



# CITY OF SANTA MARIA PLANNED DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT

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

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**PERMIT NO.** PD2021-0010, U2023-0015

**APPROVAL DATE** August 16, 2023

**PROJECT NAME** Betteravia Plaza Chevron

**APPLICANT/OWNER** Morris Kautz, Jr.

**ADDRESS/LOCATION** Northeast corner of Betteravia Road and Walker Avenue

**DESCRIPTION** A Planned Development Permit (PD2021-0010) and Conditional Use Permit (U2023-0015) for Morris Kautz Jr. to construct a 10-pump fueling station, electric vehicle charging facility, and carwash with a 6,100-square-foot convenience store with second-floor office/storage area, and a 2,500-square-foot drive-through restaurant on a 2.9-acre site in a PD/C-2 (Planned Development/General Commercial) district.

## FINDINGS

The Planning Commission hereby approves the following project in accordance with the application submitted and hereby makes the required findings in accordance with Section 12-35.105 and 12-35.203 of the Municipal Code, including the following:

- A. That the project meets the vision, intent, and requirements of the General Plan. The project would be consistent with the purpose of the Community Commercial (CC) land use designation on the site, which is to provide for retail uses located outside of the central core of the city.
- B. That the site for the proposed use is adequate in size and topography to accommodate the use, and all yards, spaces, walls and fences, parking, loading and landscaping are adequate to properly adapt such use with the land and uses in the vicinity because the project complies with all applicable development standards of the Santa Maria Municipal Code. The project has been designed to adequately accommodate the proposed uses. Specifically, the proposed parking, drive-thru queue stacking, multi-purpose trail connections, landscaping/open spaces, building heights and setback areas have been designed to function holistically and would adequately adapt to the surrounding land uses.

- C. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.

The project is exempt from Vehicle Miles Traveled (VMT) analysis per the City of Santa Maria Environmental Procedures. Specifically, the project is a discretionary retail development project that is 50,000 square feet or less. The project is not a regional shopping center that predominantly serves customers that live outside of the City limits, as the gas station would serve local nearby residents and workers that are already on the road network, passing through. While some of the trips are newly generated trips, most of the project traffic would be from the surrounding land uses. Therefore, based on the above, the proposed project can be presumed to have a less than significant VMT impact and a detailed project-specific VMT analysis would not be warranted.

- D. That the proposed use will have no adverse effect upon abutting property because the site layout provides enough space for the proper functionality of the on-site parking, on-site vehicle circulation, queuing at the drive-thru lane and pedestrian access along the multi-purpose trail. The project would provide adequate parking for all the uses. The project also includes conditions of approval to minimize circulation and noise effects on surrounding properties. A hazard risk assessment was prepared for this project and Santa Barbara County Air Pollution Control District regulations for the safety of the gas station are in place for the project and will be reviewed through an additional permit prior to issuance of building permits. A noise study was prepared to analyze the noise effects of the carwash, and based on the recommendations of the report, conditions of approval are incorporated into the permit to limit and reduce noise to be within the City's adopted noise thresholds. An eight-foot-tall solid masonry screen wall will be constructed by the applicant to mitigate any potential noise effects for the adjacent residences.
- E. That the establishment, maintenance and/or conducting of the use for which the planned development review is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or welfare of persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to property or improvements in the neighborhood; nor shall the use be inconsistent with the character of the neighborhood or contrary to its orderly development because the construction of the gas station and drive-through would adapt with the land uses in the vicinity. A hazard risk assessment was prepared for this project and Santa Barbara County Air Pollution Control District regulations for the safety of the gas station are in place for the project and will be reviewed through an additional permit prior to issuance of building permits. A noise study was prepared to analyze the noise effects of the carwash, and based on the recommendations of the report, conditions of approval are incorporated into the permit to limit and reduce noise to be within the City's adopted noise thresholds. An eight-foot-tall solid masonry screen wall will be constructed by the applicant to mitigate any potential noise effects for the adjacent residences. The drive-through lane would provide adequate space to ensure that vehicles would not queue onto Walker

Avenue. The proposed landscape and drive through screen wall would adequately screen the drive-through lanes from the project frontage. The conditions of approval and development standards required for this project address and alleviate any potentially adverse impacts that could result from the proposed use. Therefore, the project would be compatible with the adjoining land uses and would not be more obnoxious or detrimental to the health of the public than any of the uses established at the project area, or any of the conditional uses listed in the C-2 section of the Municipal Code.

- F. That the conditions stated in the decision are necessary to protect the public health, safety and general welfare.
- G. The proposed modification(s) are otherwise consistent with the General Plan, Municipal Code and applicable Specific Plans. No modifications to development standards are proposed.
- H. The project includes superior design elements that mitigate or compensate for any potential impact of the proposed modification(s) on the surrounding area. The project is consistent with all applicable development standards in the Municipal Code and no modifications to development standards are proposed.
- I. The proposed modification(s) are essential to the design of the project. The project is consistent with all applicable development standards in the Municipal Code and no modifications to development standards are proposed.
- J. The proposed modification(s) have been minimized to the maximum extent possible consistent with Subsections (a) through (c) of Section 12-35.203 of the Municipal Code. The project is consistent with all applicable development standards in the Municipal Code and no modifications to development standards are proposed.
- K. That the environmental impacts of the project are adequately reviewed in the Addendum to the Betteravia Plaza Final Environmental Impact Report (SCH# 2015011029) and there is no substantial evidence in the record that the project, as mitigated, may have a significant effect on the environment. 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 Betteravia/Kautz Chevron consisting of 22 pages dated March 31, 2022 and November 10, 2022 and May 8, 2023, and Conditions of Approval of this permit. Any changes from the project description, Plan Set, or conditions may require a permit amendment. Contact the Planning Division prior to changing anything described on the Plan Set or in the project description.

2. Mitigation Monitoring and Reporting Program. The mitigation measures in the Mitigation Monitoring and Reporting Program for the Environmental Impact Report (SCH# 2015011029) are hereby incorporated and attached for reference.
3. Noise Reduction Measures. The following measures shall be implemented and enforced by the owner and/or operator of the project. Failure to comply with these conditions is a public nuisance and is subject to the adopted Citation Ordinance of the City of Santa Maria and/or revocation of this permit by the Planning Commission.
  - A. Operation of the carwash and vacuums shall be limited to daytime hours (8:00 am to 9:00 pm).
  - B. With the exception of the car wash entrance and exit, the car wash shall be largely enclosed. The exterior façade of the car wash shall be constructed of masonry block or material of similar density and usage.
  - C. Dryer units shall not exceed the manufacturer-provided operational noise levels. The blower motors should be shielded sufficiently to interrupt the line-of-sight between the blower motor intake and the nearest adjacent property line located north of the car wash. Examples include the installation of a manufacturer-recommended shroud and/or mounting of the blower motors behind the exterior façade of the car wash. It is recommended that the opening for the car wash tunnel exit not exceed 7.2-feet in height.
  - D. Installation of an audible bay buzzer is prohibited.
  - E. A noise barrier of split-face or stucco finish masonry block, with a minimum height of eight-feet above ground level shall be installed along the northerly property line. The barrier shall be constructed with no visible air gaps at the base of the barrier or between barrier construction components.
  - F. The installation of vents on the northern façade of the centralized vacuum building is prohibited. Baffles shall be installed on all vents where possible. Vacuum equipment maximum sound levels shall be reviewed by the Community Development Department during plancheck.
  - G. The applicant is reminded that amplified sound such as radio, stereo or similar are included in the Noise Ordinance (SMMC Chapter 5-5) as unmeasurable nuisance noise. The owner and the operator are responsible for ensuring compliance within the project site boundaries, particularly within the vacuum area, adjacent to the residences.
4. Remediation Plan. A Hazardous Materials Remediation Action Plan has been implemented in accordance with Santa Barbara County Health Department Environmental Health Services Division, Hazardous Materials Unit (HMU) protocol.

*During construction activities the project shall implement the following HMU directive: Stop work immediately and contact the County Public Health Department, Environmental Health Services Division, Hazardous Materials Unit (HMU) at (805) 346-8460 if visual contamination or chemical odors are detected*

*while implementing the approved work at this site. Resumption of work shall require approval of the HMU.*

The above-stated measure shall be placed on the cover sheet of the Fine Grading Plan submitted to the Community Development Department for plan check and shall be applied during all phases of grading and construction.

5. Fuel Hose Length. Fuel nozzles should be supplied with long hoses to allow fueling on either side of a vehicle.
6. Drive-Through Uses. The site is approved for drive-through uses subject to screening provisions. The drive-through areas shall be screened from view along the street frontages to prevent headlight glare and visibility from the street. The drive-through uses shall monitor their queuing and take operational measures to address any spillover into the drive aisles.
7. 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 Planning Commission approval prior to issuance of building permits. Paint colors shall be provided in the form of paint chips.
8. 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.
9. Outdoor Seating: All outdoor dining areas shall be adequately screened from wind. Applicable screening improvements shall be shown on the site plan submitted to the Community Development Department for plan check.
10. Carports. Carport design shall complement the architecture and exterior color and materials of the development. No galvanized or unpainted services shall be permitted. Carports shall include facias to conceal the beams and purlins. Carport light fixtures, if provided, shall be full cut-off and shielded to prevent glare.
11. Parking Area. 58 parking spaces are required, and 75 spaces are provided. The 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.
12. Bike Racks/Storage. Bike racks and/or storage shall be installed. The location, design and number shall be approved by the Community Development Department during the building permit review process.
13. 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.

14. 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.

15. Landscape Plan. A Landscape 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 plan checking and approval. The specific planting design of the landscape area and species of trees and plants shall be subject to approval of the Planning Division during the plan check review process. The landscape plan shall be prepared in accordance with Chapter 12-44 of the Municipal Code, Landscape Standards. Backflow prevention devices shall be screened with plant material and located to maximize aesthetics.

- A. Clinging vines and/or vertical planting shall be provided on trash enclosure walls and any other masonry walls where appropriate to soften the visual effects of the built environment and discourage graffiti.

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; and

- 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 Planning Commission 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. A photometric plan is required at the building permit stage, subject to Planning Division approval. Parking lot light standards on the project site shall have a maximum overall height of 20-feet.
20. 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.
21. Awnings/Patio Umbrellas: Awnings and umbrellas used on the patio shall not include logos or text (sign area), unless the size and area of the logos and text are included in the calculation of permitted sign area and are approved through a sign permit. The tenant/property owner shall replace any frayed, ripped or otherwise damaged awnings and umbrellas immediately.
22. 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.
23. Serving of Alcoholic Beverages. Alcoholic beverages shall only be served in conjunction with the serving of food and requires the submittal of a separate Conditional Use Permit to be reviewed and approved by the Zoning Administrator.
24. Outdoor Display. Outdoor display and storage shall comply with Section 12-13.16 of the Municipal Code.
25. Business License. A City business license is required.
26. 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.

27. Loitering. Loitering is prohibited on-site. The property owner shall take all measures possible to prevent loitering on the project site. Measures such as a security guard, security cameras, or routine patrolling of the site by employees shall be implemented into the project. If at any time loitering caused by the project becomes a nuisance to the adjacent properties, the property owner shall take additional measures to mitigate the nuisance.
28. Health Department Requirements. Detailed plans shall be submitted to the Santa Barbara County Health Department for review and approval prior to plans being submitted to the City for approval and issuance of a building permit.
29. 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.
30. 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.
31. Agency Requirements. The applicant shall ascertain and comply with all Federal, State, County and City requirements as are applicable to this project.
32. Construction Documents. A copy of these conditions shall be incorporated into all construction documents.
33. Mitigation Monitoring and Reporting Program. The mitigation measures in the Mitigation Monitoring and Reporting Program for the Environmental Impact Report (SCH# 2015011029) are hereby incorporated and attached for reference.
34. California Building Code. The project shall be plan checked under the California Building Codes effective at the time of plan check application.
35. California Registered Design Professional. Plans for the project shall be prepared signed and sealed by a California registered design professional, i.e. architect or engineer.
36. Soils Report. A soils report will be required for the project and must be submitted at the time of building permit application. CBC 1803

37. Underground. All electrical, telephone and communication utility distribution and service wires shall be placed underground. SMMC 12-28.06
38. Disabled Access Requirements:
  - A. The second floor restroom shall meet disabled access requirements.
  - B. Interior doors on both the first and second floor levels shall meet wheelchair maneuvering requirements.
  - C. Restrooms on the first floor shall meet disabled access requirements.
  - D. An accessible route shall be provided from the accessible parking spaces to and through the accessible entrance.
39. Canopy and Carports. The proposed canopies shall be designed and constructed to withstand wind or other lateral loads and live loads and shall meet all applicable criteria specified in 2019 CBC 3105.2. The proposed canopies shall be provided with approved coverings that complies with the requirements of 2019 CBC 3105.3.
40. Carwash Water Recycling. The car wash facility shall be designed to do either of the following:
  - A. Install, use, and maintain a water recycling system that recycles and reuses at least 60 percent of the wash and rinse water.
  - B. Use recycled water provided by a water supplier for at least 60 percent of its wash and rinse water.
41. Special Inspections. Special Inspection is required for the installation of the stone tile veneer. A completed City of Santa Maria Special Architectural Inspections Certificate shall be required to be sealed and signed by the Registered Design Professional in Responsible Charge.

## **Public Works Department**

### **ENGINEERING CONDITIONS**

42. 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
  - 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. Limits of frontage improvements

## FEES

43. 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).
44. 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

45. At-Grade Driveway:  
Driveways shall be installed per City Standard Drawing RD-18A/RD-19A. Driveways shall have minimum throat width of twenty-four feet (24) and minimum curb return radius of twenty feet (20).

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).

46. 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.
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).
48. Chip Seal: Developer shall be required to restore asphalt pavement surface to the pre-development condition by placing chip seal compliant with City Standards along the property frontage where trenching and utility cuts are required within City right-of-way. The chip seal shall be applied for the full width of the roadway for 50' beyond all cuts within the asphalt pavement and the roadway striping shall be restored to pre-construction layout. The developer may elect to deposit an in-lieu fee to the City Public Works Department to perform the chip seal as a part of the City's annual chip seal project.

#### WATER CONDITIONS

49. Additional Water Fixtures: If service is existing and additional fixture units are to be added to the water service, the service lateral and meter size shall be evaluated by the developer's engineer to determine if it is adequate for the increased water usage; if it is not adequate, the developer shall be responsible to install an appropriately-sized service lateral and meter per City Standards.
50. 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

51. 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).
52. 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)

53. Vehicle Washes: Water runoff from vehicle wash area shall not be directed to the public storm drain system. If the water runoff is directed to the public sewer, a sand and oil clarifier with a sample box shall be provided. The clarifier shall be maintained in good operation condition at all times.
54. 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.
55. 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.
56. 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

57. 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.
58. 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/>).
59. SWPPP Review Fee: The developer shall submit a hard copy and an electronic copy of the SWPPP for review and approval prior to permit issuance. A SWPPP review fee will be invoiced prior to approval.
60. 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.

61. 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.

#### POST-CONSTRUCTION STORM WATER CONDITIONS

62. 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 (<http://www.sbprojectcleanwater.org>).
  - 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. 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.
  - F. 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.

- G. 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.
- H. 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

63. Multi-family and Commercial/Industrial Solid Waste Facilities: Due to the size and nature of this development, waste collection bins are required. Solid waste pick-up for the subject site shall be provided by bin service only.
- A. The developer shall submit a site plan identifying enclosure locations. All trash enclosures shall be constructed per City standard drawing MS-16B. Hinges for the trash enclosure shall allow for gates to open 180 degrees to allow bins to be serviced. The site plan shall be reviewed and approved by the Utilities Department Solid Waste Division, Public Works Department Engineering Division, and Community Development Department prior to issuance of building permits.

- B. The developer shall submit a truck turning template route for trash service. The City solid waste collection vehicles must be able to enter and exit the site to gain access to the enclosure without backing. City waste collection vehicles have an inside turning radius of thirty-eight (38) feet and an outside turning radius of fifty-five (55) feet. Orient the enclosure to provide fork-in access when possible; if fork-in access is not possible, additional concrete pads shown on Standard Drawing MS-16B shall be constructed at time of installation.
- C. Enclosures shall be reserved exclusively for bin storage. Miscellaneous boxes, racks, grease containers, etc., will not be allowed within the enclosure.
- D. The developer shall design any interior vehicle travel ways to withstand loads imposed by City solid waste collection vehicles.

#### MODIFICATION OF CONDITIONS

- 64. 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).

#### Fire Department

- 65. Access Roads. The roads shall be a minimum of 4-inch class II road base compacted to 95 percent with an all-weather surface such as concrete or asphalt pavement and a minimum 15 1/2-foot overhead clearance: 24-foot net minimum width for buildings below 30 feet in height.
- 66. Fire Lane Signs. "No Parking, Fire Lane" signs shall be posted at entrances. Signs shall be designed per SMFD Development Guidelines. All curbing in a designated Fire Lane or fire access way shall be painted red with "Fire Lane, No Parking" graphics stenciled every 100 linear feet or as otherwise designated on approved plans.
- 67. Water Lines: Water lines shall be installed per City of Santa Maria Public Works and NFPA Standards. Minimum main size for commercial and industrial developments shall be 8 inches in diameter. Water lines shall be installed and operational prior to combustible construction.
- 68. Fire Hydrants: Fire hydrants shall be installed per the City of Santa Maria Public Works Standard WA-31, CFC Chapter 5, and CFC Appendix C. The Fire Department shall inspect and approve all fire hydrant installations for operational readiness prior to combustible framing.
- 69. Fire Hydrant Size and Outlets: Fire hydrant size shall be one (1) 4.5" inch outlet, and two (2) 2.5" inch outlets. Fire flow shall comply with CFC, Appendix B.

70. Fire Hydrant Protection: All fire hydrants shall be protected from impact in accordance with Santa Maria City Standard WA-20. 6) Hydrant Markers: Blue dot fire hydrant location markers shall be installed for each hydrant. Installation location shall be 4 inches from the centerline of the roadway, on the hydrant side
71. Hydrant Markers. Reflective blue dot fire hydrant location markers shall be installed.
72. Fire Sprinkler Systems. Automatic Fire Sprinklers are required for the following occupancies:
- A. Group “A” Occupancies when the gross floor area is 5,000 square feet.
  - B. Group “F-1” Occupancies when the gross floor area is 5,000 square feet or more.
  - C. Group “M” Occupancies when the gross floor area is 5,000 square feet or more.
  - D. All commercial fire sprinkler systems shall be equipped with a local water flow alarm.
  - E. 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.
73. 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. 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 50 feet of an approved fire hydrant.
  - D. Be equipped with Knox Brand locking caps.
74. 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.
- 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.
  - 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.
75. Fueling Station: The fueling station shall be designed and installed per California Fire Code (CFC), 2019 Edition, Chapter 23, and Santa Barbara County Environmental Health Services requirements.

## Recreation and Parks Department

76. Street Trees. Ensure that site trees canopies do not conflict with adjacent City Street trees. Reference Betteravia Plaza public improvement landscape plans by Pleinaire.
77. Public Improvement Landscaping. Damage caused to the public landscaping during onsite construction or utility connections shall be repaired to original condition and approved by representatives of the Recreation and Parks Department prior to occupancy.
78. Development Fees. Per the Municipal Code, several Recreation and Parks Development Fees may apply to this project.
  - A. Commercial Growth Mitigation \$0.01/square foot.  
Note: fees are reviewed annually and are subject to change.
79. Landscape District. This project is included in the Southwest Landscape Maintenance District and the Betteravia Plaza Special Benefit Zone.

### 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 12-35.501 of the Santa Maria Municipal Code, to the Planning Division of the Community Development Department.

In accordance with Section 12-35.501 of the Municipal Code, this permit shall become null and void if the development authorized is, or has been, unused, abandoned, discontinued, or development has not been commenced within a period of three (3) years. However, the approval body may consider extensions of time for additional periods of up to two (2) years each, for a maximum overall permit life of seven (7) years. A written request justifying the need and the appropriate filing fee filed with the Community Development Department shall be submitted prior to the expiration date.

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.