron look balcony railings, styled exterior lighting fixtures, canvas awnings, and a special memorial plaza area that pays tribute to Mr. Alvin Newton who perished in the Bradley Hotel fire.
- G. This project qualifies as a Class 32 (In-Fill Development Projects) Categorical Exemption under Section 15332 of the State California Environmental Quality Act Guidelines. The project is consistent with the Specific Plan land use designation and the Gateway zone district and is consistent with the Downtown Specific Plan. The site is 0.60-acres in size and is substantially surrounded by urban uses. The site is developed and has no value as habitat for endangered, rare, or threatened species. A traffic study was prepared for the project indicating that area intersections would continue to operate at acceptable levels of service, and according to the City's Environmental Procedures and adopted Vehicle Miles Traveled (VMT) thresholds, the project would result in VMT rates that are below the City's adopted thresholds. Any noise generated by the project during construction activities would be temporary while the project is under construction. The noise levels generated by the residential and commercial development would be similar to the existing surrounding land uses and would not result in significant effects or an increase in the existing ambient noise levels of the developed area. Therefore, approval of the project would not result in significant effects relating to water quality, air quality, traffic, or noise. 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 The Alvin Newton Apartments consisting of 22 pages dated August 4, 2023, 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. Firefighter Memorial. Prior to building permit issuance, the applicant shall present plans for the renewal of the existing Firefighters Memorial for review and approval by the Director of Community Development.
 - A. The Memorial shall be accessible to the public in perpetuity, and a recordable public access easement or dedication to the Recreation and Parks Department will be required prior to occupancy.

3. 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.

4. Building Architecture. The building shall be constructed in substantial conformance to the approved plan set and shall maintain a high-quality level in building materials, design, and enhancements. The following architectural elements and features shall be incorporated as depicted on the approved architectural elevations:
 - A. Window and balcony recesses as depicted.
 - B. Barrel clay tile roofing.
 - C. Decorative cornices at various levels
 - D. Wrought iron style decorative balcony railing, grates and screens, patterned as depicted.
 - E. All architectural elements which project over the building roof line shall wrap back to an appropriate depth appropriate to the scale of the building, subject to the approval of the Planning Division. The architectural elements shall be finished with the same building material and cornice/trim features on all sides.

5. Parking. Sixty-nine parking spaces are required for the 82 dwelling units proposed. Prior to issuance of building permits, the project applicant shall obtain a contractual agreement with the City for the use of parking in the adjacent City-owned parking garage to satisfy the parking required.

6. 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.
7. Bike Racks/Storage. Bike racks and/or storage shall be installed, and at minimum 1 long term secured bike parking space shall be provided for every 5 units. The location, design and number shall be approved by the Planning Division during the building permit review process.
8. Trash Enclosure. Each trash receptacle shall be stored in an enclosure. The final development plan submitted for the building permit shall specify size and location of all trash collection areas and the enclosure shall be constructed in accordance with the approved plan. The location and design shall be approved by the Community Development Department and the Public Works Department. 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 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.
9. 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 and in the public parkway 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.

10. 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.

11. 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.
12. 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.
13. 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.
14. Light Standards. All on-site lighting shall comply with the Municipal Code Performance Standards. A photometric plan is required at the building permit stage, subject to Planning Division approval.
15. Utilities. All new public utility services, including electrical, telephone and community television antenna services, shall be placed underground in accordance with City requirements. Location 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 and placed in inconspicuous areas out of public view.
16. 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.
17. Performance Standards. The requirements of the City's performance standards with respect to odor, noise, smoke, vibration and discharge of liquid and solid waste shall be maintained.

18. AB 1600 Fees. AB 1600 fees apply to this project and are based on the fees in effect at the time the building permit is issued.
19. 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.
20. Agency Requirements. The applicant shall ascertain and comply with all Federal, State, County and City requirements as are applicable to this project.
21. Construction Documents. A copy of these conditions shall be incorporated into all construction documents.
22. Tenant Improvements. Modifications to the building require building permits. Contact the Building Division to determine if building permits are required. A pre-plancheck conference may be scheduled with a plancheck engineer before submitting building plans for plancheck. The applicant and/or architect may contact the Building Division to schedule a time and date.
23. Incentives. The incentives available for this project based on the amount of existing and additional exterior improvements being made and are outlined in the Disposition Development Agreement (DDA) with the Vernon Property Group, LLC for City Surplus Land Located on the Southeast Corner of Main and Broadway (Lot 3). If terms of the DDA are met, these incentives may include:
 - A. Reduced Building Permit fees up to 50%, but not including costs for third-party Building Permit plan check review;
 - B. Authorization for future Downtown Permits onsite to be administrative when otherwise a hearing would be required at the discretion of the Zoning Administrator;
 - C. Payment of growth mitigation fees over a 10-year period without interest payments, based on Section 8-15.06(f) of the Santa Maria Municipal Code;
 - D. Contractual use of City-owned parking facilities for the benefit of the project.
 - E. Reduced or waived growth mitigation fees for City Hall, Consolidated Corporation Yard, Police, Fire, Traffic, and Library. (Water Connection, Wastewater connection, State Water Reimbursement, Recreation and Parks and, School fees not waived.)

24. Minor Modifications. Minor modifications to the site and exterior of the building as well as new tenants in the commercial units may be done with administrative amendments to this Downtown Permit.
25. Signs. Signs for the property, including temporary signs, must meet the requirements of the City Sign Code, and a sign permit is required.
26. Business License. A City business license is required.
27. The project shall be plan checked under the California Building Codes effective at the time of plan check application.
28. 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.
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. At least one of each type of parking facility provided shall be accessible.
31. The plans for each building of the project shall be the product of a registered design professional.
32. Utility or customer submetering of the domestic water supply is required for each unit in multiunit (2 or more) residential structures. Water Code 517
33. Clothes washers shall be provided in accordance with CSMMC 9-4.306 as follows; Clothes washer standpipes - A minimum of one (1) automatic washer standpipe for each single family dwelling or a minimum ratio of one (1) automatic washer standpipe for each seven (7) apartment house dwelling units or fraction thereof, with not less than two (2) standpipes for apartment houses having five (5) or more dwelling units. Kitchen sinks-one (1) for each dwelling or apartment unit.
34. Common areas of the site shall comply with CBC chapter 11A Division II & III or 11B as applicable.
35. 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.

Public Works Department

ENGINEERING CONDITIONS

36. Public Improvement Plans: PIPs shall be reviewed and approved by the City Engineer prior to building permit issuance. The PIPs shall include the following:
- A. Plan and profile drawings for all surface and underground improvements
 - a. Prior to occupancy, Developer shall construct a Bus Rapid Transit (BRT) turnout on Broadway (SR-135). Install modified City Standard Detail RD-26, -27A and -28 bus turnout. The Developer may request occupancy prior to construction of the BRT station but shall provide surety acceptable to the Director of Public Works and the City Attorney. Main requirements for turnout design include:
 - i. Bus pad shall be 9" Class A PCC Pavement over 12" Class II Aggregate Base, compacted to 95%.
 - ii. Platform shall be 16" high, measured from bus pad. This will require building ramps on either side of the turnout platform that meet ADA requirements.
 - iii. Curb of platform shall have rubber curb to facilitate bus docking and minimize potential damage to buses.
 - iv. Platform shall be 185 feet long, measured along platform edge parallel to vehicular traffic, to accommodate two 40' buses. Along platform length, a 2-foot-wide detectable warning strip shall be installed.
 - v. Railing along platform should be implemented to prevent falls.
 - vi. Station platform shall be at least 12-feet wide, which includes the BRT shelter and curb-adjacent loading area.
 - vii. Bus shelter
 - 1. Tolar 16' Sunset Shelter with Polycarbonate Flat Roof in aluminum color, without walls and accompanying Bench w/ seat delineators
 - 2. ADA wheelchair area marked (painted onto the ground between the gap of the bench and end of shelter)
 - 3. Urban Solar RMS solar lighting package
 - 4. Waysine LED shelter display
 - 5. Papercast 13" e-paper display
 - 6. PV Stop Max bus stop pole lighting system
 - 7. Bike Loop
 - b. Traffic signing and striping plans for all streets.

- c. Landscaping and irrigation plans for any area of public right-of-way where landscaping is required (such as medians) or where landscaping is to be maintained as part of a city landscape maintenance district.

The Engineer shall submit four (4) copies of the Public Improvement plans to the Public Works Department for review. 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. The form of security shall be subject to the approval of the City Attorney.

- 37. 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 proposed and 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.
 - B. Location, quantity, and orientation of trash enclosures. Trash enclosures shall be constructed in conformance with current City standards and specifications.
 - C. All parcel lines and easements crossing the project site.
 - D. Locations and dimensions of all existing and proposed driveways and sidewalks
 - E. Location of waste grease containers. Waste grease containers shall not be placed within trash enclosure.
 - F. Location of existing and proposed fire hydrants
 - G. Required public improvements.
 - H. Limits of frontage improvements

FEES

- 38. 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).

39. 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

- 40. Downtown Specific Plan: All proposed frontage improvements shall conform to the guidelines outlines in the City of Santa Maria Downtown Specific Plan.
- 41. Downtown Multimodal Streetscape Plan: All proposed frontage improvements shall conform to the guidelines outlines in the City of Santa Maria Downtown Multimodal Streetscape Plan.
- 42. ADA Compliance: If not installed by Caltrans prior to development of this site, a curb ramp shall be installed on the southeast corner at the intersection of Main Street and Broadway. The curb ramp shall comply with California Administrative Code, Title 24 Requirements.
- 43. Frontage Repair: The developer shall repair any cracked or broken curb, gutter, sidewalk, or alley within the project frontage. City Public Works Inspection staff will determine the extent of the sidewalk and curb and gutter repair in the field prior to construction. Contact the Public Works Streets and Facilities Division at (805) 925-0951, ext. 2229. (S.M.M.C. Section 12-28.03)
- 44. Sidewalk ADA Compliance: The developer shall remove and replace any sidewalk within the project frontage that does not meet ADA cross-slope requirements.

45. 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.
46. Caltrans Encroachment Permit: The developer shall obtain an encroachment permit before performing work within State Highways 135 and 166 right-of-way. Encroachment permits are issued by California Department of Transportation (Caltrans) at the San Luis Obispo permit office. A note to this effect shall appear on the plans during building plan check.
47. 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).

WATER CONDITIONS

48. Privately Owned On-site Water Lines: Water lines for fire suppression shall be adequately sized and separated from water lines used for domestic water. Fire suppression lines shall include appropriate fire service backflow prevention assemblies per Standard Detail WA-27F, separating privately-owned and maintained water lines from public water lines.
49. 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.
50. 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.
51. Water Service Pipe Material Disclaimer: It is required that if your water service is made of polybutylene, you replace it with a City standard water service during the construction of your project.
52. 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

53. 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.

54. 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).
55. Traps: Grease, oil, lint, hair and/or sand traps shall be provided and maintained in good working order at all times when, in the opinion of the Utilities Manager, they are necessary for the protection of the wastewater collection and treatment. (S.M.M.C. Section 8-12.413)
56. Wastewater Discharge Permit: Prior to building permit issuance, the developer shall obtain a Wastewater Discharge Permit from the City. Contact the Utilities Department at (805) 925-0951, ext. 7270 for the permit application.
57. 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.
58. 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

59. 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.
60. Construction Storm Water Requirements (Site < 1 Acre): The developer shall complete and submit an Erosion and Sediment Control Plan (ESCP) provided by the Building Department along with the Grading and Drainage Standards. Approval is required before issuance of grading permit.
61. Erosion and Sediment Control Plan (ESCP) Encroachment Permit: Prior to issuance of grading permits, the developer shall be required to be approved for a City of Santa Maria Encroachment Permit to monitor and inspect the approved ESCP. This will require paying permit and inspection fees to the City.

FLOOD CONTROL CONDITIONS

62. 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.

POST-CONSTRUCTION STORM WATER CONDITIONS

63. 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. 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.
 - B. The SCP shall include a site plan, Stormwater Control Measure (SCM) sizing calculations, details of bioretention design, and dimensions of drainage management areas.
 - C. 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.
 - D. 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.
 - E. 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.
 - F. 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.
- G. 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.

SOLID WASTE CONDITIONS

64. 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 provide 2 Solid Waste Enclosures which are to be constructed per City Standard MS-16B. Each enclosure shall contain one 4-yard trash dumpster, one 4-yard recycle dumpster and 5 organic waste containers. Alternatively, the developer may provide one enclosure which is double the standard size and can accommodate two 4-yard trash dumpsters, two 4-yard recycle dumpsters, and 10 organics containers.
 - B. The developer shall submit a site plan identifying location(s) of each solid waste enclosure (“Enclosure”) to contain refuse and recycling (including single stream recycling and organics) bin(s)/container(s). The proposed location of each enclosure 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.

- C. All Enclosures shall be constructed per City standard drawing MS-16B or as otherwise approved by Utilities Department Solid Waste Division, Public Works Department Engineering Division, and Community Development Department ("City").
- D. The proposed quantity of Enclosure(s) for the subject site shall be reviewed and approved by the City.
- E. The service frequency of each bin/container shall be determined by the City.
- F. Enclosure(s) shall be oriented to provide vehicle fork-in access when possible.
- G. 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.
- H. 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.
- I. 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.
- J. 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) with minimal 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.
- K. In lieu of placing organic waste into bin(s)/containers(s) for the subject site, the developer may choose to provide space for organic waste to be recycled on-site via community composting or other means approved by the Utilities Department Solid Waste Division, Public Works Department Engineering Division, and Community Development Department ("City"). The community composting area must have sufficient space for every tenant/resident to recycle their organic waste. The developer is responsible for maintenance of the community compost area.

MODIFICATION OF CONDITIONS

- 65. The Director of Public Works, Planning Commission, and City 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

66. Tree Species. Two Sawleaf Zelkova trees along Broadway and one on Main St. as depicted on the Pleinaire Design Group plan set dated 05/19/2023 are acceptable. Credit will be given for the existing Southern Magnolia to remain along Main St, tree shall be protected in place during construction.
67. Plaza trees. As a condition of the project, any existing city trees that are removed during construction must be replanted within the project area or a nearby area designated by the City. Alternatively, the project proponent may pay an in-lieu fee to the City's tree planting fund, which will be used to replant trees in other areas of the City. The trees presented on the Pleinaire Design Group plan dated 2/14/23 are acceptable. The planting areas depicted are not acceptable and shall be revised during the building permit review. A minimum ten by ten-foot square root area is required, this may be accomplished by either an open landscape area or a breathable pavement or cover over the ten-foot improved soil tree root area.
68. Public Improvements. The open space, facing the southern portion of the site, Memorial Plaza will require public landscaping that will complement the existing downtown specific plan landscape design concept, along with adequate access and some park like amenities within the open space. The open space is considered an enhanced landscape area with public access and use, no exclusive private use. Include separate public improvement plans through City of Santa Maria Public Works for review and approval by Community Development, Public Works and Recreation and Parks departments. These areas will be dedicated to the City and maintained as part of the Landscape Maintenance Districts.
69. Tree Bonding. Street tree bonding shall be for three tree plantings at \$275 each totaling \$825.00. Tree bonds are to cover a one-year establishment starting at issuance of the Occupancy Permit. Street tree requirements and bond amount are a maximum subject to change during building permit review. The tree bond is due at time of building permit issuance as a cash or surety bond delivered to Recreation and Parks at 615 S. McClelland St.
70. Parking Garage Rental Use Agreement. Property owner will enter into a contractual agreement with the Recreation & Parks Department in pursuance of the use, refurbishment, and ongoing maintenance of the existing parking structure that are to be used for this project. Parking will be permitted on City lots, the parking spaces will be non-exclusive; and will not be on a reserved or permit basis. The signed and notarized "Parking Garage Rental Use Agreement" is due at time of building permit issuance.

71. Tree Easement. A minimum ten-foot-wide tree planting easement shall be dedicated to the City to allow adequate space for planting and maintenance of street trees. The tree area proposed on East Main Street is only five feet wide and needs to be expanded to ten feet to be acceptable. The easement shall not have any impervious pavement other than vehicle and pedestrian approaches, nor be dual purposed as a storm water mitigation area. The applicant shall apply for the easement through the Public Works Department with necessary fees, a recent copy of a title report, closure calculations and sketch. The property owner is responsible for the upkeep of the trees, landscaping and irrigation within the easement area.
72. Landscape Plans. The street tree easement shall be clearly identified on the planting and irrigation plans. Only street trees shall be planted in the easement area. All other on-site private tree planting shall be planted behind the easement area. 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.”
73. Development Fees. Per the Municipal Code, several Recreation and Parks Development Fees may apply to this project.
- A. Subdivision in Lieu \$1,990.00
 - 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.
74. Landscape District. This project will be included in the Northeast Landscape Maintenance District & Downtown Special Benefit Zone. 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:

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. Appeals shall be based on Chapter 12-41 of the Municipal Code.

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.